Journal of the Senate

State of Indiana

119th General Assembly Second Regular Session

Twenty-sixth Meeting Day Monday Afternoon February 29, 2016

The Senate convened at 2:37 p.m., with the President of the Senate, Sue Ellspermann, in the Chair.

Prayer was offered by Reverend Ed Selvidge - Radnor United Methodist Church - Delphi.

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

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

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

Roll Call 233: present 50; excused 0. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

RESOLUTIONS ON FIRST READING

Senate Resolution 47

Senate Resolution 47, introduced by Senator Patricia Miller:

A SENATE RESOLUTION urging the state department of health to study the fiscal impact of additional newborn screening.

Whereas, Newborn screening for lysosomal storage disorders such as Krabbe disease, Pompe disease, Niemann-Pick disease, Gaucher disease, Fabry disease, and Hurler syndrome, which have incidence rates of 1 in 5,000 to 1 in 10,000 people, is an important tool to ensure early detection of these diseases, which is crucial in that treatment is less beneficial when administered to children who are already symptomatic;

Whereas, Newborn screening would lead to earlier identification of these diseases compared to clinical detection, which would decrease the need for some aspects of complex medical and associated costs. The cost implication of early detection and lifelong treatment of these diseases is serious for both families and health care payers. More information is needed regarding the benefits, harms, and costs of newborn screening, which could result in early treatment;

Whereas, Nine other states have mandated similar screening; and

Whereas, The Indiana Senate urges the state department of health to study the feasibility, the fiscal impact, and the cost effectiveness of screening newborns for the above diseases: Therefore,

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

SECTION 1. That the Indiana Senate urges the state department of health to study the feasibility, the fiscal impact, and the cost effectiveness of screening newborns for the above diseases and to report its findings to the legislative council by October 30, 2016.

The resolution was read in full and referred to the Committee on Health & Provider Services.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1012:
Conferees: Becker and Rogers
Advisors: Patricia Miller and Breaux

LONG
Date: 2/25/16
Time: 3:40 p.m.

Report adopted.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SR 45 Senator Waltz
Honoring Duratech Industrial Controls.
SCR 48 Senator Broden
Honoring Becky Bonham.
SCR 49 Senator Breaux
Recognizing February as Teen Dating Violence Awareness Month.
SCR 52 Senator Patricia Miller
Honoring Daniel F. Evans, Jr. upon his retirement.
SCR 53 Senator Tallian
Recognizing May Wright Sewall, Zerelda Wallace, and Helen Gougar.
HCR 49 Senator Broden
Recognizing Rebecca Bonham on the occasion of her retirement.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 45

Senate Resolution 45, introduced by Senator Waltz:

A SENATE RESOLUTION honoring Duratech Industrial Controls by Fast Track Technologies, LLC for its innovation and Hoosier roots.

Whereas, Duratech Industrial Controls by Fast Track Technologies, LLC manufactures custom industrial controls and equipment for oil and gas, food, and pharmaceutical industries;

Whereas, The company also provides custom electronics and engineering services to industrial clients;

Whereas, Since its formation, the company has become internationally known as a supplier of quality instruments, controls, and subsystems to a wide variety of industries;

Whereas, The company's continual quest for technical excellence, vigilant attention to detail, and insistence on prompt and courteous customer service, are just some of the contributing factors to its success;

Whereas, Duratech Industrial Controls by Fast Track Technologies, LLC employs a variety of positions including engineers, software developers, scientists, and designers;

Whereas, Accomplishing the company's goal of providing world-class engineering and manufacturing services to original equipment manufacturers and end users is met by its push to continually manufacture and design new products and assist with redesigns, enhancements, and cost reductions of existing systems; and

Whereas, Duratech Industrial Controls by Fast Track Technologies, LLC is a Hoosier company that prides itself in working with Hoosier companies, employing skilled and non-skilled Hoosiers, and for only selling products that are completely American made: Therefore,

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

SECTION 1. That the Indiana Senate honors Duratech Industrial Controls by Fast Track Technologies, LLC.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Michael Sherfick.

The resolution was read in full and adopted by voice vote.

Senate Concurrent Resolution 48

Senate Concurrent Resolution 48, introduced by Senators Broden, Arnold, Mishler, and Zakas:

A CONCURRENT RESOLUTION honoring Becky Bonham from the Studebaker National Museum.

Whereas, Rebecca (Becky) J. Bonham joined Studebaker National Museum in 2001,

Whereas, Bonham is a native of Goshen, Indiana graduating from Indiana University in Bloomington with a Bachelor of Science, and earning a Master of Science degree from Indiana University of South Bend;

Whereas, Bonham is a graduate of the Community Development Leadership Course at Ball State University;

Whereas, Bonham is in her 14th year as Executive Director of the Studebaker National Museum;

Whereas, Bonham raised both private and public funds to design and construct the Studebaker National Museum at the current Chapin Street location;

Whereas, Under her leadership in 2007, the museum achieved accreditation by the American Alliance of Museums;

Whereas, Bonham worked to secure a major grant from the National Parks Service. With this grant they were able to conserve eight priceless vehicles, the collection titled "National Treasures";

Whereas, The "National Treasures" project includes five Presidential Carriages, the crown jewel of the collection is one owned by President Abraham Lincoln, in which he took his last ride;

Whereas, Under Bonham's leadership,the Museum was able to develop several key educational programs, including the Tire Rack Super Center, an interactive children's exhibit;

Whereas, In 2009 with a grant from the Federal Transportation Agency and in cooperation with the City of South Bend, Bonham worked to convert the former "Jelly Bar" into the Studebaker Archives building;

Whereas, In 2013 Bonham received the Industry Partner of the Year Award from Visit South Bend Mishawaka;

Whereas, Bonham has also received 12 NAAMY awards from the National Association of Automotive Museums for outstanding exhibits, publications, events, and other work;

Whereas, Bonham has also been the recipient of the Chamber of Commerce's prestigious Athena Award, she has also received the Governor's Award for Excellence in Services, as well as being named a Sagamore of the Wabash;

Whereas, Bonham was also the recipient of the Distinguished Alumni award from Indiana University of South Bend;

Whereas, Bonham has served as Executive Vice President for Community Development and Governmental Affairs at the Chamber of Commerce of St. Joseph County; and

Whereas, Bonham has also served as Chairman of the NotreDame Institutes for Organization Management: Therefore,

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

SECTION 1. That the Indiana General Assembly honors Becky Bonham from the Studebaker National Museum.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of the this resolution to Becky Bonham.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Bauer, DeVon, and Dvorak.

Senate Concurrent Resolution 49

Senate Concurrent Resolution 49, introduced by Senator Breaux:

A CONCURRENT RESOLUTION recognizing February as Teen Dating Violence Awareness Month.

Whereas, One in three teens in the United States is a victim of physical, emotional or verbal abuse from a dating partner, a figure that far exceeds victimization rates for other types of violence affecting youth;

Whereas, A 2009 Indiana Youth Risk Behavior Survey advises that more than one out of ten (12.1%) ninth through twelfth graders surveyed reported being hit, slapped or physically hurt by their dating partner within twelve months prior to the survey, with similar results (11.1%) for teens regarding questions about forced sexual intercourse;

Whereas, At 17.3%, Indiana far surpasses the national average of 10.5% of girls in grades nine through twelve who said they have been raped (National Youth Risk Behavior Survey);

Whereas, High school students who experience physical violence in a dating relationship are more likely to use drugs and alcohol, are at greater risk of suicide and are much more likely to carry patterns of abuse into future relationships;

Whereas, Young people victimized by a dating partner are more likely to engage in risky sexual behavior and unhealthy dieting behaviors and the experience may disrupt normal development of self-esteem and body image;

Whereas, Nearly half of teens who experience dating violence report that incidents of abuse took place in a school building or on school grounds;

Whereas, Only 33% of teens who are in an abusive relationship ever tell anyone about the abuse, and 81% of parents surveyed either believe teen dating violence is not an issue or admit they do not know if it is one;

Whereas, By providing young people with education about healthy relationships and relationship skills and by changing attitudes that support violence, we recognize that dating violence can be prevented;

Whereas, It is essential to raise community awareness and to provide training for teachers, counselors and school staff so that they may recognize when youth are exhibiting signs of dating violence;

Whereas, The establishment of Teen Dating Violence Awareness and Prevention Month will benefit young people, their families, schools and communities regardless of socioeconomic status, gender, sexual orientation or ethnicity; and

Whereas, Everyone has the right to a safe and healthy relationship and to be free from abuse: Therefore,

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

SECTION 1. That the Indiana State Senate recognizes February 2016 as Teen Dating Violence Awareness and Prevention Month.

SECTION 2. That the Secretary of the Senate transmit one copy of this resolution to the Marion County Prosecutor's Office.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Hale.

Senate Concurrent Resolution 52

Senate Concurrent Resolution 52, introduced by Senators Patricia Miller and Kenley:

A CONCURRENT RESOLUTION honoring Daniel F. Evans, Jr. upon his retirement from Indiana University Health, and his many years of dedication and significant contributions to the advancement of high quality, efficient, and cutting edge healthcare services to the citizens of the state of Indiana.

Whereas, Mr. Evans has served as President and Chief Executive Officer of Indiana University Health for 13 years;

Whereas, Mr. Evans has led Indiana University Health from an Indianapolis-based, three-hospital system to a comprehensive healthcare system spanning most areas of the state, with more than 17 partner hospitals plus numerous clinics and other healthcare centers, doing so during a time of intense change and disruption in the healthcare industry;

Whereas, Under the direction of Mr. Evans, Indiana University Health has become the second largest employer in Indiana, currently employing more than 30,000 Hoosiers;

Whereas, Mr. Evans was instrumental to the opening of the world-class Indiana University Health Melvin and Bren Simon Cancer Center, the IU Health Neuroscience Center, and the Riley Family Tower at Riley Hospital for Children;

Whereas, During every year of Mr. Evans' tenure as president and CEO, Indiana University Health has been recognized by U.S. News & World Reports in its prestigious annual Best Hospitals rankings;

Whereas, During Mr. Evans' tenure, he helped to broker the relationship between Methodist Hospital, Riley Hospital for Children, and the Indiana University School of Medicine to form Clarian Health, which later came to be known as Indiana University Health;

Whereas, Mr. Evans' leadership helped to foster the unique partnership with Indiana University School of Medicine, one of the nation's leading medical schools, to create the state's largest academic health center, giving patients access to innovative treatments and therapies;

Whereas, Mr. Evans' commitment to serving the healthcare needs of the low-income and underserved communities resulted in IU Health contributing more than $5.8 billion in community benefit and investment during his 13 years at IU Health; and

Whereas, The Senate would like to honor Daniel F. Evans, Jr. for his dedication and significant contributions to the advancement of high quality, efficient healthcare services to the citizens of Indiana: Therefore,

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

SECTION 1. That the Indiana General Assembly honors Daniel F. Evans, Jr. upon his retirement from Indiana University Health, and his many years of dedication and significant contributions to the advancement of high quality, efficient and cutting edge healthcare services to the citizens of the state of Indiana.

SECTION 2. That copies of this resolution be transmitted by the Secretary of the Senate to Daniel F. Evans, Jr.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Bosma.

Senate Concurrent Resolution 53

Senate Concurrent Resolution 53, introduced by Senator Tallian:

A CONCURRENT RESOLUTION recognizing the roles played by May Wright Sewall, Zerelda Wallace, and Helen Gougar in the Indiana women's suffrage movement.

Whereas, The League of Women Voters, a nonpartisan political organization, encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy;

Whereas, The League of Women Voters was founded by Carrie Chapman Catt in 1920 during the convention of the National American Woman Suffrage Association;

Whereas, As the 100th anniversary of the organization approaches in 2020, special recognition is due to three women who played key roles in the suffrage movement in Indiana — May Wright Sewall, Zerelda Wallace, and Helen Gougar;

Whereas, May Wright Sewall was born on May 27, 1844, in Greenfield, Wisconsin, and died on July 23, 1920, before getting the right to vote in Indiana;

Whereas, Although she was most well known for the role she played in the women's suffrage movement, May Wright Sewall was an important educator and a leader in the area of civic improvement and peacemaking;

Whereas, After graduating from Northwestern Female College in 1866 and earning an M.A. degree in 1871, May Wright Sewall taught school in Corinth, Mississippi, was the principal of the high school in Plainwell, Michigan, and was a teacher at a high school in Indianapolis;

Whereas, Along with her second husband, Theodore L. Sewall, May founded the Girls' Classical School of Indianapolis in 1882;

Whereas, During this time May had helped establish the Indianapolis Equal Suffrage Society, led a campaign that narrowly failed to secure women's suffrage in Indiana, and was chairman of the executive committee of the National Woman Suffrage Association;

Whereas, May Wright Sewall held many positions during her career, including the first recording secretary and president of the National Council of Women, president of the International Council of Women, and first vice president of the General Federation of Women's Clubs;

Whereas, Zerelda Wallace was born on August 6, 1817, in Kentucky and came to Indianapolis with her family in the early 1830s;

Whereas, Zerelda was active in the temperance movement, was instrumental in the founding of the Women's Christian Temperance Union, and served as the organization's first Indiana state president and national vice president;

Whereas, Zerelda campaigned for women's suffrage with the same vigor as she had in the temperance movement, serving as president of the Equal Suffrage Society of Indianapolis, was a founder of the Indiana Woman's Suffrage Association, and was elected vice president of the National Woman Suffrage Association;

Whereas, A contemporary of Elizabeth Cady Stanton and Susan B. Anthony, Zerelda was known as a powerful speaker for both the temperance and women's suffrage movements and was in constant demand, addressing gatherings across the nation;

Whereas, Zerelda testified before the United States Senate Judiciary Committee on women's right to vote, addressed the1883 International Council of Women held in Washington, D.C., on "The Moral Power of the Ballot", and was a featured speaker at the conventions of the National Woman Suffrage Association;

Whereas, Zerelda was elected posthumously to the Indiana Academy and was also selected to represent Indiana in the League of Women Voters National Hall of Fame;

Whereas, In recognition of her outstanding accomplishments, an Indiana State Historic Marker was dedicated to Zerelda Wallace at the Central Christian Church in Indianapolis;

Whereas, In addition to her work with the women's suffrage movement, Zerelda was the wife of Governor David Wallace, the sixth governor of Indiana, and the stepmother of Lew Wallace;

Whereas, Helen Gougar was born on July 18, 1843, near Litchfield, Michigan;

Whereas, Helen accepted a teaching position in Lafayette, where she met and married John Gougar, a young attorney;

Whereas, As a young wife, Helen was involved in several benevolent organizations in Lafayette, including the YMCA, Lafayette Home Association, Ladies' Benevolent Society, and the Second Presbyterian Church;

Whereas, In April 1878, Helen addressed a Blue Ribbon Temperance Rally in Lafayette and persuaded 500 attendees to sign a temperance pledge, a speech marking the beginning of Helen's commitment to the temperance movement and, through this work, to becoming an ardent suffragist;

Whereas, Helen ventured into the newspaper business when she became the editor of "Our Temperance Herald", renaming it "Our Herald";

Whereas, Helen traveled to Kansas and spearheaded the drafting of a municipal suffrage bill, uniting the local Women's Christian Temperance Union with the Kansas Equal Suffrage Association, a bill that passed in 1887;

Whereas, In 1888 when the state and national Republican party refused to include suffrage and temperance in the party platform, Helen left the Republican Party and became a member of the Prohibition Party, becoming a delegate to the Prohibition Party National Convention in 1892;

Whereas, It was this party involvement that put Helen at odds with her suffragist comrades, including Susan B. Anthony;

Whereas, Helen sued the Tippecanoe County election board

for its refusal to allow her to vote in the 1894 election and was able to argue her own case before the Supreme Court (she was admitted to the bar in 1895) due to the experience she gained helping her husband;

Whereas, Helen Gougar died in 1907 without getting the right to vote;

Whereas, In recognition of her outstanding accomplishments, an Indiana State Historic Marker was dedicated to Helen Gougar in Lafayette; and

Whereas, These three great women continue to be an example and inspiration for all Hoosiers: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes the many accomplishments of these three outstanding women in the suffrage movement in Indiana and nationally.

SECTION 2. That the Secretary of the Senate transmit a copy of this resolution to the League of Women Voters.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Lawson.

House Concurrent Resolution 49

House Concurrent Resolution 49, sponsored by Senator Broden:

A CONCURRENT RESOLUTION recognizing Rebecca Bonham on the occasion of her retirement.

Whereas, Rebecca Bonham retired on January 31, 2016, after serving as executive director of the Studebaker National Museum since 2001;

Whereas, Rebecca Bonham served as interim director before being named to the position permanently;

Whereas, In 1966 the Studebaker Corporation donated its collection to the city of South Bend, and the Studebaker National Museum came into existence;

Whereas, In 1977 the collection moved to the newly built Century Center's Discovery Hall Museum;

Whereas, Rebecca Bonham served as the museum's director of development and headed the fundraising drive to build the new museum that opened in 2005;

Whereas, Rebecca's outstanding fundraising abilities resulted in the new $9.6 million museum that opened on Chapin Street in 2005; and

Whereas, Rebecca Bonham has worked diligently "to keep the flame of the Studebaker tradition alive and burning for generations to come": Therefore,

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

SECTION 1. That the Indiana General Assembly thanks Rebecca Bonham for her dedicated service to the people of South Bend and her devotion to the Studebaker National Museum.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Rebecca Bonham.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

SENATE MOTION

Madam President: I move that the following memorial resolution be adopted:

SCR 50 Senator Head
Memorializing U.S. Supreme Court Justice Antonin Scalia.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 50

Senate Concurrent Resolution 50, introduced by Senator Head:

A CONCURRENT RESOLUTION memorializing the honorable life of United States Supreme Court Justice Antonin Scalia.

Whereas, United States Supreme Court Justice Antonin Scalia was born in Trenton, New Jersey on March 11, 1936;

Whereas, Justice Scalia graduated as class valedictorian from both St. Francis Xavier High School and Georgetown University before going on to attend Harvard Law School where he served as Notes Editor for the Harvard Law Review and graduated as class valedictorian for a third time;

Whereas, Following his completion of the Harvard Sheldon Fellowship, Justice Scalia entered private practice as a commercial attorney at Jones Day, the second largest law firm in the United States and the tenth largest law firm in the world, where he practiced from 1961 to 1967;

Whereas, Justice Scalia continued to contribute to the progression and academy of law throughout this time as well, serving as a Professor of Law at the University of Virginia from 1967 to 1971; as a Professor of Law at the University of Chicago from 1977 to 1982; and as a Visiting Professor of Law at both Georgetown University and Stanford University;

Whereas, In 1971, Justice Scalia began his prolific public service career when President Nixon appointed him as General Counsel of the Office of Telecommunication Policy;

Whereas, Justice Scalia went on to serve as Chairman of the Administrative Conference of the United States from 1972 to 1973, and from 1974 to 1977, as Assistant Attorney General for the Office of Legal Counsel;

Whereas, Recognizing both his extensive experience and intellect, President Ronald Reagan then appointed Justice Scalia to the United States Court of Appeals for the District of Columbia;

Whereas, After four years of service on the Court of Appeals, President Reagan again nominated Justice Scalia as an Associate Justice to the United States Supreme Court;

Whereas, The United States Senate confirmed Justice Scalia by a vote of 98 - 0, and Justice Scalia took the oath of office on September 26, 1986, becoming the nation's first Italian-American Justice;

Whereas, Throughout his tenure on the Court, Justice Scalia commanded and championed a strict originalist interpretation of the United States Constitution in accordance with the meaning of its words at the time the Constitution was written;

Whereas, A brilliant jurist and conservative icon known for his wit, Justice Scalia also epitomized judicial restraint and the overt defense of fundamental liberties;

Whereas, Justice Scalia will be remembered for his landmark decision in District of Columbia v. Heller, where he held that the Second Amendment protects the right to possess a firearm at home; for being an outspoken critic of Roe v. Wade; and for transforming oral arguments through active participation and tough questions for advocates;

Whereas, Justice Scalia, a man of principled faith, passed away at the age of 79 on February 13, 2016, and is survived by his loving wife Maureen, nine children, and thirty-six grandchildren; and

Whereas, It is fitting that the Indiana General Assembly recognize and honor Justice Scalia for his legal brilliance, dedicated service to the United States, and immeasurable contributions to American jurisprudence: Therefore,

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

SECTION 1. That the Indiana General Assembly memorializes the honorable and full life of United States Supreme Court Justice Antonin Scalia.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the United States Supreme Court.

The resolution was read in full and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Washburne.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 324:

Conferees: VanNatter and Stemler
Advisors: Nisly and DeLaney

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 364:

Conferees: Bacon and Bauer
Advisors: Baird and C. Brown

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has concurred in the Senate amendments to Engrossed House Bills 1102 and 1169.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 43 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, with amendments, Engrossed Senate Bill 206 and the same is herewith returned to the Senate for concurrence.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has concurred in the Senate amendments to Engrossed House Bills 1201 and 1359.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has not concurred in Senate amendments to Engrossed House Bill 1012. The Speaker of the House has appointed the following Representatives as a conference committee to meet and confer with a like committee of the Senate on said bill, and to report thereon:

Conferees: Koch, Chair and C. Brown
Advisors: Ziemke and Pierce

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE PRESIDENT OF THE SENATE

Members of the Senate: I have on the 25th day of February, 2016, signed Senate Enrolled Act: 91.

SUE ELLSPERMANN
Lieutenant Governor

MESSAGE FROM THE PRESIDENT PRO TEMPORE

Madam President and Members of the Senate: I have on Monday, February 29, 2016, signed Senate Enrolled Acts: 1, 26, 57, 141, 145, 154, 219, 163, 242, 271, 272, 290, 315, 325, 336, and 371.

DAVID C. LONG
President Pro Tempore

RESOLUTIONS ON SECOND READING

Senate Resolution 14

Senator Leising called up Senate Resolution 14 for second reading. The resolution was read a second time and adopted by voice vote.

Senate Resolution 27

Senator Arnold called up Senate Resolution 27 for second reading. The resolution was read a second time and adopted by voice vote.

Senate Resolution 33

Senator Hershman called up Senate Resolution 33 for second reading. The resolution was read a second time and adopted by voice vote.

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1001

Senator Kenley called up Engrossed House Bill 1001 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1001–8)

Madam President: I move that Engrossed House Bill 1001 be amended to read as follows:

Page 27, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 29. [EFFECTIVE JULY 1, 2016] **(a) The general assembly urges the Indiana department of transportation to dedicate a part of U.S. Highway 31 near the entrance to Camp Atterbury in honor of General Martin Umbarger in honor of his forty-five (45) years of service to the Indiana National Guard.**

(b) This SECTION expires on the earlier of the following:

(1) The date on which the Indiana department of transportation dedicates a part of U.S. Highway 31 near the entrance to Camp Atterbury in honor of General Martin Umbarger in honor of his forty-five (45) years of service to the Indiana National Guard.

(2) December 31, 2021.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1001 as printed February 26, 2016.)

BANKS

Motion prevailed.

SENATE MOTION
(Amendment 1001–3)

Madam President: I move that Engrossed House Bill 1001 be amended to read as follows:

Page 16, line 40, delete "not".

Page 16, line 41, after "used" insert "**for snow removal and**".

Page 17, line 4, delete "and".

Page 17, line 4, after "oiling" insert ",".

Page 17, line 4, after "sprinkling," insert "**and**".

Page 17, line 4, reset in roman "snow".

Page 17, line 5, reset in roman "removal,".

Page 17, line 5, after "removal" delete ",".

Page 17, line 12, delete "However, funds" and insert "**Funds**".
Page 17, line 14, delete "not".
Page 17, line 36, after "in" insert "**subsection (b) and**".
Page 18, line 5, delete "not".
Page 18, line 6, after "used" insert "**for snow removal and**".
(Reference is to EHB 1001 as printed February 26, 2016.)

KENLEY

Motion prevailed.

SENATE MOTION
(Amendment 1001–2)

Madam President: I move that Engrossed House Bill 1001 be amended to read as follows:

Page 6, between lines 41 and 42, begin a new paragraph and insert:

"SECTION 10. IC 6-3.5-5-8, AS AMENDED BY P.L.205-2013, SECTION 98, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE] Sec. 8. If an adopting entity adopts an ordinance to impose, rescind, or change the rates of the wheel tax, the adopting entity shall send a copy of the ordinance to:

(1) the commissioner of the bureau of motor vehicles; **and**

(2) the department of state revenue.".

Page 14, line 11, delete "to the" and insert "**to:**

(1) the commissioner of the bureau of motor vehicles; and

(2) the department of state revenue.".

Page 14, delete line 12.

Page 25, line 13, delete ";" and insert "**by finishing projects that have been started;**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1001 as printed February 26, 2016.)

KENLEY

Motion prevailed.

SENATE MOTION
(Amendment 1001–5)

Madam President: I move that Engrossed House Bill 1001 be amended to read as follows:

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

"SECTION 4. IC 6-3-2-1, AS AMENDED BY P.L.80-2014, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. (a) Each taxable year, a tax at the following rate of adjusted gross income is imposed upon the adjusted gross income of every resident person, and on that part of the adjusted gross income derived from sources within Indiana of every nonresident person:

(1) For taxable years beginning before January 1, 2015, three and four-tenths percent (3.4%).

(2) For taxable years beginning after December 31, 2014, ~~and before January 1, 2017,~~ three and three-tenths percent (3.3%).

~~(3) For taxable years beginning after December 31, 2016, three and twenty-three hundredths percent (3.23%).~~

(b) Except as provided in section 1.5 of this chapter, each taxable year, a tax at the following rate of adjusted gross income is imposed on that part of the adjusted gross income derived from sources within Indiana of every corporation:

(1) Before July 1, 2012, eight and five-tenths percent (8.5%).

(2) After June 30, 2012, and before July 1, 2013, eight percent (8.0%).

(3) After June 30, 2013, and before July 1, 2014, seven and five-tenths percent (7.5%).

(4) After June 30, 2014, and before July 1, 2015, seven percent (7.0%).

(5) After June 30, 2015, ~~and before July 1, 2016,~~ six and five-tenths percent (6.5%).

~~(6) After June 30, 2016, and before July 1, 2017, six and twenty-five hundredths percent (6.25%).~~

~~(7) After June 30, 2017, and before July 1, 2018, six percent (6.0%).~~

~~(8) After June 30, 2018, and before July 1, 2019, five and seventy-five hundredths percent (5.75%).~~

~~(9) After June 30, 2019, and before July 1, 2020, five and five-tenths percent (5.5%).~~

~~(10) After June 30, 2020, and before July 1, 2021, five and twenty-five hundredths percent (5.25%).~~

~~(11) After June 30, 2021, four and nine-tenths percent (4.9%).~~

(c) If for any taxable year a taxpayer is subject to different tax rates under subsection (b), the taxpayer's tax rate for that taxable year is the rate determined in the last STEP of the following STEPS:

STEP ONE: Multiply the number of months in the taxpayer's taxable year that precede the month the rate changed by the rate in effect before the rate change.

STEP TWO: Multiply the number of months in the taxpayer's taxable year that follow the month before the rate changed by the rate in effect after the rate change.

STEP THREE: Divide the sum of the amounts determined under STEPS ONE and TWO by twelve (12).

However, the rate determined under this subsection shall be rounded to the nearest one-hundredth of one percent (0.01%).".

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

"SECTION 15. IC 6-5.5-2-1, AS AMENDED BY P.L.80-2014, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. (a) There is imposed on each taxpayer a franchise tax measured by the taxpayer's apportioned income for the privilege of exercising its franchise or the corporate privilege of transacting the business of a financial institution in Indiana. The amount of the tax for a taxable year shall be determined by multiplying the applicable rate under subsection (b) times the remainder of:

(1) the taxpayer's apportioned income; minus

(2) the taxpayer's deductible Indiana net operating losses as determined under this section; minus

(3) the taxpayer's net capital losses minus the taxpayer's net capital gains computed under the Internal Revenue Code for each taxable year or part of a taxable year beginning after December 31, 1989, multiplied by the apportionment percentage applicable to the taxpayer under this chapter for the taxable year of the loss.

A net capital loss for a taxable year is a net capital loss carryover to each of the five (5) taxable years that follow the taxable year in which the loss occurred.

(b) The following are the applicable tax rates to be used under subsection (a):

(1) For taxable years beginning before January 1, 2014, eight and five-tenths percent (8.5%).

(2) For taxable years beginning after December 31, 2013, and before January 1, 2015, eight percent (8.0%).

(3) For taxable years beginning after December 31, 2014, and before January 1, 2016, seven and five-tenths percent (7.5%).

(4) For taxable years beginning after December 31, 2015, ~~and before January 1, 2017,~~ seven percent (7.0%).

~~(5) For taxable years beginning after December 31, 2016, and before January 1, 2019, six and five-tenths percent (6.5%).~~

~~(6) For taxable years beginning after December 31, 2018, and before January 1, 2020, six and twenty-five hundredths percent (6.25%).~~

~~(7) For taxable years beginning after December 31, 2019, and before January 1, 2021, six percent (6.0%).~~

~~(8) For taxable years beginning after December 31, 2020, and before January 1, 2022, five and five-tenths percent (5.5%).~~

~~(9) For taxable years beginning after December 31, 2021, and before January 1, 2023, five percent (5.0%).~~

~~(10) For taxable years beginning after December 31, 2022, four and nine-tenths percent (4.9%).~~

(c) The amount of net operating losses deductible under subsection (a) is an amount equal to the net operating losses computed under the Internal Revenue Code, adjusted for the items set forth in IC 6-5.5-1-2, that are:

(1) incurred in each taxable year, or part of a year, beginning after December 31, 1989; and

(2) attributable to Indiana.

(d) The following apply to determining the amount of net operating losses that may be deducted under subsection (a):

(1) The amount of net operating losses that is attributable to Indiana is the taxpayer's total net operating losses under the Internal Revenue Code for the taxable year of the loss, adjusted for the items set forth in IC 6-5.5-1-2, multiplied by the apportionment percentage applicable to the taxpayer under this chapter for the taxable year of the loss.

(2) A net operating loss for any taxable year is a net operating loss carryover to each of the fifteen (15) taxable years that follow the taxable year in which the loss occurred.

(e) The following provisions apply to a combined return computing the tax on the basis of the income of the unitary group when the return is filed for more than one (1) taxpayer member of the unitary group for any taxable year:

(1) Any net capital loss or net operating loss attributable to Indiana in the combined return shall be prorated between each taxpayer member of the unitary group by the quotient of:

(A) the receipts of that taxpayer member attributable to Indiana under section 4 of this chapter; divided by

(B) the receipts of all taxpayer members of the unitary group attributable to Indiana.

(2) The net capital loss or net operating loss for that year, if any, to be carried forward to any subsequent year shall be limited to the capital gains or apportioned income for the subsequent year of that taxpayer, determined by the same receipts formula set out in subdivision (1).".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1001 as printed February 26, 2016.)

TALLIAN

Motion failed.

SENATE MOTION
(Amendment 1001–9)

Madam President: I move that Engrossed House Bill 1001 be amended to read as follows:

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

"SECTION 4. IC 6-3.5-1.1-21.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 21.2. (a) As used in this section, "unit eligible for a supplemental distribution" means a county, city, or town that is eligible for an allocation of certified shares under IC 6-3.6-6-10.**

(b) As used in this section, "fiscal body" has the meaning set forth in IC 36-1-2-6.

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

(d) In addition to any supplemental distribution made in January 2016 to a county under section 21.1 of this chapter, the budget agency shall make a supplemental distribution before May 1, 2016, to the county from the county's adjusted gross income tax account.

(e) The amount of the supplemental distribution to a county under this section is equal to the amount determined under the following STEPS:

STEP ONE: Determine the result of:

(A) the amount of the balance in the county trust account on December 31, 2014, as determined by the budget agency; minus

(B) the amount of any supplemental distribution made to the county in January 2016 under section

21.1 of this chapter.

STEP TWO: Determine the part of the STEP ONE amount that would be allocated to each taxing unit in the county, using the allocation method specified in IC 6-3.6-6-3 and in IC 6-3.6-6-10 through IC 6-3.6-6-15.

STEP THREE: Determine the sum of the STEP TWO amounts for each unit eligible for a supplemental distribution. The sum determined under this STEP is the total amount of the supplemental distribution that shall be made to the county under this section.

(f) Before May 15, 2016, the OMB and the department of local government finance shall jointly determine and provide to the county auditor an allocation of the supplemental distribution made to the county under this section. The amount that each unit eligible for a supplemental distribution shall receive is equal to the amount determined for the unit under STEP TWO of subsection (e).

(g) Before June 1, 2016, the county auditor shall distribute to each unit eligible for a supplemental distribution an amount equal to the allocation amount for the unit as determined under subsection (f).

(h) Money distributed to a unit eligible for a supplemental distribution must be used only for purposes and as authorized in IC 6-3.6-10-9.

(i) This section expires January 1, 2017.".

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

"SECTION 13. IC 6-3.5-6-17.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 17.7. (a) As used in this section, "unit eligible for a supplemental distribution" means a county, city, or town that is eligible for an allocation of certified shares under IC 6-3.6-6-10.**

(b) As used in this section, "fiscal body" has the meaning set forth in IC 36-1-2-6.

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

(d) In addition to any supplemental distribution made in January 2016 to the county under section 17.3 of this chapter, the budget agency shall make a supplemental distribution before May 1, 2016, to the county from the county's special account.

(e) The amount of the supplemental distribution to a county under this section is equal to the amount determined under the following STEPS:

STEP ONE: Determine the result of:

(A) the amount of the balance in the county trust account on December 31, 2014, as determined by the budget agency; minus

(B) the amount of any supplemental distribution made to the county in January 2016 under section 17.3 of this chapter.

STEP TWO: Determine the part of the STEP ONE amount that would be allocated to each taxing unit in the county, using the allocation method specified in IC 6-3.6-6-10 through IC 6-3.6-6-15, in the case of a county other than Marion County, or the allocation method specified in IC 6-3.6-11-5, in the case of Marion County.

STEP THREE: Determine the sum of the STEP TWO amounts for each unit eligible for a supplemental distribution. The sum determined under this STEP is the total amount of the supplemental distribution that shall be made to the county under this section.

(f) Before May 15, 2016, the OMB and the department of local government finance shall jointly determine and provide to the county auditor an allocation of the supplemental distribution made to the county under this section. The amount that each unit eligible for a supplemental distribution shall receive is equal to the amount determined for the unit under STEP TWO of subsection (e).

(g) Before June 1, 2016, the county auditor shall distribute to each unit eligible for a supplemental distribution an amount equal to the allocation amount for the unit as determined under subsection (f).

(h) Money distributed to a unit eligible for a supplemental distribution must be used only for purposes and as authorized in IC 6-3.6-10-9.

(i) This section expires January 1, 2017.

SECTION 14. IC 6-3.5-7-17.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 17.4. (a) As used in this section, "unit eligible for a supplemental distribution" means a county, city, or town that is entitled to receive a certified distribution as provided under IC 6-3.6-6-9.**

(b) As used in this section, "fiscal body" has the meaning set forth in IC 36-1-2-6.

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

(d) In addition to any supplemental distribution made in January 2016 to the county under section 17.3 of this chapter, the budget agency shall make a supplemental distribution before May 1, 2016, to the county from the county's special account.

(e) The amount of the supplemental distribution to a county under this section is equal to the amount determined under the following STEPS:

STEP ONE: Determine the result of:

(A) the amount of the balance in the county trust account on December 31, 2014, as determined by the budget agency; minus

(B) the amount of any supplemental distribution made to the county in January 2016 under section 17.3 of this chapter.

STEP TWO: Determine the part of the STEP ONE amount that would be allocated to each taxing unit in the county, using the allocation method specified in IC 6-3.6-6-9.

STEP THREE: Determine the sum of the STEP TWO amounts for each unit eligible for a supplemental

distribution. The sum determined under this STEP is the total amount of the supplemental distribution that shall be made to the county under this section.

(f) Before May 15, 2016, the OMB and the department of local government finance shall jointly determine and provide to the county auditor an allocation of the supplemental distribution made to the county under this section. The amount that each unit eligible for a supplemental distribution shall receive is equal to the amount determined for the unit under STEP TWO of subsection (e).

(g) Before June 1, 2016, the county auditor shall distribute to each unit eligible for a supplemental distribution an amount equal to the allocation amount determined under subsection (f).

(h) Money distributed to a unit eligible for a supplemental distribution must be used only for purposes and as authorized in IC 6-3.6-10-9.

(i) This section expires January 1, 2017.".

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

"SECTION 17. IC 6-3.6-9-15, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 15. (a) If the budget agency determines that the balance in a county trust account exceeds ~~fifty~~ **twenty-five** percent ~~(50%)~~ **(25%)** of the certified distributions to be made to the county in the ensuing year, the budget agency shall make a supplemental distribution to the county from the county's special account.

(b) A supplemental distribution described in subsection (a) must be:

(1) made in January of the ensuing calendar year; and

(2) **except as provided in subsection (d),** allocated in the same manner as certified distributions for deposit in a civil unit's rainy day fund established under IC 36-1-8-5.1. However, the part of a supplemental distribution that is attributable to an additional rate authorized under this article:

(A) shall be used for the purpose specified in the statute authorizing the additional rate; and

(B) is not required to be deposited in the unit's rainy day fund.

The amount of the supplemental distribution is equal to the amount by which the balance in the county trust account exceeds ~~fifty~~ **twenty-five** percent ~~(50%)~~ **(25%)** of the certified distributions to be made to the county in the ensuing year.

(c) Any income earned on money held in a trust account established for a county under this chapter shall be deposited in that trust account.

(d) The following apply to a supplemental distribution to a county that is made after December 31, 2016:

(1) For each taxing unit in the county that did not receive a distribution under IC 6-3.5-1.1-21.2 or IC 6-3.5-6-17.7 in 2016, the budget agency and the department of local government finance shall calculate the sum of the amounts determined under STEP TWO of IC 6-3.5-1.1-21.2(e) or STEP TWO of IC 6-3.5-6-17.7(e) for that taxing unit.

(2) The amount of the supplemental distribution:

(A) shall first be allocated among taxing units in the county that did not receive a distribution under IC 6-3.5-1.1-21.2 or IC 6-3.5-6-17.7 in 2016; and

(B) shall not be allocated as provided in subsection (b)(2);

until each taxing unit in the county that did not receive a distribution under IC 6-3.5-1.1-21.2 or IC 6-3.5-6-17.7 in 2016 has received from supplemental distributions made under this section after December 31, 2016, a total amount equal to the amount calculated for the taxing unit under subdivision (1).

(3) In allocating a supplemental distribution under subdivision (2), the amount to be allocated to each taxing unit in the county that did not receive a distribution under IC 6-3.5-1.1-21.2 or IC 6-3.5-6-17.7 in 2016 is equal to:

(A) the amount of the supplemental distribution being allocated to those taxing units under subdivision (2); multiplied by

(B) a fraction equal to:

(i) the amount calculated under subdivision (1) for that taxing unit; divided by

(ii) the sum of the amounts calculated under subdivision (1) for all taxing units that did not receive a distribution under IC 6-3.5-1.1-21.2 or IC 6-3.5-6-17.7 in 2016.

~~(d)~~ **(e)** A determination under this section must be made before November 2.

SECTION 18. IC 6-3.6-10-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE MAY 1, 2016]: **Sec. 9. (a) Notwithstanding the effective dates for this article under IC 6-3.6-1, this section applies beginning after April 30, 2016.**

(b) This section applies to a county, city, or town that receives a supplemental distribution of money under:

(1) IC 6-3.5-1.1-21.2 (before its expiration);

(2) IC 6-3.5-6-17.7 (before its expiration); or

(3) IC 6-3.5-7-17.4 (before its expiration).

(c) Money distributed to a county, city, or town under subsection (b) may be expended only upon an appropriation by the county's, city's, or town's fiscal body.

(d) Money received by a county, city, or town from a distribution made under IC 6-3.5-1.1-21.2 (before its expiration), IC 6-3.5-6-17.7 (before its expiration), or IC 6-3.5-7-17.4 (before its expiration) must be used by the county, city, or town as follows:

(1) At least seventy-five percent (75%) of the distribution must be:

(A) used exclusively by the county, city, or town for:

(i) engineering, land acquisition, construction, resurfacing, maintenance, restoration, or rehabilitation of both local and arterial road and

street systems;

(ii) the payment of principal and interest on bonds sold primarily to finance road, street, or thoroughfare projects;

(iii) any local costs required to undertake a recreational or reservoir road project under IC 8-23-5;

(iv) the purchase, rental, or repair of highway equipment; or

(v) capital projects for aviation related property or facilities, including capital projects of a board of aviation commissioners established under IC 8-22-2 or an airport authority established under IC 8-22-3-1; or

(B) deposited in the county's, city's, or town's rainy day fund established under IC 36-1-8-5.1. The money deposited in a rainy day fund under this clause may not be transferred to another fund under IC 36-1-8-5.1(g), unless the money transferred to the fund is used exclusively for purposes set forth in clause (A).

(2) Any remaining distribution not used or deposited by the county, city, or town under subdivision (1) may be used by the county, city, or town for any of the purposes of the county, city, or town.".

Page 20, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 26. IC 8-23-9-55 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 55. **(a)** Money in the state highway fund shall be used for the following:

(1) Operation of the department.

(2) Construction, reconstruction, operation, maintenance, and control of the state highways that are the responsibility of the department and of tollways that are the responsibility of the department under IC 8-15-3.

(b) A contract for a highway, street, road, thoroughfare, or other public works project described in IC 6-3.6-10-9:

(1) funded from the state highway fund or distributions under IC 6-3.6-10-9; and

(2) awarded after April 30, 2016;

must provide that the contractor is required to pay workers on the project at least the wage rates determined under the federal Davis-Bacon Act (40 U.S.C. 3141 et seq.).".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1001 as printed February 26, 2016.)

TALLIAN

Upon request of Senator Tallian the President ordered the roll of the Senate to be called. Roll Call 234: yeas 12, nays 38. Motion failed.

SENATE MOTION
(Amendment 1001–6)

Madam President: I move that Engrossed House Bill 1001 be amended to read as follows:

Page 3, line 27, after "may" delete ",".

Page 3, line 28, strike "subject to the limitation imposed by subsection".

Page 3, line 28, delete "(f),".

Page 4, line 22, delete "(f)".

Page 4, line 22, strike "The adopting entity may not adopt an ordinance to impose the".

Page 4, strike lines 23 through 24.

Page 4, line 25, delete "(g)" and insert "**(f)**".

Page 4, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 6. IC 6-3.5-4-4, AS AMENDED BY P.L.205-2013, SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. (a) After January 1 but before July 1 of any year, the adopting entity may, subject to the limitations imposed by subsection (b), adopt an ordinance to rescind the surtax. If the adopting entity adopts such an ordinance, the surtax does not apply to a motor vehicle registered after December 31 of the year the ordinance is adopted.

(b) ~~The adopting entity may not adopt an ordinance to rescind the surtax unless it concurrently adopts an ordinance under IC 6-3.5-5 to rescind the wheel tax. In addition,~~ The adopting entity may not adopt an ordinance to rescind the surtax if:

(1) any portion of a loan obtained by the county under IC 8-14-8 is unpaid; or

(2) any bonds issued by the county under IC 8-14-9 are outstanding.".

Page 6, line 14, after "may" delete ",".

Page 6, line 15, strike "subject to the limitation imposed by subsection (b),".

Page 6, line 22, strike "(b) The adopting entity of a county may not adopt an ordinance to".

Page 6, strike lines 23 through 24.

Page 6, line 25, strike "(c)" and insert "**(b)**".

Page 6, between lines 41 and 42, begin a new paragraph and insert:

"SECTION 11. IC 6-3.5-5-6, AS AMENDED BY P.L.205-2013, SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) After January 1 but before July 1 of any year, the adopting entity may, subject to the limitations imposed by subsection (b), adopt an ordinance to rescind the wheel tax. If the adopting entity adopts such an ordinance, the wheel tax does not apply to a vehicle registered after December 31 of the year the ordinance is adopted.

(b) ~~The adopting entity may not adopt an ordinance to rescind the wheel tax unless it concurrently adopts an ordinance under IC 6-3.5-4 to rescind the annual license excise surtax. In addition,~~ The adopting entity may not adopt an ordinance to rescind the wheel tax if:

(1) any portion of a loan obtained by the county under IC 8-14-8 is unpaid; or

(2) any bonds issued by the county under IC 8-14-9 are outstanding.".

Page 8, line 22, delete "subsections (d) and (e)," and insert "**subsection (d),**".

Page 9, delete lines 2 through 5.

Page 9, line 6, delete "(e)" and insert "**(d)**".

Page 9, line 24, delete "(a)".

Page 9, line 25, delete ", subject to the".

Page 9, line 26, delete "limitations imposed by subsection (b),".

Page 9, delete lines 30 through 32.

Page 12, line 15, delete "subsections (b) and (c)," and insert "**subsection (b),**".

Page 12, delete lines 22 through 25.

Page 12, line 26, delete "(c)" and insert "**(b)**".

Page 12, line 30, delete "(d)" and insert "**(c)**".

Page 13, line 30, delete "(a)".

Page 13, line 31, delete ", subject to the".

Page 13, line 32, delete "limitations imposed by subsection (b),".

Page 13, delete lines 36 through 39.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1001 as printed February 26, 2016.)

TALLIAN

Motion failed.

SENATE MOTION
(Amendment 1001–4)

Madam President: I move that Engrossed House Bill 1001 be amended to read as follows:

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

"SECTION 4. IC 5-28-38.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 38.5. Recapture of State and Local Economic Development Incentives

Sec. 1. As used in this chapter, "economic development incentive" means any of the following:

(1) A financial incentive or other assistance that is required or authorized to be provided, awarded, or approved by the corporation under this article, IC 6-3.1, or any other law or by the Indiana finance authority, including any of the following:

(A) A tax credit, a tax deduction, or any other tax benefit.

(B) A grant.

(C) A loan.

(D) A loan guarantee.

(2) An abatement of property taxes under IC 6-1.1-12.1.

(3) Any other tax credit, tax deduction, tax benefit, grant, loan, or loan guarantee that a statute authorizes the state, an agency or instrumentality of the state, or a political subdivision to provide, award, or approve for the purpose of encouraging the creation of new jobs or economic development in Indiana.

Sec. 2. As used in this chapter, "employer" means a person engaged in commerce or an industry or activity affecting commerce.

Sec. 3. As used in this chapter, "loss of employment" means an employment termination, other than a termination resulting from:

(1) a discharge for cause;

(2) a voluntary departure; or

(3) a retirement.

Sec. 4. As used in this chapter, "plant" means:

(1) a single site of employment; or

(2) one (1) or more facilities or operating units within a single site of employment.

Sec. 5. (a) Subject to sections 6 and 7 of this chapter, this section applies to an employer that meets all of the following conditions:

(1) After March 31, 2016, the employer permanently closes a plant located in Indiana.

(2) The employer's plant closure results in the loss of employment by at least one hundred (100) of the employer's employees who were employed at the plant at any time during the one (1) year period preceding the plant closure.

(3) The employer relocates or transfers outside of Indiana some or all of the operations or substantially similar operations formerly conducted at the closed plant.

(4) The employer received one (1) or more economic development incentives during the seven (7) year period preceding the employer's plant closure (regardless of whether the economic development incentive was provided, awarded, or authorized before, on, or after April 1, 2016).

(b) An employer to which this section applies must repay the value of all economic development incentives that were received by the employer during the seven (7) year period preceding the employer's plant closure. For purposes of an economic development incentive provided in the form of a loan guarantee, the value of the loan guarantee that must be repaid is equal to the amount of the guarantor's liability under the loan guarantee. The employer must repay the economic development incentive to the state, state agency, state instrumentality, or political subdivision that provided, authorized, or awarded the economic development incentive.

(c) The total amount of a particular economic development incentive that an employer must repay under this section shall be reduced by the amount of the economic development incentive that the employer otherwise repays under a statute governing that economic development incentive or under an agreement entered into by the employer as a condition of receiving that economic development incentive.

(d) The attorney general may bring an action on behalf of the state, a state agency, a state instrumentality, or a political subdivision to collect from an employer the amount of any economic development incentive that the employer is

required to repay under this section. In a successful action against a person to collect a repayment required under this section, the court shall award the attorney general an amount equal to reasonable attorney's fees and the costs of bringing the action, as determined by the court.

Sec. 6. (a) This chapter does not apply to a plant closing if:

(1) the plant that is closed is a temporary facility; or

(2) the plant closing is the result of the completion of a particular project or undertaking; and

the employees of the plant were hired with the understanding that the employment was limited to the duration of the facility, project, or undertaking.

Sec. 7. (a) If an entity that provided, awarded, or approved an economic development incentive to or for a person notifies the person in writing that the person must repay the economic development incentive as provided in this chapter, the person may petition the board to request a hearing by the board regarding the proposed repayment. The person must submit such a petition to the board not later than thirty (30) days after receiving the written notice requesting the repayment of the economic development incentive.

(b) Upon receiving a petition under subsection (a), the board shall hold a hearing to determine the following:

(1) Whether the person is required to repay the economic development incentive as provided in this chapter.

(2) If the person is required to repay the economic development incentive, whether the repayment of some or all of the economic development incentive should be waived because of extenuating circumstances, including:

(A) a natural disaster;

(B) unforeseen industry trends;

(C) loss of a major supplier or market; or

(D) another circumstance beyond the person's control, as determined by the board.

(c) If the board makes a determination under subsection (b)(2), the board may waive some or all of the repayment that would otherwise be required by this chapter.

(d) A determination by the board under this section may be appealed under IC 4-21.5.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1001 as printed February 26, 2016.)

LANANE

Upon request of Senator Lanane the President ordered the roll of the Senate to be called. Roll Call 235: yeas 17, nays 33. Motion failed. The bill was ordered engrossed.

Engrossed House Bill 1002

Senator Mishler called up Engrossed House Bill 1002 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1017

Senator Merritt called up Engrossed House Bill 1017 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1019

Senator Bray called up Engrossed House Bill 1019 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1022

Senator Glick called up Engrossed House Bill 1022 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1022–1)

Madam President: I move that Engrossed House Bill 1022 be amended to read as follows:

Page 13, after line 35, begin a new paragraph and insert:

"SECTION 5. IC 21-17-5-4, AS ADDED BY P.L.2-2007, SECTION 258, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. (a) Police officers appointed under this chapter have the following powers:

(1) General police powers, including the power to arrest, without process, all persons who commit any offense within the view of the officer.

(2) The same common law and statutory powers, privileges, and immunities, **including the protections and immunities in IC 34-13-3,** as **state police officers,** sheriffs, and constables. However, the police officers are empowered to serve civil process only to the extent authorized by the employing governing board.

(3) The duty to enforce and to assist the officials of the educational institutions in the enforcement of the rules and regulations of the educational institution.

(4) The duty to assist and cooperate with other law enforcement agencies and law enforcement officers.

(b) The governing board of an educational institution employing a police officer may expressly forbid the officer from exercising any powers otherwise granted to the police officer by law.

(c) If an educational institution, governing board of an educational institution, delegated office or offices of a governing board of an educational institution, or individual employed by the educational institution as a police officer acts in accordance with this chapter or engages in activities related to law enforcement:

(1) the educational institution, the governing board of an educational institution, and the delegated office or offices of the governing board of an educational institution have the same common law and statutory immunities granted to the state; and

(2) an individual employed by the educational institution as a police officer has the same common law

and statutory immunities granted to a state police officer;

including the protections and immunities in IC 34-13-3.

(d) A record of an educational institution's police department is a public record subject to IC 5-14-3, if the record meets the requirements of IC 5-14-3-2.2.

SECTION 6. IC 34-30-2-86.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 86.2. IC 21-17-5-4 (Concerning an educational institution, an educational institution governing board, the delegated office or offices of the governing board of an educational institution, and an individual employed by an educational institution as a police officer regarding activities related to enforcement of the law and rules and regulations of the educational institution).**".

(Reference is to EHB 1022 as printed February 24, 2016.)

GLICK

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1028

Senator Head called up Engrossed House Bill 1028 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1034

Senator Kruse called up Engrossed House Bill 1034 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1048

Senator Charbonneau called up Engrossed House Bill 1048 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1048–1)

Madam President: I move that Engrossed House Bill 1048 be amended to read as follows:

Page 5, after line 3, begin a new paragraph and insert:

"SECTION 4. IC 35-44.1-4-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 1.5. As used in this chapter, "emergency incident" includes:**

(1) a structure or vehicle that is on fire;

(2) a motor vehicle accident;

(3) an accident involving hazardous materials;

(4) a crime scene;

(5) a police investigation; and

(6) a location where an individual is being arrested.

SECTION 5. IC 35-44.1-4-2, AS ADDED BY P.L.126-2012, SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. As used in this chapter, "emergency incident area" means the area surrounding a structure, vehicle, property, or area that:

(1) is:

~~(1)~~ **(A)** defined by police or firefighters with flags, barricades, barrier tape, or other markers; or

~~(2)~~ **(B)** one hundred and fifty (150) feet in all directions from the perimeter of the emergency incident;

whichever is greater; **or**

(2) is a specific distance less than one hundred and fifty (150) feet in all directions from the perimeter of the emergency incident that is articulated by a law enforcement officer.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1048 as printed February 26, 2016.)

YODER

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1064

Senator Charbonneau called up Engrossed House Bill 1064 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1069

Senator Glick called up Engrossed House Bill 1069 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1069–1)

Madam President: I move that Engrossed House Bill 1069 be amended to read as follows:

Page 24, delete lines 13 through 42, begin a new paragraph and insert:

"SECTION 17. IC 31-37-4-3, AS AMENDED BY SEA 141-2016, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3. (a) This section applies if a child is arrested or taken into custody for allegedly committing an act that would be any of the following crimes if committed by an adult:

(1) Murder (IC 35-42-1-1).

(2) Attempted murder (IC 35-41-5-1).

(3) Voluntary manslaughter (IC 35-42-1-3).

(4) Involuntary manslaughter (IC 35-42-1-4).

(5) Reckless homicide (IC 35-42-1-5).

(6) Aggravated battery (IC 35-42-2-1.5).

(7) Battery (IC 35-42-2-1).

(8) Kidnapping (IC 35-42-3-2).

(9) A sex crime listed in IC 35-42-4-1 through IC 35-42-4-8.

(10) Sexual misconduct with a minor (IC 35-42-4-9).

(11) Incest (IC 35-46-1-3).

(12) Robbery as a Level 2 felony or a Level 3 felony (IC 35-42-5-1).

(13) Burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony (IC 35-43-2-1).

(14) Assisting a criminal as a Level 5 felony (IC 35-44.1-2-5).

(15) Escape (IC 35-44.1-3-4) as a Level 4 felony or Level 5 felony.

(16) Trafficking with an inmate as a Level 5 felony (IC 35-44.1-3-5).

(17) Causing death when operating a vehicle (IC 9-30-5-5).

(18) Criminal confinement (IC 35-42-3-3) as a Level 2 or Level 3 felony.

(19) Arson (IC 35-43-1-1) as a Level 2 felony, Level 3 felony, or Level 4 felony.

(20) Possession, use, or manufacture of a weapon of mass destruction (IC 35-47-12-1).

(21) Terroristic mischief (IC 35-47-12-3) as a Level 2 or Level 3 felony.

(22) Hijacking or disrupting an aircraft (IC 35-47-6-1.6).

(23) A violation of IC 35-47.5 (controlled explosives) as a Level 2 felony, Level 3 felony, or Level 4 felony.

(24) A controlled substances offense under IC 35-48.

(25) A criminal organization offense under IC 35-45-9.

(26) Domestic battery (IC 35-42-2-1.3).

(b) If a child is taken into custody under this chapter for a crime or act listed in subsection (a) or a situation to which IC 12-26-4-1 applies, the law enforcement agency that employs the law enforcement officer who takes the child into custody shall notify the chief administrative officer of the primary or secondary school, including a public or nonpublic school, in which the child is enrolled or, if the child is enrolled in a public school, the superintendent of the school district in which the child is enrolled:

(1) that the child was taken into custody; and

(2) of the reason why the child was taken into custody.

(c) The notification under subsection (b) must occur within forty-eight (48) hours after the child is taken into custody.

(d) A law enforcement agency may not disclose information that is confidential under state or federal law to a school or school district under this section.

(e) A law enforcement agency shall include in its training for law enforcement officers training concerning the notification requirements under subsection (b).".

Page 25, delete lines 1 through 28.

Page 40, delete lines 41 through 42, begin a new paragraph and insert:

"SECTION 31. IC 35-45-9-1, AS AMENDED BY SEA 141-2016, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. As used in this chapter, "criminal organization" means a formal or informal group with at least three (3) members that specifically:

(1) either:

(A) promotes, sponsors, or assists in;

(B) participates in; or

(C) has as one (1) of its goals; or

(2) requires as a condition of membership or continued membership;

the commission of a felony, an act that would be a felony if committed by an adult, or ~~the~~ **a battery** offense ~~of battery (IC 35-42-2-1).~~ **included in IC 35-42-2.**".

Page 41, delete lines 1 through 10.

Page 41, delete lines 31 through 42, begin a new paragraph and insert:

"SECTION 33. IC 35-47-4-5, AS AMENDED BY SEA 141-2016, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 5. (a) As used in this section, "serious violent felon" means a person who has been convicted of:

(1) committing a serious violent felony in:

(A) Indiana; or

(B) any other jurisdiction in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a serious violent felony; or

(2) attempting to commit or conspiring to commit a serious violent felony in:

(A) Indiana as provided under IC 35-41-5-1 or IC 35-41-5-2; or

(B) any other jurisdiction in which the elements of the crime for which the conviction was entered are substantially similar to the elements of attempting to commit or conspiring to commit a serious violent felony.

(b) As used in this section, "serious violent felony" means:

(1) murder (IC 35-42-1-1);

(2) voluntary manslaughter (IC 35-42-1-3);

(3) reckless homicide not committed by means of a vehicle (IC 35-42-1-5);

(4) battery (IC 35-42-2-1) as a:

(A) Class A felony, Class B felony, or Class C felony, for a crime committed before July 1, 2014; or

(B) Level 2 felony, Level 3 felony, Level 4 felony, or Level 5 felony, for a crime committed after June 30, 2014;

(5) domestic battery (IC 35-42-2-1.3) as a Level 2 felony, Level 3 felony, Level 4 felony, or Level 5 felony;

~~(5)~~ **(6)** aggravated battery (IC 35-42-2-1.5);

~~(6)~~ **(7)** kidnapping (IC 35-42-3-2);

~~(7)~~ **(8)** criminal confinement (IC 35-42-3-3);

~~(8)~~ **(9)** rape (IC 35-42-4-1);

~~(9)~~ **(10)** criminal deviate conduct (IC 35-42-4-2) (before its repeal);

~~(10)~~ **(11)** child molesting (IC 35-42-4-3);

~~(11)~~ **(12)** sexual battery (IC 35-42-4-8) as a:

(A) Class C felony, for a crime committed before July 1, 2014; or

(B) Level 5 felony, for a crime committed after June 30, 2014;

~~(12)~~ **(13)** robbery (IC 35-42-5-1);

~~(13)~~ **(14)** carjacking (IC 5-42-5-2) (before its repeal);

~~(14)~~ **(15)** arson (IC 35-43-1-1(a)) as a:

(A) Class A felony or Class B felony, for a crime

committed before July 1, 2014; or

(B) Level 2 felony, Level 3 felony, or Level 4 felony, for a crime committed after June 30, 2014;

~~(15)~~ **(16)** burglary (IC 35-43-2-1) as a:

(A) Class A felony or Class B felony, for a crime committed before July 1, 2014; or

(B) Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony, for a crime committed after June 30, 2014;

~~(16)~~ **(17)** assisting a criminal (IC 35-44.1-2-5) as a:

(A) Class C felony, for a crime committed before July 1, 2014; or

(B) Level 5 felony, for a crime committed after June 30, 2014;

~~(17)~~ **(18)** resisting law enforcement (IC 35-44.1-3-1) as a:

(A) Class B felony or Class C felony, for a crime committed before July 1, 2014; or

(B) Level 2 felony, Level 3 felony, or Level 5 felony, for a crime committed after June 30, 2014;

~~(18)~~ **(19)** escape (IC 35-44.1-3-4) as a:

(A) Class B felony or Class C felony, for a crime committed before July 1, 2014; or

(B) Level 4 felony or Level 5 felony, for a crime committed after June 30, 2014;

~~(19)~~ **(20)** trafficking with an inmate (IC 35-44.1-3-5) as a:

(A) Class C felony, for a crime committed before July 1, 2014; or

(B) Level 5 felony, for a crime committed after June 30, 2014;

~~(20)~~ **(21)** criminal organization intimidation (IC 35-45-9-4);

~~(21)~~ **(22)** stalking (IC 35-45-10-5) as a:

(A) Class B felony or Class C felony, for a crime committed before July 1, 2014; or

(B) Level 4 felony or Level 5 felony, for a crime committed after June 30, 2014;

~~(22)~~ **(23)** incest (IC 35-46-1-3);

~~(23)~~ **(24)** dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1);

~~(24)~~ **(25)** dealing in methamphetamine (IC 35-48-4-1.1);

~~(25)~~ **(26)** dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2);

~~(26)~~ **(27)** dealing in a schedule IV controlled substance (IC 35-48-4-3); or

~~(27)~~ **(28)** dealing in a schedule V controlled substance (IC 35-48-4-4).

(c) A serious violent felon who knowingly or intentionally possesses a firearm commits unlawful possession of a firearm by a serious violent felon, a Level 4 felony.".

Delete pages 42 through 49, begin a new paragraph and insert:

"SECTION 34. IC 35-50-2-9, AS AMENDED BY SEA 141-2016, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 9. (a) The state may seek either a death sentence or a sentence of life imprisonment without parole for murder by alleging, on a page separate from the rest of the charging instrument, the existence of at least one (1) of the aggravating circumstances listed in subsection (b). In the sentencing hearing after a person is convicted of murder, the state must prove beyond a reasonable doubt the existence of at least one (1) of the aggravating circumstances alleged. However, the state may not proceed against a defendant under this section if a court determines at a pretrial hearing under IC 35-36-9 that the defendant is an individual with an intellectual disability.

(b) The aggravating circumstances are as follows:

(1) The defendant committed the murder by intentionally killing the victim while committing or attempting to commit any of the following:

(A) Arson (IC 35-43-1-1).

(B) Burglary (IC 35-43-2-1).

(C) Child molesting (IC 35-42-4-3).

(D) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).

(E) Kidnapping (IC 35-42-3-2).

(F) Rape (IC 35-42-4-1).

(G) Robbery (IC 35-42-5-1).

(H) Carjacking (IC 35-42-5-2) (before its repeal).

(I) Criminal organization activity (IC 35-45-9-3).

(J) Dealing in cocaine or a narcotic drug (IC 35-48-4-1).

(K) Criminal confinement (IC 35-42-3-3).

(2) The defendant committed the murder by the unlawful detonation of an explosive with intent to injure a person or damage property.

(3) The defendant committed the murder by lying in wait.

(4) The defendant who committed the murder was hired to kill.

(5) The defendant committed the murder by hiring another person to kill.

(6) The victim of the murder was a corrections employee, probation officer, parole officer, community corrections worker, home detention officer, fireman, judge, or law enforcement officer, and either:

(A) the victim was acting in the course of duty; or

(B) the murder was motivated by an act the victim performed while acting in the course of duty.

(7) The defendant has been convicted of another murder.

(8) The defendant has committed another murder, at any time, regardless of whether the defendant has been convicted of that other murder.

(9) The defendant was:

(A) under the custody of the department of correction;

(B) under the custody of a county sheriff;

(C) on probation after receiving a sentence for the commission of a felony; or

(D) on parole;

at the time the murder was committed.

(10) The defendant dismembered the victim.

(11) The defendant:

(A) burned, mutilated, or tortured the victim; or

(B) decapitated or attempted to decapitate the victim;

while the victim was alive.

(12) The victim of the murder was less than twelve (12) years of age.

(13) The victim was a victim of any of the following offenses for which the defendant was convicted:

(A) **A** battery **offense included in IC 35-42-2** committed before July 1, 2014, as a Class D felony or as a Class C felony, ~~under IC 35-42-2-1~~ or **a** battery **offense included in IC 35-42-2** committed after June 30, 2014, as a Level 6 felony, a Level 5 felony, a Level 4 felony, or a Level 3 felony.

(B) Kidnapping (IC 35-42-3-2).

(C) Criminal confinement (IC 35-42-3-3).

(D) A sex crime under IC 35-42-4.

(14) The victim of the murder was listed by the state or known by the defendant to be a witness against the defendant and the defendant committed the murder with the intent to prevent the person from testifying.

(15) The defendant committed the murder by intentionally discharging a firearm (as defined in IC 35-47-1-5):

(A) into an inhabited dwelling; or

(B) from a vehicle.

(16) The victim of the murder was pregnant and the murder resulted in the intentional killing of a fetus that has attained viability (as defined in IC 16-18-2-365).

(17) The defendant knowingly or intentionally:

(A) committed the murder:

(i) in a building primarily used for an educational purpose;

(ii) on school property; and

(iii) when students are present; or

(B) committed the murder:

(i) in a building or other structure owned or rented by a state educational institution or any other public or private postsecondary educational institution and primarily used for an educational purpose; and

(ii) at a time when classes are in session.

(18) The murder is committed:

(A) in a building that is primarily used for religious worship; and

(B) at a time when persons are present for religious worship or education.

(c) The mitigating circumstances that may be considered under this section are as follows:

(1) The defendant has no significant history of prior criminal conduct.

(2) The defendant was under the influence of extreme mental or emotional disturbance when the murder was committed.

(3) The victim was a participant in or consented to the defendant's conduct.

(4) The defendant was an accomplice in a murder committed by another person, and the defendant's participation was relatively minor.

(5) The defendant acted under the substantial domination of another person.

(6) The defendant's capacity to appreciate the criminality of the defendant's conduct or to conform that conduct to the requirements of law was substantially impaired as a result of mental disease or defect or of intoxication.

(7) The defendant was less than eighteen (18) years of age at the time the murder was committed.

(8) Any other circumstances appropriate for consideration.

(d) If the defendant was convicted of murder in a jury trial, the jury shall reconvene for the sentencing hearing. If the trial was to the court, or the judgment was entered on a guilty plea, the court alone shall conduct the sentencing hearing. The jury or the court may consider all the evidence introduced at the trial stage of the proceedings, together with new evidence presented at the sentencing hearing. The court shall instruct the jury concerning the statutory penalties for murder and any other offenses for which the defendant was convicted, the potential for consecutive or concurrent sentencing, and the availability of educational credit, good time credit, and clemency. The court shall instruct the jury that, in order for the jury to recommend to the court that the death penalty or life imprisonment without parole should be imposed, the jury must find at least one (1) aggravating circumstance beyond a reasonable doubt as described in subsection (l) and shall provide a special verdict form for each aggravating circumstance alleged. The defendant may present any additional evidence relevant to:

(1) the aggravating circumstances alleged; or

(2) any of the mitigating circumstances listed in subsection (c).

(e) For a defendant sentenced after June 30, 2002, except as provided by IC 35-36-9, if the hearing is by jury, the jury shall recommend to the court whether the death penalty or life imprisonment without parole, or neither, should be imposed. The jury may recommend:

(1) the death penalty; or

(2) life imprisonment without parole;

only if it makes the findings described in subsection (l). If the jury reaches a sentencing recommendation, the court shall sentence the defendant accordingly. After a court pronounces sentence, a representative of the victim's family and friends may present a statement regarding the impact of the crime on family and friends. The impact statement may be submitted in writing or given orally by the representative. The statement shall be given in the presence of the defendant.

(f) If a jury is unable to agree on a sentence recommendation after reasonable deliberations, the court shall discharge the jury and proceed as if the hearing had been to the court alone.

(g) If the hearing is to the court alone, except as provided by IC 35-36-9, the court shall:

(1) sentence the defendant to death; or

(2) impose a term of life imprisonment without parole;

only if it makes the findings described in subsection (l).

(h) If a court sentences a defendant to death, the court shall order the defendant's execution to be carried out not later than one (1) year and one (1) day after the date the defendant was convicted. The supreme court has exclusive jurisdiction to stay the execution of a death sentence. If the supreme court stays the execution of a death sentence, the supreme court shall order a new date for the defendant's execution.

(i) If a person sentenced to death by a court files a petition for post-conviction relief, the court, not later than ninety (90) days after the date the petition is filed, shall set a date to hold a hearing to consider the petition. If a court does not, within the ninety (90) day period, set the date to hold the hearing to consider the petition, the court's failure to set the hearing date is not a basis for additional post-conviction relief. The attorney general shall answer the petition for post-conviction relief on behalf of the state. At the request of the attorney general, a prosecuting attorney shall assist the attorney general. The court shall enter written findings of fact and conclusions of law concerning the petition not later than ninety (90) days after the date the hearing concludes. However, if the court determines that the petition is without merit, the court may dismiss the petition within ninety (90) days without conducting a hearing under this subsection.

(j) A death sentence is subject to automatic review by the supreme court. The review, which shall be heard under rules adopted by the supreme court, shall be given priority over all other cases. The supreme court's review must take into consideration all claims that the:

(1) conviction or sentence was in violation of the:
(A) Constitution of the State of Indiana; or
(B) Constitution of the United States;
(2) sentencing court was without jurisdiction to impose a sentence; and
(3) sentence:
(A) exceeds the maximum sentence authorized by law; or
(B) is otherwise erroneous.

If the supreme court cannot complete its review by the date set by the sentencing court for the defendant's execution under subsection (h), the supreme court shall stay the execution of the death sentence and set a new date to carry out the defendant's execution.

(k) A person who has been sentenced to death and who has completed state post-conviction review proceedings may file a written petition with the supreme court seeking to present new evidence challenging the person's guilt or the appropriateness of the death sentence if the person serves notice on the attorney general. The supreme court shall determine, with or without a hearing, whether the person has presented previously undiscovered evidence that undermines confidence in the conviction or the death sentence. If necessary, the supreme court may remand the case to the trial court for an evidentiary hearing to consider the new evidence and its effect on the person's conviction and death sentence. The supreme court may not make a determination in the person's favor nor make a decision to remand the case to the trial court for an evidentiary hearing without first providing the attorney general with an opportunity to be heard on the matter.

(l) Before a sentence may be imposed under this section, the jury, in a proceeding under subsection (e), or the court, in a proceeding under subsection (g), must find that:

(1) the state has proved beyond a reasonable doubt that at least one (1) of the aggravating circumstances listed in subsection (b) exists; and
(2) any mitigating circumstances that exist are outweighed by the aggravating circumstance or circumstances.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1069 as printed February 26, 2016.)

GLICK

Motion prevailed.

SENATE MOTION
(Amendment 1069–2)

Madam President: I move that Engrossed House Bill 1069 be amended to read as follows:

Page 28, delete lines 10 through 14.

Page 35, delete lines 40 through 42.

Delete pages 36 through 37.

Page 38, delete lines 1 through 29, begin a new paragraph and insert:

"SECTION 29. IC 35-42-2-1, AS AMENDED BY P.L.147-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. (a) As used in this section, "public safety official" means:

(1) a law enforcement officer, including an alcoholic beverage enforcement officer;
(2) an employee of a penal facility or a juvenile detention facility (as defined in IC 31-9-2-71);
(3) an employee of the department of correction;
(4) a probation officer;
(5) a parole officer;
(6) a community corrections worker;
(7) a home detention officer;
(8) a department of child services employee;
(9) a firefighter;
(10) an emergency medical services provider; or
(11) a judicial officer.

(b) Except as provided in subsections (c) through (j), a person who knowingly or intentionally:

(1) touches another person in a rude, insolent, or angry manner; or
(2) in a rude, insolent, or angry manner places any bodily fluid or waste on another person;

commits battery, a Class B misdemeanor.

(c) The offense described in subsection (b)(1) or (b)(2) is a Class A misdemeanor if it results in bodily injury to any other person.

(d) The offense described in subsection (b)(1) or (b)(2) is a Level 6 felony if one (1) or more of the following apply:

(1) The offense results in moderate bodily injury to any other person.

(2) The offense is committed against a public safety official while the official is engaged in the official's official duty.

(3) The offense is committed against a person less than fourteen (14) years of age and is committed by a person at least eighteen (18) years of age.

(4) The offense is committed against a person of any age who has a mental or physical disability and is committed by a person having the care of the person with the mental or physical disability, whether the care is assumed voluntarily or because of a legal obligation.

(5) The offense is committed against an endangered adult (as defined in IC 12-10-3-2).

~~(6) The offense is committed against a family or household member (as defined in IC 35-31.5-2-128) if the person who committed the offense:~~

~~(A) is at least eighteen (18) years of age; and~~

~~(B) committed the offense in the physical presence of a child less than sixteen (16) years of age, knowing that the child was present and might be able to see or hear the offense.~~

(e) The offense described in subsection (b)(2) is a Level 6 felony if the person knew or recklessly failed to know that the bodily fluid or waste placed on another person was infected with hepatitis, tuberculosis, or human immunodeficiency virus.

(f) The offense described in subsection (b)(1) or (b)(2) is a Level 5 felony if one (1) or more of the following apply:

(1) The offense results in serious bodily injury to another person.

(2) The offense is committed with a deadly weapon.

(3) The offense results in bodily injury to a pregnant woman if the person knew of the pregnancy.

(4) The person has a previous conviction for **a** battery **offense included in this chapter** against the same victim.

(5) The offense results in bodily injury to one (1) or more of the following:

(A) A public safety official while the official is engaged in the official's official duties.

(B) A person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(C) A person who has a mental or physical disability if the offense is committed by an individual having care of the person with the disability, regardless of whether the care is assumed voluntarily or because of a legal obligation.

(D) An endangered adult (as defined in IC 12-10-3-2).

(g) The offense described in subsection (b)(2) is a Level 5 felony if:

(1) the person knew or recklessly failed to know that the bodily fluid or waste placed on another person was infected with hepatitis, tuberculosis, or human immunodeficiency virus; and

(2) the person placed the bodily fluid or waste on a public safety official.

(h) The offense described in subsection (b)(1) or (b)(2) is a Level 4 felony if it results in serious bodily injury to an endangered adult (as defined in IC 12-10-3-2).

(i) The offense described in subsection (b)(1) or (b)(2) is a Level 3 felony if it results in serious bodily injury to a person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(j) The offense described in subsection (b)(1) or (b)(2) is a Level 2 felony if it results in the death of one (1) or more of the following:

(1) A person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(2) An endangered adult (as defined in IC 12-10-3-2).".

Page 49, after line 2, begin a new paragraph and insert:

"SECTION 34. [EFFECTIVE JULY 1, 2016] **(a) The general assembly urges the legislative council to assign to the interim study committee on corrections and criminal code the topic of the appropriate penalty for battery, with particular emphasis on those cases where the battery:**

(1) results in:

(A) bodily injury;

(B) moderate bodily injury;

(C) serious bodily injury; or

(D) extreme bodily injury; or

(2) is committed against a:

(A) public safety official; or

(B) particularly vulnerable individual.

(b) As part of the study described in subsection (a), the interim study committee shall review the:

(1) existing definitions of:

(A) bodily injury;

(B) moderate bodily injury; and

(C) serious bodily injury; and

(2) class of persons granted protected status in the battery statute because they are:

(A) public safety officials; or

(B) particularly vulnerable individuals."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1069 as printed February 26, 2016.)

M. YOUNG

The Chair ordered a division of the Senate. Yeas 26, nays 20. Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1075

Senator Becker called up Engrossed House Bill 1075 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1075–1)

Madam President: I move that Engrossed House Bill 1075 be amended to read as follows:

Page 2, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 2. IC 13-11-2-25.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 25.2. "Chemical toilet", for purposes of IC 13-18-12-2.2, has the meaning set forth in IC 13-18-12-2.2(a)(1).**

SECTION 3. IC 13-11-2-201, AS AMENDED BY P.L.292-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 201. **(a)** "Sewage disposal system", for purposes of this chapter, IC 13-18-12 **(except as provided in subsection (b)),** and IC 13-20-17.5, means septic tanks, septic tank soil absorption systems, septage holding tanks, seepage pits, cesspools, privies, composting toilets, interceptors or grease traps, portable sanitary units, and other equipment, facilities, or devices used to:

(1) store;
(2) treat;
(3) make inoffensive; or
(4) dispose of;

human excrement or liquid carrying wastes of a domestic nature.

(b) "Sewage disposal system", for purposes of IC 13-18-12-2.2, has the meaning set forth in IC 13-18-12-2.2(a)(2).

SECTION 4. IC 13-11-2-257.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 257.6. "Wastewater", for purposes of IC 13-18-12-2.2, has the meaning set forth in IC 13-18-12-2.2(a)(3).**

SECTION 5. IC 13-11-2-257.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 257.8. "Wastewater management vehicle", for purposes of IC 13-18-12-2.2, has the meaning set forth in IC 13-18-12-2.2(b).**

SECTION 6. IC 13-18-12-2.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 2.2. (a) As used in this section:**

(1) "chemical toilet" has the meaning set forth in 327 IAC 7.1-2-6;
(2) "sewage disposal system" has the meaning set forth in 327 IAC 7.1-2-36; and
(3) "wastewater" has the meaning set forth in 327 IAC 7.1-2-41;

on February 1, 2016.

(b) As used in this section, "wastewater management vehicle" means a vehicle used for the removal of wastewater from sewage disposal systems.

(c) Notwithstanding 327 IAC 7.1-6-1, the invoice provided to a customer by the person who uses a wastewater management vehicle to remove wastewater from the customer's sewage disposal system need not show:

(1) the date on which the wastewater was removed from the sewage disposal system; or
(2) the amount of wastewater removed from the sewage disposal system;

if the sewage disposal system from which the wastewater is removed is a chemical toilet.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1075 as printed February 23, 2016.)

BASSLER

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1087

Senator Yoder called up Engrossed House Bill 1087 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1087–2)

Madam President: I move that Engrossed House Bill 1087 be amended to read as follows:

Page 72, line 19, reset in roman "(a)".

Page 72, between lines 34 and 35, begin a new paragraph and insert:

"**(b) "Manufactured home" does not include a vehicle with or without motive power that:**

(1) is designed and marketed as temporary living quarters for recreational, camping, travel, or seasonal use;
(2) is not permanently affixed to real property for use as a permanent dwelling;
(3) is built on a single chassis and mounted on wheels;
(4) does not exceed four hundred (400) square feet of gross area; and
(5) is certified by the manufacturer as complying with the American National Standards Institute A119.5 standard (standard for recreational park trailers).

A vehicle described in this subsection may commonly be referred to as a "park model RV".".

(Reference is to EHB 1087 as printed February 26, 2016.)

YODER

Motion prevailed.

SENATE MOTION
(Amendment 1087–3)

Madam President: I move that Engrossed House Bill 1087 be amended to read as follows:

Page 14, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 18. IC 6-1.1-7-10, AS AMENDED BY P.L.194-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) This section does not apply to a mobile home that is offered for sale at auction under IC 9-22-1.5 for the transfer resulting from the auction.

(b) A mobile home may not be moved from one (1) location to another unless the owner obtains a permit to move the mobile home from the county treasurer.

(c) The bureau of motor vehicles may not:

(1) transfer the title to a mobile home; or

(2) change names in any manner on the title to a mobile home;

unless the owner holds a valid permit to transfer the title that was issued by the county treasurer.

(d) A county treasurer shall issue a permit which is required to either move, or transfer the title to, a mobile home if the taxes, **special assessments, interest, penalties, judgments, and costs that are** due **and payable** on the mobile home have been paid. The county treasurer shall issue the permit not later than two (2) business days (excluding weekends and holidays) after the date the completed permit application is received by the county treasurer. The permit shall state the date it is issued.

(e) After issuing a permit to move a mobile home under subsection (d), a county treasurer shall notify the township assessor of the township to which the mobile home will be moved, or the county assessor if there is no township assessor for the township, that the permit to move the mobile home has been issued.

(f) A permit to move, or transfer title to, a mobile home that is issued under this section expires ninety (90) days after the date the permit is issued. The permit is invalid after the permit expires. If the owner wishes to move, or transfer title to, the mobile home after the permit has expired, the owner must obtain a new permit under this section.

SECTION 19. IC 6-1.1-7-10.4, AS AMENDED BY P.L.71-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10.4. (a) This section does not apply to a mobile home that is offered for sale at auction under IC 9-22-1.5 **or IC 9-22-1.7** for the transfer resulting from the auction.

(b) The owner of a mobile home who sells the mobile home to another person shall provide the purchaser with the permit required by section 10(c) of this chapter before the sale is consummated.

SECTION 20. IC 6-1.1-7-11, AS AMENDED BY P.L.203-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) A person who is engaged to move a mobile home may not provide that service unless the owner presents the mover with a permit to move the mobile home and the permit is dated not more than ~~one (1) month~~ **ninety (90) days** before the date of the proposed move. The mover shall retain possession of the permit while the mobile home is in transit.

(b) The mover shall return the permit to the owner of the mobile home when the move is completed.".

Page 72, delete lines 17 through 34, begin a new paragraph and insert:

"SECTION 129. IC 9-13-2-96, AS AMENDED BY P.L.203-2013, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 96. (a) "Manufactured home" means, except as provided in ~~subsection~~ **subsections** (b) **and (c),** a structure that:

(1) is assembled in a factory;

(2) bears a seal certifying that it was built in compliance with the federal Manufactured Housing Construction and Safety Standards Law (42 U.S.C. 5401 et seq.);

(3) is designed to be transported from the factory to another site in one (1) or more units;

(4) is suitable for use as a dwelling in any season; and

(5) is more than thirty-five (35) feet long.

(b) "Manufactured home", for purposes of IC 9-17-6, means either of the following:

(1) A structure having the meaning set forth in the federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 U.S.C. 5401 et seq.).

(2) A mobile home.

This subsection expires June 30, 2016.

(c) "Manufactured home", for purposes of IC 9-22-1.7, has the meaning set forth in IC 9-22-1.7-2.".

Page 115, line 41, delete "." and insert ", **including a valid permit to transfer title issued under IC 6-1.1-7-10, if applicable.**".

Page 126, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 221. IC 9-17-2-19 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 19. A certificate of title issued for a manufactured or mobile home is valid for the life of the manufactured or mobile home as long as the manufactured or mobile home is owned or held by the original holder of the certificate of title or a legal transferee of the certificate of title.**".

Page 130, line 39, after "2." insert "**(a)**".

Page 131, between lines 9 and 10, begin a new paragraph and insert:

"**(b) A special identification number obtained from the bureau under subsection (a) for a manufactured or mobile home must be the same identification number used on the certificate of title for the manufactured or mobile home.**".

Page 140, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 260. IC 9-17-6-18 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 18. The bureau, the commissioner of the bureau, and employees of the bureau are not liable in a civil action for any false information that is:**

(1) provided to the bureau by an applicant for a certificate of title;

(2) reasonably relied upon by the bureau in making a determination to issue a certificate of title to the applicant; and

(3) included in the certificate of title to a manufactured home under this chapter.".

Page 269, delete lines 7 through 42, begin a new paragraph and insert:

"SECTION 372. IC 9-22-1.5-2, AS AMENDED BY P.L.71-2015, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. A private ~~property owner~~ **landowner** who finds a mobile home that the person believes to be abandoned on ~~property~~ **real estate** the person owns or controls, including rental property, may sell or salvage the mobile home if it was built at least fifteen (15) years ago and has been left without permission on the ~~owner's~~ **landowner's** ~~property~~ **real estate** for at least sixty (60) days. The sixty (60) day period begins on the day the ~~property owner~~ **landowner** sends notice under section 3 of this chapter to the owner of the mobile home.

SECTION 373. IC 9-22-1.5-3, AS AMENDED BY P.L.71-2015, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) A ~~property owner~~ **landowner** shall send notice of a mobile home described in section 2 of this chapter as follows:

(1) To the owner of the mobile home at the last known address of the owner as shown by:

(A) the records of the bureau; or

(B) if the unique serial number or special identification number assigned to the mobile home is removed or otherwise illegible, the records of the assessor of the county in which the mobile home is located.

If the ~~property owner~~ **landowner** is unable to determine the address of the mobile home owner, the ~~property owner~~ **landowner** may serve the mobile home owner by posting the notice on the mobile home.

(2) To:

(A) a lienholder with a perfected security interest in the mobile home; or

(B) any other person known to claim an interest in the mobile home;

as shown by the records of the bureau.

Notice under this subsection must include a description of the mobile home, the location of the mobile home, and a conspicuous statement that the mobile home is on the ~~owner's~~ **landowner's** ~~property~~ **real estate** without the owner's permission. If the owner of a mobile home changes the owner's address from that maintained in the records of the bureau, the owner shall immediately notify the ~~property owner~~ **landowner** of the new address.

(b) A ~~property owner~~ **landowner** may provide notice under subsection (a) by the following methods:

(1) Certified mail, return receipt requested.

(2) Personal delivery.

(3) Electronic service under IC 9-22-1-19.

(c) If, before the ~~thirty (30)~~ **sixty (60)** day period described in section 2 of this chapter expires, the mobile home owner requests by certified mail, return receipt requested, additional time to remove the mobile home, the period described in section 2 of this chapter shall be extended by an additional thirty (30) days. The mobile home owner may only request one (1) thirty (30) day extension of time.

SECTION 374. IC 9-22-1.5-4, AS AMENDED BY P.L.71-2015, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. The ~~property owner~~ **landowner** shall:

(1) request that a search be performed in the records of the bureau or the county assessor, in accordance with section 3(a)(1) of this chapter, for the name and address of the owner of the mobile home and the name and address of any person holding a lien or security interest on the mobile home;

(2) after receiving the results of the search required by subdivision (1), give notice by certified mail, return receipt requested, or in person, to:

(A) the last known address of the owner of the mobile home;

(B) any lien holder with a perfected security interest in the mobile home;

(C) all other persons known to claim an interest in the mobile home; and

(D) the county treasurer of the county in which the mobile home is located.

The notice must include a description of the mobile home, the location of the mobile home, a demand that the **owner remove the** mobile home ~~be removed~~ within a specified time not less than ten (10) days after receipt of the notice, and a conspicuous statement that unless the mobile home is removed within that time, the mobile home will be advertised for sale and offered for sale by auction at a specified time and place;

(3) advertise that the mobile home will be offered for sale at public auction. The advertisement of sale must be published once a week for two (2) consecutive weeks in a newspaper of general circulation in the county where the mobile home has been left without permission. The advertisement must include a description of the mobile home, the name of the owner of the mobile home, if ascertainable, and the time and place of the sale. The sale must take place at least fifteen (15) days after the first publication. If there is no newspaper of general circulation where the sale is to be held, the advertisement must be posted at least ten (10) days before the sale in not less than six (6) conspicuous places in the neighborhood of the proposed sale;

(4) provide a reasonable time before the sale for prospective purchasers to examine the mobile home;

(5) sell the mobile home to the highest bidder, if any; and

(6) immediately after the auction, execute an affidavit of sale or disposal on a form prescribed by the bureau stating:

(A) that the requirements of this section have been met;

(B) the length of time that the mobile home was left on the ~~property~~ **real estate** without permission;

(C) any expenses incurred by the ~~property owner,~~ **landowner,** including the expenses of the sale;

(D) the name and address of the purchaser of the mobile home at the auction, if any; and

(E) the amount of the winning bid, if any.

If the auction produces no purchaser, the ~~property owner~~ **landowner** shall note that fact on the affidavit. The ~~property owner~~ **landowner** shall list the ~~property owner,~~ **landowner** or any donee as the purchaser on the affidavit of sale or disposal.

SECTION 375. IC 9-22-1.5-5, AS AMENDED BY P.L.71-2015, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) Upon payment of the bid price by the purchaser, the ~~property owner~~ **landowner** shall provide the purchaser with the affidavit of sale or disposal described in this chapter.

(b) If the auction produces a purchaser, notwithstanding IC 6-1.1-23, the ~~property owner~~ **landowner** shall distribute the amount of the bid price received from the purchaser in the following order of priority:

(1) Reasonable attorney's fees incurred by the ~~property owner~~ **landowner** for the sale of the mobile home.

(2) Amounts owed to creditors known to have a lien or security interest on the mobile home, according to the priorities of the creditors' respective security interests.

(3) Delinquent taxes, including any associated penalties, interest, or collection expenses, that are attributable to the mobile home as of the date of sale.

If the amount of the bid price received from the purchaser exceeds the sum of the items described in subdivisions (1) through (3), the ~~property owner~~ **landowner** may retain the remaining amount.

(c) If the auction produces no purchaser, the mobile home becomes the property of the ~~property owner~~ **landowner,** and the ~~property owner~~ **landowner** shall note that fact on the affidavit of sale or disposal.

(d) If the ~~property owner~~ **landowner** wishes to donate the mobile home to any willing donee, a ~~property owner~~ **landowner** who has obtained ownership of a mobile home under this section may transfer ownership to a willing donee by listing the donee as the purchaser on the affidavit of sale or disposal.

(e) If the auction produces no purchaser and the ~~property owner~~ **landowner** does not intend to sell or transfer the mobile home to another person, the ~~property owner~~ **landowner** may, without further administrative application, dismantle the unit for salvage or disposal.

(f) A ~~property owner~~ **landowner** or willing donee who obtains ownership of a mobile home under this section has the same right of ownership as a purchaser who was the highest bidder at auction.

(g) Within thirty (30) days after the auction is held, the ~~property owner~~ **landowner** shall submit the following to the county treasurer:

(1) A copy of the affidavit of sale or disposal.

(2) The amount, if any, to be distributed under subsection (b)(3), if the auction produced a purchaser.

SECTION 376. IC 9-22-1.5-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. The affidavit of sale or disposal under this chapter constitutes proof of ownership and right to have the mobile home titled in the purchaser's, ~~property owner's,~~ **landowner's,** or donee's name under ~~IC 9-17-6-12.~~ **section 7 of this chapter.**

SECTION 377. IC 9-22-1.5-7, AS AMENDED BY P.L.262-2013, SECTION 109, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. After the purchaser, ~~property owner,~~ **landowner,** or donee:

(1) presents the bureau with the affidavit of sale;

(2) completes an application for title **under IC 9-17** with any other information the bureau requires; and

(3) pays any applicable fee;

the bureau shall issue to the purchaser, ~~or property owner~~ **landowner, or donee** a certificate of title to the mobile home.

SECTION 378. IC 9-22-1.7 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 1.7. Abandoned Manufactured Homes in Mobile Home Communities

Sec. 1. This chapter applies to a manufactured home that is located in a mobile home community (as defined in IC 16-41-27-5).

Sec. 2. As used in this chapter, "manufactured home" means either of the following:

(1) A nonself-propelled vehicle designed for occupancy as a dwelling or sleeping place.

(2) A dwelling, including the equipment sold as a part of the dwelling, that:

(A) is factory assembled;

(B) is transportable;

(C) is intended for year-round occupancy;

(D) is designed for transportation on its own chassis; and

(E) was manufactured before the effective date of the federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 U.S.C. 5401 et seq.).

Sec. 3. A landowner who finds a manufactured home that the landowner believes to be abandoned on property the landowner owns or controls, including:

(1) a mobile home community (as defined in IC 16-41-27-5); or

(2) rental property;

may sell or salvage the manufactured home if the manufactured home has been left without permission on the landowner's property for at least thirty (30) days. The thirty (30) day period begins on the day the landowner sends notice under section 4 of this chapter to the manufactured home owner.

Sec. 4 (a) A landowner shall send notice of a manufactured home described in section 3 of this chapter as follows:

(1) To the manufactured home owner at the last known address of the manufactured home owner as shown by the records of the bureau. However, if the landowner is unable to determine the address of the manufactured home owner, the landowner may serve the manufactured home owner by posting notice on the manufactured home.

(2) To:

(A) a lienholder with a perfected security interest in the manufactured home; or

(B) any other person known to claim an interest in the manufactured home;

as shown by the records of the bureau.

Notice under this section must include a description of the manufactured home and a conspicuous statement that the manufactured home is on the landowner's property without the landowner's permission. If the manufactured home owner changes the manufactured home owner's address from that maintained in the records of the bureau, the manufactured home owner shall immediately notify the landowner of the new address.

(b) A landowner may provide notice under subsection (a) by the following methods:

(1) Certified mail, return receipt requested.

(2) Personal delivery.

(3) Electronic service under IC 9-22-1-19.

(4) Posting of the notice on the manufactured home, if the landowner is unable to determine the manufactured home owner's address.

(c) If, before the thirty (30) day period described in section 3 of this chapter expires, the manufactured home owner requests by certified mail, return receipt requested, additional time to remove the manufactured home, the period described in section 3 of this chapter shall be extended by an additional thirty (30) days. The manufactured home owner may request only one (1) thirty (30) day extension of time.

Sec. 5. A landowner shall do the following:

(1) Request that a search be performed in the records of the bureau for the name and address of the manufactured home owner and the name and address of any person holding a lien or security interest on the manufactured home.

(2) After receiving the results of the search required by subdivision (1) and after the expiration of the thirty (30) day period described in sections 3 and 4 of this chapter, give notice to all the following:

(A) The manufactured home owner:

(i) by certified mail, return receipt requested, to the last known address of the manufactured home owner; or

(ii) in person to the manufactured home owner; or

(iii) if the landowner is unable to determine the manufactured home owner's address or provide notice to the manufactured home owner in person, the landowner may satisfy the notice requirement under this subdivision by posting of the notice to the manufactured home owner on the manufactured home.

(B) Any lien holder (other than the landowner) with a perfected security interest in the manufactured home either by certified mail, return receipt requested, or in person.

(C) All other persons known to claim an interest in the manufactured home either by certified mail, return receipt requested, or in person.

(D) The county treasurer of the county in which the manufactured home is located, by certified mail, return receipt requested, or in person.

The notice must include a description of the manufactured home, a demand that the owner remove the manufactured home within a specified time not less than ten (10) days after receipt of the notice, a conspicuous statement that unless the manufactured home is removed within that time, the manufactured home will be advertised for sale by auction at a specified time and place, and a conspicuous statement that, in the case of a sale by auction of the manufactured home, a person or lienholder other than the county treasurer that fails to appear at the auction, or otherwise participate in the auction, waives any right the person may have as a lien holder in the manufactured home and any other rights that the person may have regarding the sale of the manufactured home. In addition, the notice must include a statement that, if the manufactured home is removed before the auction takes place, all statutory liens against the manufactured home under IC 16-41-27-29 and all debts owed to the landowner that are associated with the placement of the manufactured home on the landowner's property must be paid.

(3) After the expiration of the ten (10) day period in subdivision (2), advertise that the manufactured home will be offered for sale at public auction in conformity with IC 26-1-2-328 and IC 26-1-7-210. The advertisement of sale must be published once each week for two (2) consecutive weeks in a newspaper of general circulation in the county where the manufactured home has been left without permission. The advertisement must include a description of the manufactured home, the name of the owner of the manufactured home, if ascertainable, and the time and place of the sale. The sale must take place at least fifteen (15) days after the first publication. If there is no newspaper of general circulation in the county where the sale is to be held, the advertisement must be posted at least ten (10) days before the sale in not less than six (6) conspicuous places in the neighborhood of the proposed sale.

(4) Provide a reasonable time before the sale for prospective purchasers to examine the manufactured home.

(5) Sell the manufactured home to the highest bidder, if any.

(6) Immediately after the auction, execute an affidavit of sale of disposal on a form prescribed by the bureau stating:

(A) that the requirements of this section have been met;

(B) the length of time that the manufactured home was left on the property without permission;

(C) any expenses incurred by the landowner, including the expenses of the sale and any lien of the landowner;

(D) the name and address of the purchaser of the manufactured home at the auction, if any; and

(E) the amount of the winning bid, if any.

If the manufactured home is not purchased by a bidder at the auction, the landowner shall note that fact on the affidavit and shall list the landowner, or any donee, as the purchaser on the affidavit of sale or disposal.

Sec. 6. (a) Upon payment of the bid price by the purchaser, the landowner shall provide the purchaser with the affidavit of sale or disposal described in this chapter.

(b) If the manufactured home is not purchased by a bidder at the auction, the manufactured home becomes the property of the landowner, and the landowner shall note that fact on the affidavit of sale or disposal.

(c) If the landowner wishes to donate the manufactured home to any willing donee, a landowner who has obtained ownership of a manufactured home under this section may transfer ownership to a willing donee by listing the donee as the purchaser on the affidavit of sale or disposal.

(d) If the manufactured home is not purchased by a bidder at the auction and the landowner does not intend to sell or transfer the manufactured home to another person, the landowner may, upon submitting an affidavit of sale or disposal to the bureau, dismantle the manufactured home for salvage or disposal, or transport the manufactured home to a licensed solid waste landfill.

(e) A landowner or willing donee who obtains ownership of a manufactured home under this section has the same right of ownership as a purchaser who was the highest bidder at auction.

(f) If the manufactured home is purchased by a bidder at the auction under this chapter, the landowner shall distribute the amount of the bid price received from the purchaser in the following order of priority:

(1) Reasonable attorney's fees incurred by the landowner for the sale of the manufactured home.

(2) Amounts owed to persons known to have a lien or security interest on the manufactured home, including any lien or secured amounts due the landowner under IC 16-41-27-29, and according to the priority of the creditor's secured interest in the manufactured home.

(3) Delinquent property taxes that were assessed on the manufactured home and that were due and payable at the time of the sale of the manufactured home at auction, including any special assessments, interest, penalties, judgments, and costs that are attributable to the delinquent property taxes. Delinquent property taxes that are paid under this subdivision shall be applied by the county treasurer to property taxes, special assessments, interest, penalties, judgments, and costs that are most recently due and payable for the manufactured home.

If the amount of the bid price received from the purchaser exceeds the sum of the items described in subdivisions (1) through (3), the landowner may retain the remaining amount.

Sec. 7. The affidavit of sale or disposal under this chapter constitutes proof of ownership and right to have the manufactured home titled in the purchaser's, landowner's, or donee's name under IC 9-17-6-12.

Sec. 8. (a) All liens and security interests of any person or entity, other than the county treasurer, that fails to appear or otherwise participate in the auction under this chapter are waived and are void as of the date of the sale of the manufactured home at the auction.

(b) After the purchaser, landowner, or donee:

(1) presents the bureau with the affidavit of sale or disposal;

(2) completes an application for title with any other information the bureau requires;

(3) pays any applicable fee; and

(4) provides evidence of the payment of any delinquent property taxes and any associated interest and penalties as provided under section 6(f)(3) of this chapter;

the bureau shall issue to the purchaser, landowner, or donee a certificate of title to the manufactured home.".

Page 270, delete lines 1 through 16.

Page 418, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 651. IC 22-12-1-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 16. "Manufactured home" has the meaning set forth in 42 U.S.C. 5402 as it existed on January 1, 2003. **The term includes a mobile home (as defined in IC 16-41-27-4).**".

Page 432, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 668. IC 34-30-2-28.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 28.5. IC 9-17-6-18 (Concerning the bureau of motor vehicles for false information contained in a certificate of title for a manufactured home).**".

Page 439, after line 28, begin a new paragraph and insert:

"SECTION 686. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1087 as printed February 26, 2016.)

YODER

Motion prevailed.

SENATE MOTION
(Amendment 1087–4)

Madam President: I move that Engrossed House Bill 1087 be amended to read as follows:

Page 224, line 19, after "(d)(2)" insert "**and any other amounts remitted to the bureau as required under law**".

Page 224, line 37, delete "has" and insert "**has:**".

Page 224, delete line 38, begin a new line block indented and insert:

"**(1) collected fees under this section; or**

(2) received and deposited amounts as required by law.".

Page 417, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 637. IC 15-20-4-5, AS ADDED BY HEA 1201-2016, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 5. (a) A deposit made under section 4(a)(2)(B), 4(a)(3)(B), or 4(b)(2) of this chapter shall be held by the animal care facility in a separate account. The deposit shall be:

(1) returned to the depositor not later than one hundred twenty (120) days after the date of receipt of the deposit by the animal care facility if proof is given that a spay-neuter procedure has been completed on the companion animal; or

(2) forfeited after one hundred twenty (120) days after the date of receipt of the deposit by the animal care facility, if proof is not given under subdivision (1).

(b) If a deposit is forfeited under subsection (a)(2), the animal care facility holding the deposit shall remit the forfeited deposit amount to the bureau of motor vehicles within a reasonable time. The bureau of motor vehicles shall deposit any amounts received under this section in a trust fund established under ~~IC 9-18-25-17.5(g)~~ **IC 9-18.5-12-14(f),** for a special group that provides spay-neuter services.".

Page 439, after line 28, begin a new paragraph and insert:

"SECTION 675. [EFFECTIVE JULY 1, 2016] **The general assembly recognizes that HEA 1087-2016 repealed IC 9-18-25 and that HEA 1201-2016 amended IC 9-18-25-17.5. The general assembly intends to repeal IC 9-18-25-17.5.**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1087 as printed February 26, 2016.)

YODER

Motion prevailed.

SENATE MOTION
(Amendment 1087–1)

Madam President: I move that Engrossed House Bill 1087 be amended to read as follows:

Page 56, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 60. IC 8-3-1-21, AS AMENDED BY P.L.50-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 21. (a) Every railroad company subject to this chapter shall report to the department as soon as possible after it has occurred, every accident and the general cause thereof, involving loss of life or serious injury to passenger or employee.

(b) Whenever the department shall secure reliable information, or complaint shall have been made, or, because of reports made by its inspectors, shall have reason to believe, that any carrier in this state does not provide and adequately maintain sanitary drinking water and sanitary dispensers therefor on all locomotives and cabooses in use, or that any such carrier does not provide a room or rooms at all terminals, for the use of the department's employees, containing adequate wash basins, shower baths, inside toilets, sanitary drinking water dispensed in a sanitary manner, and sufficient lockers for checking employees' clothing, it shall be the duty of the department to cause such investigation to be made as it may deem necessary, and when such investigation shall have been made, the department shall make a report to the manager or superintendent of the railroad company. In said report and recommendations, the department shall make an accurate statement of the time such examination was made, of the exact location, character, and extent of such defects or omissions, if any such shall have been found, and shall also recommend such reasonable changes and improvements, additions, buildings, and accommodations, as are, in the opinion of the department, necessary to remedy such faults, neglects, requirements, or defects. Such recommendations shall set out specifically a reasonable time within which such improvements or changes or additions shall be made by the railroad company, and if they are not so made within said time so specified, then the department, if it considers it best so to do, may commence proceedings by mandamus or other remedy, in some circuit or superior court having jurisdiction of the carriers, to enforce compliance with its order. All courts, circuit, superior, appellate, or supreme, as shall obtain jurisdiction in these cases, shall give preference to such cases, and shall hear and determine the same speedily to the end that the employees' interests and the public interests may not suffer.

(c) A railroad company shall provide mental health services at no cost to an employee who is involved in an accident described in subsection (a).".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1087 as printed February 26, 2016.)

LANANE

Motion failed. The bill was ordered engrossed.

Engrossed House Bill 1105

Senator Crider called up Engrossed House Bill 1105 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1105–1)

Madam President: I move that Engrossed House Bill 1105 be amended to read as follows:

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

"SECTION 1. IC 34-60-1-2, AS ADDED BY P.L.150-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. ~~(a)~~ As used in this chapter, "victim advocate" ~~means an individual employed or appointed by or who volunteers for a victim service provider.~~

~~(b) The term does not include:~~

~~(1) a law enforcement officer;~~

~~(2) an employee or agent of a law enforcement officer;~~

~~(3) a prosecuting attorney; or~~

~~(4) an employee or agent of a prosecuting attorney's office.~~

~~(c) The term includes an employee, an appointee, or a volunteer of a:~~

~~(1) victim service provider;~~

~~(2) domestic violence program;~~

~~(3) sexual assault program;~~

~~(4) rape crisis center;~~

~~(5) battered women's shelter;~~

~~(6) transitional housing program for victims of domestic violence; or~~

~~(7) program that, as one (1) of its primary purposes, provides services to an individual:~~

~~(A) against whom an act of:~~

~~(i) domestic or family violence;~~

~~(ii) dating violence;~~

~~(iii) sexual assault (as defined in IC 5-26.5-1-8);~~

~~(iv) human and sexual trafficking (IC 35-42-3.5); or~~

~~(v) stalking (IC 35-45-10-5);~~

~~is committed; or~~

~~(B) who:~~

~~(i) is not accused of committing an act of domestic or family violence, dating violence, sexual assault (as defined in IC 5-26.5-1-8), human and sexual trafficking (IC 35-42-3.5), or stalking (IC 35-45-10-5); and~~

~~(ii) is a member of the family of an individual described in clause (A) other than a family member who is accused of committing an act of domestic or family violence, dating violence, sexual assault (as defined in IC 5-26.5-1-8), human and sexual trafficking (IC 35-42-3.5), or stalking (IC 35-45-10-5).~~ **has the meaning set forth in IC 35-37-6-3.5.**

SECTION 2. IC 35-37-6-2.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 2.7. As used in this chapter, "student advocate office" means a student services office, victim assistance office, or other victim counselor as designated by a state educational institution or an approved postsecondary educational institution.**

SECTION 3. IC 35-37-6-3.5, AS ADDED BY P.L.104-2008, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3.5. (a) As used in this chapter, "victim advocate" means an individual employed or appointed by or who volunteers for:

(1) a victim services provider; **or**

(2) the student advocate office of a state educational institution or an approved postsecondary educational institution, if the individual provides services to a victim.

(b) The term does not include:

(1) a law enforcement officer;

(2) an employee or agent of a law enforcement officer;

(3) a prosecuting attorney; or

(4) an employee or agent of a prosecuting attorney's office.

(c) The term includes an employee, an appointee, or a volunteer of a:

(1) victim services provider;

(2) domestic violence program;

(3) sexual assault program;

(4) rape crisis center;

(5) battered women's shelter;

(6) transitional housing program for victims of domestic violence; or

(7) program that has as one (1) of its primary purposes to provide services to an individual:

(A) against whom an act of:

(i) domestic or family violence;

(ii) dating violence;

(iii) sexual assault (as defined in IC 5-26.5-1-8);

(iv) human and sexual trafficking (IC 35-42-3.5); or

(v) stalking (IC 35-45-10-5);

is committed; or

(B) who:

(i) is not accused of committing an act of domestic or family violence, dating violence, sexual assault (as defined in IC 5-26.5-1-8), human and sexual trafficking (IC 35-42-3.5), or stalking (IC 35-45-10-5); and

(ii) is a member of the family of an individual described in clause (A) other than a family member who is accused of committing an act of domestic or family violence, dating violence, sexual assault (as defined in IC 5-26.5-1-8), human and sexual trafficking (IC 35-42-3.5), or stalking (IC 35-45-10-5).".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1105 as printed February 26, 2016.)

CRIDER

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1109

Senator Mishler called up Engrossed House Bill 1109 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1109–2)

Madam President: I move that Engrossed House Bill 1109 be amended to read as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 6-1.1-20.6-9.9, AS ADDED BY P.L.120-2014, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 9.9. **(a) If:**

(1) a school corporation in 2017 or 2018 issues new bonds or enters into a new lease rental agreement for which the school corporation is imposing or will impose a debt service levy other than:

(A) to refinance or renew prior bond or lease rental obligations existing before January 1, 2017; or

(B) indebtedness that is approved in a local public question or referendum under IC 6-1.1-20 or any other law; and

(2) the school corporation's total debt service levy in 2017 or 2018 is greater than the school corporation's debt service levy in 2016;

the school corporation is not eligible to allocate credits proportionately under this section.

~~(a)~~ **(b) Subject to subsection (a),** a school corporation is eligible to allocate credits proportionately under this section for ~~2014, 2015, or~~ 2016, **2017, or 2018** if the school corporation's percentage computed under this subsection is at least ten percent (10%) for its transportation fund levy for that year, as certified by the department of local government finance. A school corporation shall compute its percentage under this subsection as follows:

(1) Compute the amount of credits granted under this chapter against the school corporation's levy for the school corporation's transportation fund.

(2) Compute the school corporation's levy for the school corporation's transportation fund.

(3) Divide the amount computed under subdivision (1) by the amount computed under subdivision (2) and express it as a percentage.

The computation must be made by taking into account the requirements of section 9.8 of this chapter regarding protected taxes and the impact of credits granted under this chapter on the revenue to be distributed to the school corporation's transportation fund for the particular year.

~~(b)~~ **(c)** A school corporation that desires to be an eligible school corporation under this section must, before May 1 of the year for which it wants a determination, submit a written request for a certification by the department of local government finance that the computation of the school corporation's percentage under subsection ~~(a)~~ **(b)** is correct. The department of local government finance shall, not later than June 1 of that year, determine whether the percentage computed by the school corporation is accurate and certify whether the school corporation is eligible under this section.

~~(c)~~ **(d)** For a school corporation that is certified as eligible under this section, the school corporation may allocate the effect of the credits granted under this chapter proportionately among all the school corporation's property tax funds that are not exempt under section 7.5(b) or 7.5(c) of this chapter, based on the levy for each fund and without taking into account the requirements of section 9.8 of this chapter regarding protected taxes.".

Page 2, delete lines 1 through 27.

Page 3, line 13, delete "shall:" and insert "shall,".

Page 3, line 14, after "thereafter" insert "**before April 1 of each year,**".

Page 3, delete lines 15 through 16.

Page 3, run in lines 14 through 17.

Page 9, line 1, delete "P.L.1001-2015" and insert "**P.L.213-2015 (HEA 1001-2015)**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1109 as printed February 23, 2016.)

MISHLER

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1136

Senator Holdman called up Engrossed House Bill 1136 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1136–1)

Madam President: I move that Engrossed House Bill 1136 be amended to read as follows:

Page 28, line 39, delete "Class A misdemeanor (IC 35-50-3-2):" and insert "**Level 6 felony (IC 35-50-2-7):**".

Page 29, line 12, delete "Class A misdemeanor (IC 35-50-3-2);" and insert "**Level 4 felony (IC 35-50-2-5.5);**".

(Reference is to EHB 1136 as printed February 26, 2016.)

HOLDMAN

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1156

Senator Leising called up Engrossed House Bill 1156 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1156–1)

Madam President: I move that Engrossed House Bill 1156 be amended to read as follows:

Page 3, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 2. IC 25-13-1-12.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 12.5. If a dental hygienist or a dental assistant determines that treatment of a patient would result in physical danger to the dental hygienist or dental assistant, the dental hygienist or dental**

assistant may request, and the supervising dentist must grant, a consultation between the dentist and the dental hygienist or the dental assistant to consult on the proper treatment plan for the patient that will result in the least amount of physical danger to the dental hygienist or dental assistant.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1156 as printed February 23, 2016.)

LEISING

Upon request of Senator Leising the President ordered the roll of the Senate to be called. Roll Call 236: yeas 39, nays 11. Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1157

Senator M. Young called up Engrossed House Bill 1157 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1161

Senator Boots called up Engrossed House Bill 1161 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1172

Senator Boots called up Engrossed House Bill 1172 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1179

Senator Kruse called up Engrossed House Bill 1179 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1181

Senator Holdman called up Engrossed House Bill 1181 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1211

Senator Brown called up Engrossed House Bill 1211 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1211–1)

Madam President: I move that Engrossed House Bill 1211 be amended to read as follows:

Page 2, delete lines 5 through 42.

Delete pages 3 through 16.

Page 17, delete lines 1 through 27.

Page 18, line 11, reset in roman "or".

Page 18, line 13, delete "or".

Page 18, delete lines 14 through 24.

Page 18, after line 42, begin a new paragraph and insert:

"**(e) For purposes of this section, "pecuniary loss" includes:**

(1) the total costs incurred in inspecting, cleaning, and decontaminating property contaminated by a pollutant; and

(2) a reasonable estimate of all additional costs not already incurred under subdivision (1) that are necessary to inspect, clean, and decontaminate property contaminated by a pollutant, to the extent that the property has not already been:

(A) cleaned;

(B) decontaminated; or

(C) both cleaned and decontaminated.

The term includes inspection, cleaning, or decontamination conducted by a person certified under IC 13-14-1-15.".

Delete pages 19 through 24.

Page 25, delete lines 1 through 9.

Page 25, reset in roman lines 39 through 40.

Page 25, line 41, reset in roman "(C)".

Page 25, line 41, delete "(A)".

Page 25, line 42, reset in roman "(D)".

Page 25, line 42, delete "(B)".

Page 26, line 25, delete "or".

Page 26, line 27, delete "applies." and insert "applies;".

Page 26, reset in roman lines 28 through 29.

Page 26, line 30, reset in roman "results in".

Page 26, line 30, after "in" insert "**a fire or**".

Page 26, line 30, reset in roman "an explosion causing serious bodily injury to a person".

Page 26, reset in roman line 31.

Page 26, delete lines 32 through 42.

Delete pages 27 through 33.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1211 as printed February 26, 2016.)

BROWN

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1231

Senator Tomes called up Engrossed House Bill 1231 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1231–4)

Madam President: I move that Engrossed House Bill 1231 be amended to read as follows:

Page 2, delete lines 6 through 7, begin a new line block indented and insert:

"**(4) The rifle must be equipped with a magazine that is incapable of holding more than ten (10) cartridges.**".

Page 2, between lines 16 and 17, begin a new paragraph and insert:

"**(c) A rule adopted under subsection (a) may not authorize more than four (4) annual rifle seasons for hunting deer.**

(d) This section expires June 30, 2020.".

(Reference is to EHB 1231 as printed February 24, 2016.)

MESSMER

Motion prevailed.

SENATE MOTION
(Amendment 1231–2)

Madam President: I move that Engrossed House Bill 1231 be amended to read as follows:

Page 1, line 7, delete "privately owned land" and insert "**state owned hunting areas**".

Page 2, between lines 16 and 17, begin a new paragraph and insert:

"**(c) A rule adopted under subsection (a) may not authorize more than four (4) annual rifle seasons for hunting deer. The department shall report on the impact of the hunting seasons authorized under this section to the governor and, in an electronic format under IC 5-14-6, the general assembly before February 15, 2020.**

(d) This section expires June 30, 2020.".

(Reference is to EHB 1231 as printed February 24, 2016.)

HERSHMAN

Motion prevailed.

SENATE MOTION
(Amendment 1231–3)

Madam President: I move that Engrossed House Bill 1231 be amended to read as follows:

Page 2, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 2. IC 14-22-2-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 9. (a) This section applies to a hunting season beginning after June 30, 2016.**

(b) Notwithstanding any rule prescribing the minimum length of a handgun cartridge case, a hunter may use a handgun that fires a commercially available bullet of ten (10) millimeters in diameter to hunt deer.

(c) The use of a handgun described in subsection (b) to hunt deer is subject to the rules:

(1) requiring that the handgun conform to the requirements of IC 35-47-1-6;

(2) prescribing the minimum barrel length of the handgun; and

(3) prohibiting the use of full metal jacketed bullets.

(d) The director shall amend any rule necessary to comply with this section.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1231 as printed February 24, 2016.)

HERSHMAN

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1235

Senator M. Young called up Engrossed House Bill 1235 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1248

Senator Pete Miller called up Engrossed House Bill 1248 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1254

Senator Kenley called up Engrossed House Bill 1254 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1263

Senator Crider called up Engrossed House Bill 1263 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1263–3)

Madam President: I move that Engrossed House Bill 1263 be amended to read as follows:

Page 7, line 8, after "." insert "**Adoption of rules under this subsection may not delay the implementation and provision of telemedicine services by a provider under IC 25-1-9.5.**".

(Reference is to EHB 1263 as printed February 26, 2016.)

CRIDER

Motion prevailed.

SENATE MOTION
(Amendment 1263–2)

Madam President: I move that Engrossed House Bill 1263 be amended to read as follows:

Page 5, line 24, delete "secretary of state," and insert "**Indiana professional licensing agency,**".

Page 5, line 25, delete "secretary of state," and insert "**Indiana professional licensing agency,**".

(Reference is to EHB 1263 as printed February 26, 2016.)

PATRICIA MILLER

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1267

Senator Patricia Miller called up Engrossed House Bill 1267 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1272

Senator Brown called up Engrossed House Bill 1272 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1272–1)

Madam President: I move that Engrossed House Bill 1272 be amended to read as follows:

Page 1, line 8, delete "and agency".

Page 1, line 9, delete "(established by IC 25-1-5-3)".

Page 1, line 11, delete "board." and insert "board, **after which the board will forward the sworn statement to the agency (established by IC 25-1-5-3).**".

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

Page 1, line 17, after "board's" insert "**or agency's**".

(Reference is to EHB 1272 as printed February 23, 2016.)

BROWN

Motion prevailed.

SENATE MOTION
(Amendment 1272–5)

Madam President: I move that Engrossed House Bill 1272 be amended to read as follows:

Page 3, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 5. IC 25-22.5-13.2-1, AS ADDED BY P.L.126-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. A facility that performs a mammography examination shall, if the patient is determined by the facility to have an amount of breast and connective tissue in comparison to fat in the breast, ~~that would require follow up care or testing,~~ notify the patient of the determination. The notice required under this section must be included with a summary of the written mammography report.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1272 as printed February 23, 2016.)

PATRICIA MILLER

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1290

Senator Hershman called up Engrossed House Bill 1290 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1290–3)

Madam President: I move that Engrossed House Bill 1290 be amended to read as follows:

Replace the effective date in SECTION 34 with "[EFFECTIVE UPON PASSAGE]".

Page 33, line 33, after "chapter." insert "**However, in the case of an industrial recovery site described in section 5(2) of this chapter, the time that has expired since a plant was placed in service shall be determined as of the date on which the demolition of the vacant plant was completed.**".

Page 34, line 2, after "chapter" delete ";" and insert "**and was placed in service at least fifteen (15) years before the date on which an application is filed with the corporation under this chapter;**".

Page 34, line 4, after "chapter" delete "." and insert "**and was placed in service at least fifteen (15) years before the date on which the demolition of the vacant plant was completed.**".

(Reference is to EHB 1290 as printed February 26, 2016.)

HERSHMAN

Motion prevailed.

SENATE MOTION
(Amendment 1290–1)

Madam President: I move that Engrossed House Bill 1290 be amended to read as follows:

Page 13, line 6, delete "or promotion fund".

Page 14, line 32, delete "or promotion fund".

Page 16, line 15, delete "or promotion fund".

Page 17, line 10, delete "or 8".

Page 18, line 9, delete "or promotion".

Page 18, line 10, delete "fund".

(Reference is to EHB 1290 as printed February 26, 2016.)

NIEMEYER

Motion prevailed.

SENATE MOTION
(Amendment 1290–5)

Madam President: I move that Engrossed House Bill 1290 be amended to read as follows:

Page 33, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 15. IC 6-2.5-3-7.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 7.5. (a) This section applies to a retail merchant if:**

(1) the retail merchant obtains the information described in section 7(c)(1) through 7(c)(3) of this chapter from a person purchasing tangible personal property for use or consumption in providing public transportation under IC 6-2.5-5-27; and

(2) the person purchasing the tangible personal property provides to the retail merchant the signed affirmation required under section 7(c) of this chapter.

(b) Except as provided in subsection (c), the following apply to a retail merchant that meets the requirements of subsection (a):

(1) Based on the information described in section 7(c)(1) through 7(c)(3) of this chapter and the signed affirmation required under section 7(c) of this chapter, the retail merchant is entitled to assume that the person purchasing the tangible personal property:

(A) will use the tangible personal property for an exempt purpose; or

(B) will make the determination regarding whether use tax is due on the storage, use, or consumption of the tangible personal property, and will pay any use tax that is due on the storage, use, or consumption of the tangible personal property.

(2) The retail merchant is not liable for a failure to collect any use tax that may be due on the storage, use, or consumption of the tangible personal property.

(c) Subsection (b) does not apply to a retail merchant if the retail merchant's reliance on the information described in section 7(c)(1) through 7(c)(3) of this chapter and the signed affirmation required under section 7(c) of this chapter was unreasonable. The department has the burden of proving that the retail merchant's reliance on the information described in section 7(c)(1) through 7(c)(3) of this chapter and the signed affirmation required under section 7(c) of this chapter was unreasonable.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1290 as printed February 26, 2016.)

WALKER

Motion prevailed.

SENATE MOTION
(Amendment 1290–2)

Madam President: I move that Engrossed House Bill 1290 be amended to read as follows:

Page 40, line 25, delete "specifically" and insert "**or uses authorized by IC 36-7-14-3.7(d), IC 36-7-14-24, IC 36-7-14-39(b)(3), IC 36-7-14-48(e)(2), and IC 36-7-14-52(b)(4) and reimbursements or uses specifically authorized by any other law,**".

Page 40, line 26, delete "authorized by law,".

Page 40, between lines 28 and 29, begin a new line block indented and insert:

"**This subdivision does not restrict transfers or uses by a redevelopment commission made to meet commitments under a written agreement of the redevelopment commission that was entered into before January 1, 2016, if the written agreement complied with the requirements existing under the law at the time the redevelopment commission entered into the written agreement.**".

Page 43, line 4, delete "specifically" and insert "**or uses authorized by IC 36-7-15.1-26(b)(3), IC 36-7-15.1-35(e)(2), and IC 36-7-15.1-53(b)(3) and reimbursements or uses specifically authorized by any other law,**".

Page 43, line 5, delete "authorized by law,".

Page 43, between lines 7 and 8, begin a new line block indented and insert:

"**This subdivision does not restrict transfers or uses by a redevelopment commission made to meet commitments under a written agreement of the redevelopment commission that was entered into before January 1, 2016, if the written agreement complied with the requirements existing under the law at the time the redevelopment commission entered into the written agreement.**".

(Reference is to EHB 1290 as printed February 26, 2016.)

PETE MILLER

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1322

Senator Steele called up Engrossed House Bill 1322 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1330

Senator Kruse called up Engrossed House Bill 1330 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1337

Senator M. Young called up Engrossed House Bill 1337 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1337–4)

Madam President: I move that Engrossed House Bill 1337 be amended to read as follows:

Page 2, delete lines 30 through 33.

Page 2, line 38, delete "IC 16-34-4-4." and insert "**IC 16-34-4-3.**".

Page 8, line 24, delete "or potential diagnosis".

Page 12, line 40, delete "or has a".

Page 12, line 41, delete "potential diagnosis of".

Page 16, delete lines 29 through 31.

Page 16, line 32, delete "4." and insert "**3.**".

Page 16, line 34, delete "5." and insert "**4.**".

Page 17, line 1, delete "6." and insert "**5.**".

Page 17, line 11, delete "or has a potential diagnosis of" and insert "**.**".

Page 17, delete line 12.

Page 17, line 14, delete "7." and insert "**6.**".

Page 17, line 18, delete "or has a" and insert "**.**".

Page 17, delete line 19.

Page 17, line 24, delete "or has a potential diagnosis of" and insert "**.**".

Page 17, delete line 25.

Page 17, line 27, delete "8." and insert "**7.**".

Page 17, line 38, delete "9." and insert "**8.**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1337 as printed February 26, 2016.)

STOOPS

Motion failed.

SENATE MOTION
(Amendment 1337–7)

Madam President: I move that Engrossed House Bill 1337 be amended to read as follows:

Page 3, line 35, delete "any information submitted under this section that may be" and insert "**the burial transit permit for a miscarried fetus may not contain any identifying information concerning the parent.**".

Page 3, delete lines 36 through 38.

Page 15, line 36, delete "any information submitted under this section that may be" and insert "**the burial transit permit for a miscarried fetus may not contain any identifying information concerning the parent.**".

Page 15, delete lines 37 through 39.

(Reference is to EHB 1337 as printed February 26, 2016.)

STOOPS

Motion failed.

SENATE MOTION
(Amendment 1337–3)

Madam President: I move that Engrossed House Bill 1337 be amended to read as follows:

Page 11, delete lines 6 through 42, begin a new paragraph and insert:

"SECTION 15. IC 16-34-2-4.5 IS REPEALED [EFFECTIVE JULY 1, 2016]. ~~Sec. 4.5. (a) A physician may not perform an abortion unless the physician:~~

~~(1) has admitting privileges in writing at a hospital located in the county where abortions are provided or in a contiguous county; or~~

~~(2) has entered into a written agreement with a physician who has written admitting privileges at a hospital in the county or contiguous county concerning the management of possible complications of the services provided.~~

~~(b) A physician who performs an abortion shall notify the patient of the location of the hospital at which the physician or a physician with whom the physician has entered into an agreement under subsection (a)(2) has admitting privileges and where the patient may receive follow-up care by the physician if complications arise.~~

~~(c) An abortion clinic shall:~~

~~(1) keep at the abortion clinic a copy of the admitting privileges of a physician described in subsection (a)(1) and (a)(2); and~~

~~(2) submit a copy of the admitting privileges described in subdivision (1) to the state department as part of the abortion clinic's licensure. The state department shall verify the validity of the admitting privileges document. The state department shall remove any identifying information from the admitting privileges document before releasing the document under IC 5-14-3.~~

~~(d) The state department shall confirm to a member of the public, upon request, that the admitting privileges required to be submitted under this section for an abortion clinic have been received by the state department.~~

~~(e) Notwithstanding IC 5-14-3-6 and IC 5-14-3-6.5, this section only allows for the redaction of information that is described in subsection (c). This section does not allow the state department to limit the disclosure of information in other public documents.~~".

Page 12, delete lines 1 through 6.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1337 as printed February 26, 2016.)

STOOPS

Upon request of Senator Stoops the President ordered the roll of the Senate to be called. Roll Call 237: yeas 11, nays 39. Motion failed.

SENATE MOTION
(Amendment 1337–6)

Madam President: I move that Engrossed House Bill 1337 be amended to read as follows:

Page 11, delete lines 6 through 42.

Page 12, delete lines 1 through 6.

Page 14, delete lines 16 through 24.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1337 as printed February 26, 2016.)

STOOPS

Motion failed.

SENATE MOTION
(Amendment 1337–11)

Madam President: I move that Engrossed House Bill 1337 be amended to read as follows:

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

"SECTION 1. IC 12-7-2-76, AS AMENDED BY P.L.145-2014, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 76. (a) "Eligible individual", for purposes of:

(1) IC 12-10-10, has the meaning set forth in IC 12-10-10-4; and

(2) IC 12-10-10.5, has the meaning set forth in IC 12-10-10.5-3.

(b) "Eligible individual" has the meaning set forth in IC 12-14-18-1.5 for purposes of the following:

(1) IC 12-10-6.
(2) IC 12-14-2.
(3) IC 12-14-18.
(4) IC 12-14-19.
(5) IC 12-15-2.
(6) IC 12-15-3.
(7) IC 12-16-3.5.
(8) IC 12-20-5.5.

(c) "Eligible individual", for purposes of IC 12-11-14.2, has the meaning set forth in IC 12-11-14.2-1.

SECTION 2. IC 12-11-14.2 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]:

Chapter 14.2. Health Care Services for Individuals With Disabilities

Sec. 1. As used in this chapter, "eligible individual" refers to an individual who:

(1) is less than twenty-one (21) years of age;

(2) has been diagnosed with Down syndrome or any other disability (as defined in IC 16-34-4-1); and

(3) is not eligible for third party health insurance coverage for health care services, including:

(A) Medicaid; and

(B) the children's health insurance program (IC 12-17.6);

or for whom the third party health insurance coverage is insufficient to cover the individual's health care services.

Sec. 2. The division, in consultation with the office, shall ensure that an eligible individual receives necessary health care services.

Sec. 3. The division shall establish and administer a program to provide health care services to an eligible individual.

Sec. 4. The division may adopt rules under IC 4-22-2 necessary to implement this chapter.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1337 as printed February 26, 2016.)

BREAUX

Motion failed.

SENATE MOTION
(Amendment 1337–10)

Madam President: I move that Engrossed House Bill 1337 be amended to read as follows:

Page 2, line 12, after "IC 16-34" insert ", **IC 16-37-3,**".

Page 3, line 29, after "The" insert "**certificate of fetal remains requirements of IC 16-37-3 concerning a fetus with a gestational age of less than twenty (20) weeks and the**".

Page 3, line 30, after "IC 16-37-3" insert "**concerning a fetus with a gestational age of at least twenty (20) weeks**".

Page 15, line 29, after "The" insert "**certificate of fetal remains requirements of IC 16-37-3 concerning a fetus with a gestational age of less than twenty (20) weeks and the**".

Page 15, line 31, after "fetus" delete ",".

Page 15, line 31, reset in roman "with a gestational age of at least twenty (20) weeks of age,".

Page 18, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 23. IC 16-37-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. As used in this chapter, "person in charge of interment" means a person who places or causes to be placed a **fetus,** stillborn child, or dead body or the ashes, after cremation, in a grave, vault, urn, or other receptacle, or otherwise disposes of the body or ashes.

SECTION 24. IC 16-37-3-3, AS AMENDED BY P.L.122-2012, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3. (a) The physician last in attendance upon the deceased or the person in charge of interment shall file a **certificate of fetal remains, a** certificate of death, or **a certificate** of stillbirth with the local health officer of the jurisdiction in which the death or stillbirth occurred. The local health officer shall retain a copy of the certificate of death.

(b) Notwithstanding subsection (a), beginning January 1, 2011, for a death occurring after December 31, 2010, the physician last in attendance upon the deceased or the person in charge of interment shall use the Indiana death registration system established under IC 16-37-1-3.1 to file a certificate of death with the local health officer of the jurisdiction in which the death occurred.

SECTION 25. IC 16-37-3-4, AS AMENDED BY P.L.156-2011, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. The physician last in attendance upon the deceased or the person in charge of interment shall secure the personal data required by the state department by rules adopted under IC 4-22-2 for preparation of the certificate of **fetal remains, certificate of** death, or **certificate** of stillbirth from the persons best qualified to give the information.

SECTION 26. IC 16-37-3-8.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 8.5. (a) The state department shall develop and issue a certificate of fetal remains for an aborted fetus or a miscarried fetus who has a gestational age that is less than twenty (20) weeks of age.**

(b) The certificate of fetal remains shall be considered a transit permit for purposes of this chapter.

(c) The certificate of fetal remains may not contain information that can identify the pregnant woman.

(d) The state department may adopt rules under IC 4-22-2 necessary to implement this section.

SECTION 27. IC 16-37-3-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 10. Upon receipt of a properly executed **certificate of fetal remains,** certificate of death, or **certificate of** stillbirth or, when authorized by rule of the state department, a provisional certificate of death, a local health officer in the county in which the **fetal remains are located or where the** death occurred shall issue a permit for the disposal of the **fetus or the** body.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1337 as printed February 26, 2016.)

BREAUX

Motion failed.

SENATE MOTION
(Amendment 1337–9)

Madam President: I move that Engrossed House Bill 1337 be amended to read as follows:

Page 3, line 28, after "fetus" insert "**with a gestational age of at least twenty (20) weeks of age**".

Page 4, line 5, reset in roman "under this subsection.".

Page 4, line 5, delete "of a".

Page 4, delete lines 6 through 7.

Page 15, line 31, delete "fetus," and insert "fetus".

Page 15, line 31, reset in roman "with a gestational age of at least twenty (20) weeks of age,".

Page 15, reset in roman lines 41 through 42.

Page 16, line 1, reset in roman "(c)".

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

Page 16, line 3, reset in roman "an".

Page 16, line 3, after "an" delete "the".

Page 16, line 3, delete "fetus." and insert "fetus".

Page 16, line 3, reset in roman "described in subsection (b).".

Page 16, line 6, delete "(c)" and insert "**(d)**".

Page 19, delete lines 3 through 4, begin a new paragraph and insert:

"**(d) The term does not include an aborted or miscarried fetus with a gestational age of at least twenty (20) weeks of age.**".

Page 19, line 13, delete "an aborted fetus or a miscarried fetus." and insert "**an aborted or miscarried fetus with a gestational age of at least twenty (20) weeks of age.**".

Page 19, line 17, delete "an aborted fetus or a miscarried" and insert "**an aborted or miscarried fetus with a gestational age of at least twenty (20) weeks of age.**".

Page 19, delete line 18.

(Reference is to EHB 1337 as printed February 26, 2016.)

BREAUX

Motion failed.

SENATE MOTION
(Amendment 1337–8)

Madam President: I move that Engrossed House Bill 1337 be amended to read as follows:

Page 3, delete lines 18 through 42, begin a new paragraph and insert:

"SECTION 11. IC 16-21-11-6, AS ADDED BY P.L.127-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 6. (a) If the parent or parents choose a ~~means of~~ **location of** final disposition other than the ~~means~~ **location** of final disposition that is usual and customary for the health care facility, the parent or parents are responsible for the costs related to the final disposition of the fetus **at the chosen location.**

(b) ~~If the parent or parents choose a means of final disposition that provides for the interment of a miscarried fetus who has a gestational age of at least twenty (20) weeks of age,~~ **A health care facility having possession of a miscarried fetus shall release the miscarried fetus for final disposition to a nonprofit statewide or national organization that is:**

(1) exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code; and

(2) organized for the primary purpose of promoting respect for the worth and dignity of the unborn.

The nonprofit organization shall provide for the final disposition of the miscarried fetus.

(c) The **burial transit permit** requirements under IC 16-37-3 apply **to the final disposition of the miscarried fetus, which must be cremated or interred. However:**

(1) a person is not required to designate a name for the miscarried fetus on the burial transit permit and the space for a name may remain blank; and

(2) any information submitted under this section that may be used to identify the parent or parents is confidential and must be redacted from any public records maintained under IC 16-37-3.

Miscarried fetuses may be cremated by simultaneous cremation.

~~(c)~~ **(d)** ~~Notwithstanding any other law, the parent or parents whose miscarried fetus has a gestational age of less than twenty (20) weeks of age may choose a means of final disposition that provides for the cremation or the interment of the miscarried fetus. If the parent or parents choose the cremation or interment of the miscarried fetus,~~ The local health officer shall provide the person in charge of interment with a permit for the disposition of the body. A certificate of stillbirth is not required to be issued for a final disposition ~~under this subsection.~~ **of a miscarried fetus having a gestational age of less than twenty (20) weeks.**

~~(d)~~ **(e)** IC 23-14-31-26, IC 23-14-55-2, IC 25-15-9-18, and IC 29-2-19-17 concerning the authorization of disposition of human remains apply to this section.

(f) A nonprofit organization described in subsection (b) shall arrange for transportation and final disposition of a miscarried fetus not later than forty-eight (48) hours after notification by the health care facility that a miscarried fetus is ready for disposition.".

Page 4, delete lines 1 through 10.

Page 15, delete lines 25 through 42, begin a new paragraph and insert:

"SECTION 21. IC 16-34-3-4, AS ADDED BY P.L.113-2015, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. (a) **An abortion clinic or health care facility having possession of an aborted fetus shall release the aborted fetus for final disposition to a nonprofit statewide or national organization that is:**

(1) exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code; and

(2) organized for the primary purpose of promoting respect for the worth and dignity of the unborn.

The nonprofit organization shall provide for the final disposition of the aborted fetus.

(b) The **burial transit permit** requirements of IC 16-37-3 apply to the final disposition of an aborted fetus, ~~with a gestational age of at least twenty (20) weeks of age,~~ **which must be interred or cremated. However:**

(1) a person is not required to designate a name for the aborted fetus on the burial transit permit and the space for a name may remain blank; and

(2) any information submitted under this section that may be used to identify the pregnant woman is confidential and must be redacted from any public records maintained under IC 16-37-3.

Aborted fetuses may be cremated by simultaneous cremation.

~~(b) A pregnant woman may decide to cremate or inter an aborted fetus with a gestational age of less than twenty (20) weeks of age.~~

(c) The local health officer shall issue a permit for the disposition of the aborted fetus to the person in charge of

interment for the interment of ~~an~~ **the** aborted fetus. ~~described in subsection (b).~~ A certificate of stillbirth is not required to be issued for an aborted fetus with a gestational age of less than twenty (20) weeks of age.

(d) IC 23-14-31-26, IC 23-14-55-2, IC 25-15-9-18, and IC 29-2-19-17 concerning the authorization of disposition of human remains apply to this section.

(e) A nonprofit organization described in subsection (a) shall arrange for transportation and final disposition of an aborted fetus not later than forty-eight (48) hours after notification by the health care facility that an aborted fetus is ready for disposition.".

Page 16, delete lines 1 through 8.

Page 19, line 22, delete "conduct the final disposition of a" and insert "**notify the coroner and release the**".

Page 19, line 23, delete "in the manner" and insert "**to a nonprofit organization as**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1337 as printed February 26, 2016.)

BREAUX

Motion failed. The bill was ordered engrossed.

Engrossed House Bill 1340

Senator Holdman called up Engrossed House Bill 1340 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1347

Senator Patricia Miller called up Engrossed House Bill 1347 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1347–1)

Madam President: I move that Engrossed House Bill 1347 be amended to read as follows:

Page 3, line 1, after "(d)" insert "**The office shall include an advanced practice nurse as an eligible provider for the supervision of a plan of treatment for a patient's outpatient mental health or substance abuse treatment services, if the supervision is in the advanced practice nurse's scope of practice, education, and training.**

(e)".

Page 3, line 4, after "(2)" insert "**is subject to IC 25-23-1-19.4(c) and**".

(Reference is to EHB 1347 as printed February 19, 2016.)

PATRICIA MILLER

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1369

Senator Holdman called up Engrossed House Bill 1369 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1370

Senator Kruse called up Engrossed House Bill 1370 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1373

Senator Tomes called up Engrossed House Bill 1373 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1373–1)

Madam President: I move that Engrossed House Bill 1373 be amended to read as follows:

Page 3, after line 14, begin a new paragraph and insert:

"SECTION 3. IC 12-15-2.5-2, AS AMENDED BY P.L.161-2007, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. **(a) Except as provided in subsection (b),** a person who is a lawful permanent resident is eligible for Medicaid assistance under this article for a period of one (1) year.

(b) This subsection applies to the eligibility of an individual or the individual's dependent for Medicaid assistance and Medicaid waiver services. An individual who:

(1) is a legal Indiana resident;

(2) is an active member of the armed forces of the United States (as defined in IC 5-9-4-3) or the national guard;

(3) is assigned to a duty station outside Indiana or deployed; and

(4) except for meeting the state residency requirements, is otherwise eligible for Medicaid assistance or Medicaid waiver services under this article;

or the individual's dependent is eligible for Medicaid assistance or Medicaid waiver services under this article for one (1) year following the individual's discharge from service in the armed forces of the United States or the national guard or postdeployment in the armed forces of the United States or the national guard.

(c) The office shall allow an individual described in subsection (b) or a dependent of the individual to be placed on a Medicaid waiver waiting list if the individual or the individual's dependent does not reside in Indiana due to the individual's military assignment outside Indiana. When residency has been reestablished, the office shall resume:

(1) Medicaid assistance; and

(2) Medicaid waiver services, subject to the availability of a waiver slot under federal regulations;

for the individual or the individual's dependent if the individual or the individual's dependent is otherwise eligible under this section.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1373 as printed February 26, 2016.)

BANKS

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1378

Senator Hershman called up Engrossed House Bill 1378 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1382

Senator M. Young called up Engrossed House Bill 1382 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1386

Senator Alting called up Engrossed House Bill 1386 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1386–6)

Madam President: I move that Engrossed House Bill 1386 be amended to read as follows:

Page 17, line 20, after "chapter" insert "**or section 16.8 of this chapter**".

Page 17, line 32, delete "The" and insert "**Except as provided in section 16.3 of this chapter, the**".

Page 23, line 28, delete "clause" and insert "**subdivision**".

(Reference is to EHB 1386 as printed February 26, 2016.)

ALTING

Motion prevailed.

SENATE MOTION
(Amendment 1386–2)

Madam President: I move that Engrossed House Bill 1386 be amended to read as follows:

Page 26, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 33. IC 7.1-7-2-22, AS ADDED BY P.L.176-2015, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 22. "Security firm" means an entity that:

(1) is independent from an applicant and manufacturer;

(2) has experience in the security business; ~~and~~

~~(3) as of July 1, 2015:~~

~~(A)~~ **(3)** meets the qualifications under ~~IC 7.1-7-4-1(d)(3);~~ **IC 7.1-7-4-1(c)(3);**

~~(B)~~ **(4)** is a locksmith; and

~~(C)~~ **(5)** provides services necessary to ensure the safety and security of e-liquid manufactured for sale in Indiana.".

Page 26, line 38, strike "shall obtain".

Page 26, line 39, strike "a permit from the commission before mixing, bottling, packaging, or".

Page 26, line 40, strike "selling" and insert "**may not mix, bottle, package, or sell**".

Page 26, line 40, delete "." and insert "**after December 31, 2016, without a permit issued by the commission under this article.**".

Page 26, strike lines 41 through 42.

Page 27, line 1, strike "(c)" and insert "**(b)**".

Page 27, line 3, strike "(d)" and insert "**(c)**".

Page 27, line 31, strike "for not less than the previous one (1) year".

Page 27, line 32, strike "period,".

Page 28, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 35. IC 7.1-7-5-1, AS ADDED BY P.L.176-2015, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) E-liquid distributed and sold within Indiana may be comprised of any of the following ingredients:

(1) Vegetable glycerol or vegetable glycerin.

(2) Propylene glycol.

(3) Nicotine.

(4) Flavorings.

(5) Water.

(6) Other ingredients approved by the department under section 2 of this chapter or any ingredient specifically approved for inclusion in e-liquid by the federal Food and Drug Administration.

(b) A person may not purchase, sell, use, or possess any substance intended to be vaporized and inhaled in a vapor pen that contains any ingredient other than an ingredient allowed under subsection (a).

(c) All e-liquid retailers, distributors, and manufacturers who mix, bottle, or sell e-liquid in Indiana before ~~July 1, 2015,~~ **December 31, 2016,** shall: ~~before July 1, 2016:~~

(1) **before January 1, 2017,** sell or remove from retail all inventory of e-liquid manufactured before ~~July 1, 2015,~~ **December 31, 2016,** that was not manufactured, mixed, bottled, packaged, stored, or sold in compliance with this article; or

(2) acquire:

(A) a valid tobacco sales certificate issued by the commission in accordance with IC 7.1-3-18.5-1 that contains a separate box to check for identifying a retailer that sells e-liquids;

(B) an e-liquid manufacturing permit issued under IC 7.1-7-4; or

(C) a distributor's license issued under IC 6-7-2-8.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1386 as printed February 26, 2016.)

BOOTS

Upon request of Senator Boots the President ordered the roll of the Senate to be called. Roll Call 238: yeas 19, nays 31. Motion failed.

SENATE MOTION
(Amendment 1386–3)

Madam President: I move that Engrossed House Bill 1386 be amended to read as follows:

Page 26, delete lines 36 through 42.

Delete page 27.
Page 28, delete lines 1 through 37.
Renumber all SECTIONS consecutively.
(Reference is to EHB 1386 as printed February 26, 2016.)

BECKER

The Chair ordered a division of the Senate. Yeas 17, nays 29. Motion failed.

SENATE MOTION
(Amendment 1386–1)

Madam President: I move that Engrossed House Bill 1386 be amended to read as follows:
Page 8, delete lines 31 through 42.
Page 9, delete lines 1 through 16.
Page 24, delete lines 13 through 41.
Page 25, delete lines 1 through 4.
Renumber all SECTIONS consecutively.
(Reference is to EHB 1386 as printed February 26, 2016.)

TALLIAN

Motion failed. The bill was ordered engrossed.

Engrossed House Bill 1394

Senator Pete Miller called up Engrossed House Bill 1394 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1394–1)

Madam President: I move that Engrossed House Bill 1394 be amended to read as follows:
Page 1, between the enacting clause and line 1, begin a new paragraph and insert:
"SECTION 1. IC 20-24-2.2-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 9. (a) All approved authorizers shall conduct a market assessment concerning the following:**
(1) Whether there is a need for additional charter schools based on the:
(A) demographics of Indiana; and
(B) projected enrollment in any additional charter schools.
(2) Whether there should be a moratorium on establishing additional charter schools until studies indicate that additional charter schools are viable and needed.
(3) Whether there should be a moratorium on establishing additional charter schools until studies indicate that existing charter schools achieve positive results.
(b) In conducting the market assessment under subsection (a), the authorizers shall provide notice of and conduct public meetings to receive input from the public on the topics listed in subsection (a).".

Page 2, between lines 38 and 39, begin a new paragraph and insert:
"SECTION 3. IC 20-24-3-4.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 4.3. At the time an organizer submits to an authorizer a proposal to establish a charter school, the organizer shall submit to the school corporation of the school district in which the charter school would be located an analysis of how the new charter school would potentially affect enrollment for all other schools located within the school district.**".
Renumber all SECTIONS consecutively.
(Reference is to EHB 1394 as printed February 26, 2016.)

STOOPS

Upon request of Senator Stoops the President ordered the roll of the Senate to be called. Roll Call 239: yeas 11, nays 39. Motion failed. The bill was ordered engrossed.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1233:
Conferees: Crider and Broden
Advisors: Head, Randolph, Brown

LONG
Date: 2/25/16
Time: 3:40 P.M.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1130:
Conferees: Kruse and Randolph
Advisors: Steele, Taylor, Ford

LONG
Date: 2/29/16
Time: 1:30 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1215:
Conferees: Crider and Randolph

Advisors: Perfect, Mrvan, Raatz

LONG
Date: 2/29/16
Time: 1:30 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed/removed/changed the following senator(s) to serve as Senate conferees (or advisors) on Engrossed House Bill 1298:
Conferees: Bray and Broden
Advisors: Buck, Taylor, Head

LONG
Date: 2/29/16
Time: 1:30 p.m.

Report adopted.

MESSAGE FROM THE PRESIDENT PRO TEMPORE

Madam President and Members of the Senate: I have on Monday, February 29, 2016, signed Senate Enrolled Acts: 27, 186, 192, 251, 257, and 327.

DAVID C. LONG
President Pro Tempore

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer with a like committee of the Senate on Engrossed Senate Bill 20:

Conferees: Ober and Moseley
Advisors: Lyness, Austin, DeLaney

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has not concurred in Senate amendments to Engrossed House Bill 1298. The Speaker of the House has appointed the following Representatives as a conference committee to meet and confer with a like committee of the Senate on said bill, and to report thereon:

Conferees: Negele, Chair and Errington
Advisors: Truitt, Cherry, Bartlett

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has not concurred in Senate amendments to Engrossed House Bill 1233. The Speaker of the House has appointed the following Representatives as a conference committee to meet and confer with a like committee of the Senate on said bill, and to report thereon:

Conferees: Olthoff, Chair and Hale
Advisors: DeVon and Lawson

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has not concurred in Senate amendments to Engrossed House Bill 1215. The Speaker of the House has appointed the following Representatives as a conference committee to meet and confer with a like committee of the Senate on said bill, and to report thereon:

Conferees: Cherry, Chair and Riecken
Advisors: Thompson, Braun, DeLaney

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has not concurred in Senate amendments to Engrossed House Bill 1130. The Speaker of the House has appointed the following Representatives as a conference committee to meet and confer with a like committee of the Senate on said bill, and to report thereon:

Conferees: Wesco, Chair and Forestal
Advisors: Speedy and Stemler

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 41, 52, 53, and 54 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senator Arnold be added as second sponsor of Engrossed House Bill 1154.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Yoder be added as second sponsor of Engrossed House Bill 1110.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as cosponsor of Engrossed House Bill 1369.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Becker, Breaux, Broden, Charbonneau, Glick, Grooms, Head, Leising, Mrvan, Randolph, Rogers, Stoops, Walker, and Yoder be added as coauthors of Senate Concurrent Resolution 53.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Eckerty be added as second sponsor of Engrossed House Bill 1372.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Walker be added as second sponsor of Engrossed House Bill 1136.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as second sponsor of Engrossed House Bill 1211.

BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as second sponsor of Engrossed House Bill 1028.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second sponsor of Engrossed House Bill 1069.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Pete Miller be added as cosponsor of Engrossed House Bill 1337.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Schneider be added as cosponsor of Engrossed House Bill 1337.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Arnold be removed as cosponsor of Engrossed House Bill 1154.

ARNOLD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as cosponsor of Engrossed House Bill 1199.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as cosponsor of Engrossed House Bill 1040.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Brown be added as second author and Senators Delph, Kruse, Perfect, Glick, Pete Miller, Tomes, Holdman, Banks, Schneider, Smith, Crider, and Boots be added as coauthors of Senate Concurrent Resolution 50.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Long, Charbonneau, Becker, Walker, Yoder, and Messmer be added as coauthors of Senate Concurrent Resolution 50.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as cosponsor of Engrossed House Bill 1337.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as cosponsor of Engrossed House Bill 1337.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1264.

PATRICIA MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1312.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1220.

BASSLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1112.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1154.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1087.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1089.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1157.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1082.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1313.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1034.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1179.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1330.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1370.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1373.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1322.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1263.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1161.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as second sponsor of Engrossed House Bill 1172.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second sponsor of Engrossed House Bill 1161.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1369.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1347.

PATRICIA MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1022.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1017.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1002.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of Engrossed House Bill 1109.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as cosponsor of Engrossed House Bill 1211.

BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as cosponsor of Engrossed House Bill 1235.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Patricia Miller be added as cosponsor of Engrossed House Bill 1211.

BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Patricia Miller be added as cosponsor of Engrossed House Bill 1369.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Patricia Miller be added as cosponsor of Engrossed House Bill 1105.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Patricia Miller be added as cosponsor of Engrossed House Bill 1373.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Banks be added as cosponsor of Engrossed House Bill 1378.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as third sponsor of Engrossed House Bill 1069.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Patricia Miller be added as cosponsor of Engrossed House Bill 1001.

KENLEY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Holdman and Patricia Miller be added as cosponsors of Engrossed House Bill 1064.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Waltz be added as cosponsor of Engrossed House Bill 1337.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Eckerty, Buck, and Hershman be added as coauthors of Senate Concurrent Resolution 50.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Steele be added as cosponsor of Engrossed House Bill 1337.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Steele and Schneider be added as cosponsors of Engrossed House Bill 1378.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as cosponsor of Engrossed House Bill 1369.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zakas be added as cosponsor of Engrossed House Bill 1369.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Mrvan and Stoops be added as coauthors of Senate Concurrent Resolution 50.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 10:30 a.m., Tuesday, March 1, 2016.

LONG

Motion prevailed.

The Senate adjourned at 6:43 p.m.

JENNIFER L. MERTZ	SUE ELLSPERMANN
Secretary of the Senate	President of the Senate