



# Journal of the Senate

State of Indiana

119th General Assembly

First Regular Session

Sixteenth Meeting Day

Thursday Afternoon

February 5, 2015

The Senate convened at 1:50 p.m., with the President of the Senate, Sue Ellspermann, in the Chair.

Prayer was offered by Pastor Charles Howard, SouthPointe Church, Whiteland.

The Pledge of Allegiance to the Flag was led by Senator Gregory F. Walker.

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

Alting	Leising
Arnold	Long
Banks, A.	Merritt
Bassler <input checked="" type="checkbox"/>	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 <input checked="" type="checkbox"/>	Walker
Houchin	Waltz
Kenley	Yoder
Kruse	Young, M.
Lanane	Zakas

Roll Call 91: present 48; excused 2. [Note: A  indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

## RESOLUTIONS ON FIRST READING

### House Concurrent Resolution 8

House Concurrent Resolution 8, sponsored by Senator Hershman:

A CONCURRENT RESOLUTION honoring Daniel Tweed Ferrier.

*Whereas, Daniel Tweed Ferrier was Carroll County's only*

*Congressional Medal of Honor recipient during the Civil War;*

*Whereas, Born on November 26, 1841, Daniel Tweed Ferrier entered the United States Army from Delphi, Indiana;*

*Whereas, While serving with Company K, 2nd Indiana Cavalry on May 9, 1864, at Varnells Station, Georgia, Sergeant Ferrier voluntarily gave up his horse to his brigade commander, who had been unhorsed and was in danger of capture during a regimental retreat;*

*Whereas, His bravery enabled the brigade commander to rejoin and rally the disorganized troops;*

*Whereas, As a result of his courageous action in relinquishing his horse to the brigade commander, Sergeant Ferrier was captured and sent to a Confederate prison at Macon, Georgia, and later transferred to Andersonville Prison;*

*Whereas, After three months of captivity, Sergeant Ferrier escaped and survived for 43 days living off the land;*

*Whereas, Sergeant Ferrier made his way to a Union Army Base Camp in Morristown, Tennessee, where General Gilliam furnished him transportation to his home;*

*Whereas, Daniel Tweed Ferrier was honorably discharged from the Union Army as a Master Sergeant on November 17, 1864;*

*Whereas, Daniel Tweed Ferrier was awarded the Congressional Medal of Honor for heroism on March 30, 1898;*

*Whereas, Daniel Tweed Ferrier died on March 18, 1914, and is buried in Nebo Cemetery in Camden, Indiana;*

*Whereas, Outstanding acts of heroism deserve special recognition, the Indiana General Assembly urges that the Indiana Department of Transportation erect a Hoosier Heartland Highway Medal of Honor Segment starting at the 56 mile marker and ending at the 57 mile marker heading north from Delphi on the Hoosier Heartland Highway, where State Road 218 intersects with the Hoosier Heartland Highway; and*

*Whereas, Acts of bravery in the service of your country merit special recognition: Therefore,*

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

SECTION 1. That the Indiana General Assembly wishes to recognize the heroic act of Daniel Tweed Ferrier by urging that the Indiana Department of Transportation erect a Hoosier Heartland Highway Medal of Honor Segment starting at the 56 mile marker and ending at the 57 mile marker heading north from Delphi on the Hoosier Heartland Highway, where State Road 218 intersects with the Hoosier Heartland Highway.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the Commissioner of the Indiana Department of Transportation.

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

### REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that, on January 26, 2015, the Senate Committee on Ethics recommended that Senator Delphi be excused from voting on Senate Bill 55.

LONG

Report adopted.

### REPORTS FROM COMMITTEES

#### COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 90, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 30, delete "business address of the agency employing the official" and insert "**official's post office box address**".

Page 3, line 34, delete "business address of the agency" and insert "**law enforcement official's post office box address**".

Page 3, line 35, delete "**employing the law enforcement official**".

(Reference is to SB 90 as printed January 28, 2015.)  
and when so amended that said bill do pass.  
Committee Vote: Yeas 8, Nays 0.

STEELE, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Pensions & Labor, to which was referred Senate Bill 133, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 16.

Delete pages 2 through 4.

Page 5, delete lines 1 through 22.

Re-number all SECTIONS consecutively.

(Reference is to SB 133 as introduced.)

and when so amended that said bill do pass.  
Committee Vote: Yeas 7, Nays 4.

BOOTS, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 150, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, after line 7, begin a new paragraph and insert:

"SECTION 2. IC 33-33-64-23 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 23. **(a) The judge of the Porter circuit court may appoint one (1) full-time magistrate under IC 33-23-5. The magistrate continues in office until removed by the judge of the circuit court.**

**(b) The judges of the Porter superior court may jointly appoint two (2) full-time magistrates under IC 33-23-5. The magistrates continue in office until jointly removed by the judges of the superior court.**"

(Reference is to SB 150 as printed January 13, 2015.)  
and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.  
Committee Vote: Yeas 8, Nays 0.

STEELE, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Education & Career Development, to which was referred Senate Bill 233, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

KRUSE, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Corrections & Criminal Law, to which was referred Senate Bill 285, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 2, after "Sec. 5." insert "**(a)**".

Page 1, line 3, reset in roman "amount of".

Page 1, line 4, reset in roman "stationery, envelopes, and postage".

Page 1, line 4, delete "method and opportunity".

Page 1, line 5, reset in roman "transmission of".

Page 1, line 6, reset in roman "stationery, envelopes, and postage".

Page 1, line 6, delete "opportunities for".

Page 1, delete line 7.

Page 1, after line 7, begin a new paragraph and insert:

**"(b) A confined person may elect to use another method of correspondence offered by the department instead of using stationery, envelopes, and postage provided by the department."**

(Reference is to SB 285 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 1.

M. YOUNG, Chair

Report adopted.

#### COMMITTEE REPORT

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

Page 1, line 4, delete "court using the" and insert "court. **In making an appointment under this section, the judge may not consider the political affiliation of a candidate for magistrate.**"

Page 1, delete lines 5 through 8.

(Reference is to SB 292 as introduced.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 8, Nays 0.

STEELE, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Corrections & Criminal Law, to which was referred Senate Bill 313, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

M. YOUNG, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 315, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

HEAD, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 356, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 6, delete "shall" and insert "**may**".

Page 2, line 4, delete "shall" and insert "**may**".

Page 2, delete lines 9 through 19.

Renumber all SECTIONS consecutively.

(Reference is to SB 356 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KENLEY, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Corrections & Criminal Law, to which was referred Senate Bill 363, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 29-3-7-7, AS AMENDED BY P.L.168-2014, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. A court may not appoint a person to serve as the guardian or permit a person to continue to serve as a guardian if the person:

(1) is a sexually violent predator (as described in IC 35-38-1-7.5);

(2) was at least eighteen (18) years of age at the time of the offense and was convicted of child molesting (IC 35-42-4-3) or sexual misconduct with a minor (IC 35-42-4-9) against a child less than sixteen (16) years of age:

(A) by using or threatening the use of deadly force;

(B) while armed with a deadly weapon; or

(C) that resulted in serious bodily injury; or

(3) was less than eighteen (18) years of age at the time of the offense and was convicted as an adult of:

(A) an offense described in:

(i) IC 35-42-4-1;

(ii) IC 35-42-4-2 (before its repeal);

(iii) IC 35-42-4-3 as a Class A or Class B felony (for crimes committed before July 1, 2014) or as a **Level 1, Level 2, Level 3, or Level 4** felony (for crimes committed after June 30, 2014);

(iv) IC 35-42-4-5(a)(1);

(v) IC 35-42-4-5(a)(2);

(vi) IC 35-42-4-5(a)(3);

(vii) IC 35-42-4-5(b)(1) as a Class A or Class B felony (for crimes committed before July 1, 2014) or as a Level 2, Level 3, or Level 4 felony (for crimes committed after June 30, 2014);

(viii) IC 35-42-4-5(b)(2); or

(ix) IC 35-42-4-5(b)(3) as a Class A or Class B felony (for crimes committed before July 1, 2014) or as a Level 2, Level 3, or Level 4 felony (for crimes committed after June 30, 2014);

(B) an attempt or conspiracy to commit a crime listed in clause (A); or

(C) a crime under the laws of another jurisdiction, including a military court, that is substantially equivalent to any of the offenses listed in clauses (A) and (B)."

Page 2, line 1, after "a" insert "**Level 2 felony if it results in the transmission of a dangerous sexually transmitted disease, and a**".

Page 2, line 6, delete "in:" and insert "in".

Page 2, line 7, delete "(A)".

Page 2, run in lines 6 through 7.

Page 2, delete lines 8 through 9.

Renumber all SECTIONS consecutively.

(Reference is to SB 363 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

M. YOUNG, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs & The Military, to which was referred Senate Bill 370, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 4, delete "Warbird" and insert "**Historical Plane**".

Page 2, line 7, delete "warbird" and insert "**historical plane**".

(Reference is to SB 370 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

CRIDER, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Tax & Fiscal Policy, to which was referred Senate Bill 379, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

HERSHMAN, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Health & Provider Services, to which was referred Senate Bill 381, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 36, delete "enter" and insert "**contract with an entity to provide vision**".

Page 2, delete lines 37 through 38.

Page 2, line 42, delete "agreement" and insert "**contract**".

Page 3, line 2, delete "Visually Impaired Preschool Services, Incorporated" and insert "**the contracted entity**".

(Reference is to SB 381 as introduced.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 11, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Tax & Fiscal Policy, to which was referred Senate Bill 382, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 3 with "[EFFECTIVE JUNE 30, 2015]".

(Reference is to SB 382 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

HERSHMAN, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Health & Provider Services, to which was referred Senate Bill 406, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 10, after "to" insert ":

**(A) a person at risk of experiencing an opioid-related overdose; or  
(B)".**

Page 3, delete lines 18 through 22.

Page 3, line 36, after "." insert "**The pharmacy shall report the dispensing of the overdose intervention drug and the information required under IC 35-48-7-8.1 to the INSPECT program.**".

Page 3, line 40, after "(b)" insert "**A pharmacist who dispenses an overdose intervention drug in compliance with this chapter is immune from both criminal and civil liability arising from those actions.**

**(c)".**

Page 4, line 8, after "physicians" insert ", **pharmacists,**".

Page 4, line 8, after "prescribing" insert ", **dispensing,**".

(Reference is to SB 406 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 409, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 426, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.  
Committee Vote: Yeas 8, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 429, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.  
Committee Vote: Yeas 6, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs & The Military, to which was referred Senate Bill 434, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass and be reassigned to the Senate Committee on Appropriations.  
Committee Vote: Yeas 10, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health & Provider Services, to which was referred Senate Bill 439, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 1, delete "the following drugs" and insert "**Subutex, Suboxone**".

Page 3, line 3, delete ":" and insert ", **unless the prescriber is a physician licensed under IC 25-22.5 who:**

**(1) has obtained a waiver from the federal Substance Abuse and Mental Health Services Administration (SAMSHA) and meets the qualifying standards required to treat opioid addicted patients in an office-based setting; and**

**(2) has a valid federal Drug Enforcement Administration registration number and a Drug Enforcement Administration identification number that specifically authorizes treatment in an office-based setting."**

Page 3, delete lines 4 through 5.

Page 3, line 9, delete "is not" and insert "**may be**".

Page 3, line 9, delete "the initial" and insert "**a prescription drug described in subsection (a):**

**(A) when the prescription drug is prescribed for more than six (6) months; or**

**(B) as determined by the board."**

Page 3, delete lines 10 through 19.

Page 3, line 20, delete "(3)" and insert "**(2)**".

Page 3, delete lines 30 through 42.

Page 4, delete lines 1 through 2.

Page 4, line 7, delete "An opioid treatment provider shall not operate in" and insert "**Subject to federal law and consistent with standard medical practices in opioid treatment for substance abuse, the division shall adopt rules under IC 4-22-2 concerning opioid treatment by an opioid treatment provider.**"

Page 4, delete lines 8 through 40.

Page 4, line 41, delete "3." and insert "**2.**".

Page 5, line 18, delete "comply with the" and insert "**review the treatment plan and consider changes with the goal of opioid abstinence.**"

Page 5, delete lines 19 through 42.

Page 6, delete lines 1 through 16.

Page 6, line 17, delete "5. (a)" and insert "**3.**".

Page 6, line 19, delete "obtain" and insert "**has determined that the benefit to the patient in receiving the take home opioid treatment medication outweighs the potential risk of diversion of the take home opioid treatment medication.**".

Page 6, delete lines 20 through 36.

Page 6, line 37, delete "(3)" and insert "**(2)**".

Page 6, line 37, after "for" insert "**:**

**(A)**".

Page 6, line 38, delete "." and insert "**;**

**(B) relapse; and**

**(C) overdose prevention."**

Page 6, delete lines 39 through 41.

Page 6, line 42, delete "(5)" and insert "**(3)**".

Page 7, line 7, after "medications" insert "**, including nonaddictive medication options,**".

Page 7, delete lines 12 through 42.

Delete page 8.

(Reference is to SB 439 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education & Career Development, to which was referred Senate Bill 443, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, between lines 31 and 32, begin a new paragraph and insert:

"SECTION 2. IC 20-20-31-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 5.5. A program must include separate professional development requirements for school counselors that emphasize improvement for skills and knowledge related to providing effective school counseling or guidance.**

SECTION 3. IC 20-20-31-5.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 5.6. (a) The state board shall develop for school counselors who hold a professional or accomplished teaching license professional development requirements or standards that emphasize improving skills and knowledge related to providing effective school counseling or guidance.**

**(b) The requirements or standards developed under subsection (a) must be based on recommendations by the department, in consultation with the Indiana School Counselor Association."**

Page 6, line 9, delete ", including those students who" and insert ".".

Page 6, delete lines 10 through 14.

Page 6, line 33, delete "(a)".

Page 6, delete lines 39 through 42.

Page 7, delete line 1.

Page 8, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 11. IC 20-30-4-2, AS AMENDED BY P.L.140-2008, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. In consultation with the student's ~~guidance~~ **school** counselor, after seeking consultation with each student's parents, and not later than the date on which the student completes grade 9, each student shall further develop the graduation plan developed in grade 6 under section 1.5 of this chapter to also include the following:

- (1) The subject and skill areas of interest to the student.
- (2) A program of study under the college/technology preparation curriculum adopted by the state board under IC 20-30-10-2 for grades 10, 11, and 12 that meets the interests and aptitude of the student.
- (3) Assurances that, upon satisfactory fulfillment of the plan, the student:
  - (A) is entitled to graduate; and
  - (B) will have taken at least the minimum variety and number of courses necessary to gain admittance to a state educational institution.
- (4) An indication of assessments (other than ISTEP and the graduation examination) that the student plans to take voluntarily during grade 10 through grade 12, and which may include any of the following:
  - (A) The SAT Reasoning Test.
  - (B) The ACT test.
  - (C) Advanced placement exams.
  - (D) College readiness exams approved by the department.
  - (E) Workforce readiness exams approved by the department of workforce development established under IC 22-4.1-2.

SECTION 12. IC 20-30-4-6, AS AMENDED BY P.L.268-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) A student's ~~guidance~~ **school** counselor shall, in consultation with the student and the student's parent, review annually a student's graduation plan that was developed in grade 9 under section 2 of this chapter

to determine if the student is progressing toward fulfillment of the graduation plan.

(b) If a student is not progressing toward fulfillment of the graduation plan, the school counselor shall provide counseling services for the purpose of advising the student of credit recovery options and services available to help the student progress toward graduation.

(c) If a student is not progressing toward fulfillment of the graduation plan due to not achieving a passing score on the graduation examination, the school counselor shall meet with the:

- (1) teacher assigned to the student for remediation in each subject area in which the student has not achieved a passing score on the graduation examination;
- (2) parents of the student; and
- (3) student;

to discuss available remediation and to plan to meet the requirements under IC 20-32-4."

Page 9, delete lines 8 through 37, begin a new paragraph and insert:

"SECTION 17. IC 20-33-3-8, AS AMENDED BY P.L.1-2007, SECTION 147, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) The issuing officer in each accredited school (as described in ~~IC 20-19-2-8(a)(5))~~ **IC 20-19-2-8(a)(4)**) shall be an individual who is:

- (1) a ~~guidance~~ **school** counselor;
- (2) a school social worker; or
- (3) an attendance officer for the school corporation and a teacher licensed by the division of professional standards of the department under IC 20-28-4 or IC 20-28-5;

and designated in writing by the principal.

(b) During the times in which the individual described in subsection (a) is not employed by the school or when school is not in session, there shall be an issuing officer available:

- (1) who is a teacher licensed by the division of professional standards of the department under IC 20-28-4 or IC 20-28-5; and
- (2) whose identity and hours of work shall be determined by the principal."

Page 10, line 2, after "take" insert "**alternative**".

Page 10, line 3, after "of," insert "**especially**".

Page 11, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 14. IC 21-43-2-2, AS ADDED BY P.L.2-2007, SECTION 284, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. Each state educational institution shall prepare and make available to students and high school ~~guidance~~ **school** counselors a report indicating the:

- (1) extent to which; and
- (2) conditions under which;

postsecondary credit may be granted under this chapter."

Page 12, line 2, delete "data".

Page 12, line 4, delete "data".

Page 12, line 11, delete "educator." and insert "**teacher**".

Page 13, between lines 26 and 27, begin a new line block indented and insert:

**"(5) Study the following issues related to school**

**discipline:**

**(A) The use of suspension and expulsion for attendance related matters.**

**(B) Teacher training concerning positive classroom behavioral management strategies and research based alternatives to exclusionary discipline."**

Page 13, line 27, delete "(5)" and insert "(6)".

Page 13, line 29, delete "the" and insert ":

**(A) the topics studied under subdivision (5); and**

**(B) the overall findings of the workgroup concerning data collection."**

Page 13, delete line 30.

Page 13, between lines 31 and 32, begin a new paragraph and insert:

"SECTION 16. [EFFECTIVE JULY 1, 2015] (a) The legislative council is urged to assign to the education study committee established by IC 2-5-1.3-4 the study of the feasibility of:

**(1) requiring all public schools, including charter schools, to conduct at least thirty (30) minutes of physical activity each day for students;**

**(2) lengthening the school day by thirty (30) minutes to accommodate the physical activity requirement;**

**(3) requiring school corporations and charter schools to collect and submit to the state department of health data concerning the height, weight, ethnicity, age, and sex of students in grade 1, grade 6, and grade 12; and**

**(4) requiring the state department of health to develop materials for school corporations and charter schools to distribute concerning body mass index and to publish an annual report summarizing the data collected by school corporations and charter schools.**

**(b) This SECTION expires December 31, 2015."**

Renumber all SECTIONS consecutively.

(Reference is to SB 443 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

KRUSE, Chair

Report adopted.

**COMMITTEE REPORT**

Madam President: The Senate Committee on Pensions & Labor, to which was referred Senate Bill 456, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 7, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 5. IC 22-4-13.3 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:

**Chapter 13.3. Administrative Withholding for Benefit Overpayments**

**Sec. 1. Whenever:**

**(1) the department establishes an overpayment for an individual under IC 22-4-13-1(c) or IC 22-4-13-1(d); and**

**(2) the overpayment becomes final following the exhaustion of all appeals;**

the department may, in addition to any other manner of collecting the overpayment provided by law, require each employer of an individual for whom an overpayment is established to withhold amounts from the individual's income and pay those amounts to the department in accordance with this chapter.

**Sec. 2. (a) The department shall provide a notice to an individual who is subject to withholding under section 1 of this chapter.**

**(b) The notice provided under subsection (a) must contain the following:**

**(1) That the individual's income will be withheld.**

**(2) That a notice to withhold the individual's income applies to all current and subsequent employers.**

**(3) That a notice to withhold income will be provided to each of the individual's employers and will include the information listed in section 3 of this chapter.**

**(4) That the individual may contest the withholding and assert exemptions from withholding by requesting an administrative review.**

**(5) The grounds and procedures for the individual to contest the withholding.**

**Sec. 3. (a) The department shall provide a notice to withhold income to each employer of an individual who is subject to withholding under section 1 of this chapter.**

**(b) A notice to withhold income provided under subsection (a) is binding on the employer and must contain the following:**

**(1) The Social Security number of the individual who is subject to withholding.**

**(2) The total amount to be withheld from the individual's income, including any interest, penalties, or assessments accrued under this article.**

**(3) An explanation of an employer's duties under section 4 of this chapter upon the employer's receipt of the notice to withhold income.**

**(4) A description of the limitations on income withholding established by section 7(d) of this chapter.**

**(5) A description of:**

**(A) the prohibition established under section 5 of this chapter against an employer using income withholding as the basis for refusing to hire, discharging, or taking disciplinary action against an individual; and**

**(B) the penalties established under section 6 of this chapter for an employer that refuses to withhold income or knowingly misrepresents an employee's income.**

**Sec. 4. An employer that receives a notice to withhold income under section 3 of this chapter shall do the following:**

**(1) Verify the individual's employment to the department.**

**(2) Withhold from the income due to the individual each pay period an amount:**

**(A) determined in accordance with; and**

**(B) subject to the limitations of and priority**

established by;

IC 24-4.5-5-105 in the same manner as a garnishment. An income withholding under this chapter is not an assignment of wages under IC 22-2-6.

(3) Begin withholding the amount determined under subdivision (2) from the individual's income beginning with the first pay period that occurs not later than fourteen (14) days after the date the employer receives the notice sent under section 3 of this chapter.

(4) Remit the amount withheld under subdivision (2) to the department by check or electronic payment (as defined by IC 5-27-2-3) not later than seven (7) days after the date of each regularly scheduled pay day.

(5) Continue withholding under this section until:

(A) the department notifies the employer to discontinue the withholding; or

(B) the full amount required to be paid to the department has been paid, as indicated by a written statement to the employer from the department.

(6) Notify the department, if the individual subject to withholding terminates employment, including the individual's last known address and the name of any new employer, if known.

Sec. 5. (a) An employer may not use the withholding of income to collect an overpayment to the department as a basis for:

(1) refusing to hire a potential employee;

(2) discharging an employee; or

(3) taking disciplinary action against an employee.

(b) If:

(1) an employee reasonably believes that an employer took an action described in subsection (a); and

(2) the employee was adversely affected by the employer's action;

the employee may bring a suit against the employer in a court with jurisdiction.

(c) If a court determines that an employer took an action described in subsection (a), the employer may be:

(1) ordered to hire or reinstate an employee who was adversely affected by the employer's action without loss of pay or benefits; and

(2) fined an amount not to exceed one thousand dollars (\$1,000).

Sec. 6. (a) An employer that refuses to withhold income as required by this chapter or knowingly misrepresents the income of an employee:

(1) is liable to the department for the amount that the employer failed to withhold from an employee's income; and

(2) may be ordered to pay punitive damages to the department in an amount not to exceed one thousand dollars (\$1,000) for each pay period the employer failed to withhold income as required or knowingly misrepresented the income of the employee.

(b) The department may institute a civil action in a court with jurisdiction requesting that the court direct the employer to appear and to show cause why the penalties described in this section should not be assessed.

(c) At the hearing on the order to show cause, the court, upon a finding that the employer refused to withhold income as required or knowingly misrepresented an employee's income:

(1) shall require the employer to pay the amount the employer failed or refused to withhold from the employee's income;

(2) may order the employer to provide accurate information concerning an employee's income;

(3) may assess against the employer punitive damages under subsection (a)(2); and

(4) may order the employer to otherwise comply with this chapter.

Sec. 7. (a) An employer that complies with a notice described in section 3 of this chapter that is regular on its face is not liable in any civil action for any conduct taken in compliance with the notice.

(b) An employer that complies with a notice described in section 3 of this chapter is discharged from liability to an employee for the part of the employee's income that was withheld in compliance with the notice.

(c) If a court issues an order to stay a withholding of income, the department is not liable in any civil action to an individual who is the subject of the income withholding for amounts withheld from the individual's income before the stay becomes effective.

(d) Administrative income withholdings issued under this chapter are subject to the limitations set forth in IC 24-4.5-5-105. A withholding under this chapter is not an assignment of wages under IC 22-2-6.

(e) The department may adopt rules under IC 4-22-2, including emergency rules in the manner provided under IC 4-22-2-37.1, to carry out the department's responsibilities under this chapter.

Sec. 8. (a) An individual who receives a notice under section 2 of this chapter may contest the withholding and assert exemptions by requesting, in writing, not later than fifteen (15) days after the date on the notice, an administrative hearing by an administrative law judge of the department.

(b) An administrative hearing under this section may be conducted in either of the following ways:

(1) As a written records or "paper" hearing conducted by review of written materials and other records.

(2) As a telephone or in person hearing conducted by review of written materials and testimony.

(c) An individual who contests an income withholding is entitled to:

(1) an opportunity to inspect and copy records relating to the overpayment;

(2) an opportunity to enter into a written agreement with the department to establish a schedule for repayment of the overpayment; and

(3) an opportunity for an administrative hearing conducted by an administrative law judge of the department.

(d) An individual may contest an income withholding on the following grounds:

**(1) That the existence, past due status, or the amount of the overpayment is incorrect.**

**(2) That the amount withheld was incorrectly calculated.**

**(3) That the overpayment is unenforceable as a matter of law.**

**(e) The department is not required to provide more than one (1) hearing based on the same grounds or objections. If:**

**(1) the department has already provided a hearing on the existence or the amount of the overpayment; and**

**(2) the employee does not have new evidence concerning the overpayment;**

**the department may not repeat the hearing on the existence or amount of the overpayment.**

**(f) The department's evidence concerning the existence, past due status, and amount of the overpayment is automatically admitted as evidence in the administrative hearing and must be considered by the administrative law judge."**

Page 16, after line 22, begin a new paragraph and insert:

"SECTION 10. IC 34-30-2-87.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 87.4. IC 22-4-13.3-7 (Concerning the withholding of overpaid unemployment benefits)."**

Renumber all SECTIONS consecutively.

(Reference is to SB 456 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 3.

BOOTS, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Health & Provider Services, to which was referred Senate Bill 464, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 5-10-8-14.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 14.8. (a) This section applies to an employee health plan that is established, entered into, amended, or renewed after June 30, 2015.**

**(b) As used in this section, "covered individual" means an individual who is entitled to coverage under a state employee health plan.**

**(c) As used in this section, "state employee health plan" means one (1) of the following:**

**(1) A self-insurance program established under section 7(b) of this chapter to provide group health coverage.**

**(2) A contract with a prepaid health care delivery plan that is entered into or renewed under section 7(c) of this chapter.**

**(d) A state employee health plan may not provide coverage for methadone if the drug is prescribed for the treatment of pain or pain management."**

Page 11, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 10. IC 12-15-35-28, AS AMENDED BY P.L.53-2014, SECTION 105, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 28. (a) The board has the following duties:**

**(1) The adoption of rules to carry out this chapter, in accordance with the provisions of IC 4-22-2 and subject to any office approval that is required by the federal Omnibus Budget Reconciliation Act of 1990 under Public Law 101-508 and its implementing regulations.**

**(2) The implementation of a Medicaid retrospective and prospective DUR program as outlined in this chapter, including the approval of software programs to be used by the pharmacist for prospective DUR and recommendations concerning the provisions of the contractual agreement between the state and any other entity that will be processing and reviewing Medicaid drug claims and profiles for the DUR program under this chapter.**

**(3) The development and application of the predetermined criteria and standards for appropriate prescribing to be used in retrospective and prospective DUR to ensure that such criteria and standards for appropriate prescribing are based on the compendia and developed with professional input with provisions for timely revisions and assessments as necessary.**

**(4) The development, selection, application, and assessment of interventions for physicians, pharmacists, and patients that are educational and not punitive in nature.**

**(5) The publication of an annual report that must be subject to public comment before issuance to the federal Department of Health and Human Services and to the Indiana legislative council by December 1 of each year. The report issued to the legislative council must be in an electronic format under IC 5-14-6.**

**(6) The development of a working agreement for the board to clarify the areas of responsibility with related boards or agencies, including the following:**

**(A) The Indiana board of pharmacy.**

**(B) The medical licensing board of Indiana.**

**(C) The SURS staff.**

**(7) The establishment of a grievance and appeals process for physicians or pharmacists under this chapter.**

**(8) The publication and dissemination of educational information to physicians and pharmacists regarding the board and the DUR program, including information on the following:**

**(A) Identifying and reducing the frequency of patterns of fraud, abuse, gross overuse, or inappropriate or medically unnecessary care among physicians, pharmacists, and recipients.**

**(B) Potential or actual severe or adverse reactions to drugs.**

**(C) Therapeutic appropriateness.**

**(D) Overutilization or underutilization.**

**(E) Appropriate use of generic drugs.**

**(F) Therapeutic duplication.**

- (G) Drug-disease contraindications.
- (H) Drug-drug interactions.
- (I) Incorrect drug dosage and duration of drug treatment.
- (J) Drug allergy interactions.
- (K) Clinical abuse and misuse.

(9) The adoption and implementation of procedures designed to ensure the confidentiality of any information collected, stored, retrieved, assessed, or analyzed by the board, staff to the board, or contractors to the DUR program that identifies individual physicians, pharmacists, or recipients.

(10) The implementation of additional drug utilization review with respect to drugs dispensed to residents of nursing facilities shall not be required if the nursing facility is in compliance with the drug regimen procedures under 410 IAC 16.2-3.1 and 42 CFR 483.60.

(11) The research, development, and approval of a preferred drug list for:

- (A) Medicaid's fee for service program;
- (B) Medicaid's primary care case management program;
- (C) Medicaid's risk based managed care program, if the office provides a prescription drug benefit and subject to IC 12-15-5; and
- (D) the children's health insurance program under IC 12-17.6;

in consultation with the therapeutics committee.

(12) The approval of the review and maintenance of the preferred drug list at least two (2) times per year.

(13) The preparation and submission of a report concerning the preferred drug list at least one (1) time per year to the interim study committee on public health, behavioral health, and human services established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6.

(14) The collection of data reflecting prescribing patterns related to treatment of children diagnosed with attention deficit disorder or attention deficit hyperactivity disorder.

(15) Advising the Indiana comprehensive health insurance association established by IC 27-8-10-2.1 concerning implementation of chronic disease management and pharmaceutical management programs under IC 27-8-10-3.5.

**(16) The review of the prescribing and reimbursement for long acting addictive medication assistance treatment drugs for the treatment of pain and for the treatment of substance abuse. The board shall provide its findings under this subdivision to the general assembly in an electronic format under IC 5-14-6 not later than December 1, 2015.**

(b) The board shall use the clinical expertise of the therapeutics committee in developing a preferred drug list. The board shall also consider expert testimony in the development of a preferred drug list.

(c) In researching and developing a preferred drug list under subsection (a)(11), the board shall do the following:

- (1) Use literature abstracting technology.
- (2) Use commonly accepted guidance principles of disease management.
- (3) Develop therapeutic classifications for the preferred

drug list.

(4) Give primary consideration to the clinical efficacy or appropriateness of a particular drug in treating a specific medical condition.

(5) Include in any cost effectiveness considerations the cost implications of other components of the state's Medicaid program and other state funded programs.

(d) Prior authorization is required for coverage under a program described in subsection (a)(11) of a drug that is not included on the preferred drug list.

(e) The board shall determine whether to include a single source covered outpatient drug that is newly approved by the federal Food and Drug Administration on the preferred drug list not later than sixty (60) days after the date on which the manufacturer notifies the board in writing of the drug's approval. However, if the board determines that there is inadequate information about the drug available to the board to make a determination, the board may have an additional sixty (60) days to make a determination from the date that the board receives adequate information to perform the board's review. Prior authorization may not be automatically required for a single source drug that is newly approved by the federal Food and Drug Administration, and that is:

(1) in a therapeutic classification:

(A) that has not been reviewed by the board; and

(B) for which prior authorization is not required; or

(2) the sole drug in a new therapeutic classification that has not been reviewed by the board.

(f) The board may not exclude a drug from the preferred drug list based solely on price.

(g) The following requirements apply to a preferred drug list developed under subsection (a)(11):

(1) Except as provided by IC 12-15-35.5-3(b) and IC 12-15-35.5-3(c), the office or the board may require prior authorization for a drug that is included on the preferred drug list under the following circumstances:

(A) To override a prospective drug utilization review alert.

(B) To permit reimbursement for a medically necessary brand name drug that is subject to generic substitution under IC 16-42-22-10.

(C) To prevent fraud, abuse, waste, overutilization, or inappropriate utilization.

(D) To permit implementation of a disease management program.

(E) To implement other initiatives permitted by state or federal law.

(2) All drugs described in IC 12-15-35.5-3(b) must be included on the preferred drug list.

(3) The office may add a drug that has been approved by the federal Food and Drug Administration to the preferred drug list without prior approval from the board.

(4) The board may add a drug that has been approved by the federal Food and Drug Administration to the preferred drug list.

(h) At least one (1) time each year, the board shall provide a report to the interim study committee on public health,

behavioral health, and human services established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6. The report must contain the following information:

- (1) The cost of administering the preferred drug list.
- (2) Any increase in Medicaid physician, laboratory, or hospital costs or in other state funded programs as a result of the preferred drug list.
- (3) The impact of the preferred drug list on the ability of a Medicaid recipient to obtain prescription drugs.
- (4) The number of times prior authorization was requested, and the number of times prior authorization was:
  - (A) approved; and
  - (B) disapproved.

(i) The board shall provide the first report required under subsection (h) not later than six (6) months after the board submits an initial preferred drug list to the office."

Page 12, delete lines 27 through 34, begin a new paragraph and insert:

"SECTION 12. IC 12-15-35.5-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 7.5. (a) The office may not reimburse under Medicaid for methadone if the drug was prescribed for the treatment of pain or pain management.**

**(b) A managed care organization may not reimburse under Medicaid for methadone if the drug is prescribed for the treatment of pain or pain management."**

Page 12, line 41, after "including" insert ", without prior authorization,".

Page 12, line 41, delete "the" and insert "**a long acting nonaddictive medication assistance treatment drug if the drug is being prescribed for the treatment of substance abuse.**".

Page 12, delete line 42.

Page 13, delete lines 1 through 5.

Page 14, line 9, after "by" insert "**a hospital licensed under IC 16-21 or**".

Page 14, line 11, after "within" insert "**the licensed hospital or**".

Page 14, line 14, after "A" insert "**hospital licensed under IC 16-21 or a**".

Page 14, line 16, after "the" insert "**hospital or**".

Page 14, between lines 18 and 19, begin a new paragraph and insert:

**"(c) Before June 30, 2018, the division may approve the operation of not more than five (5) additional opioid treatment programs described in subsection (a)(2) only if the requirements of this chapter are met. The division may not approve the operation of a new opioid treatment program described in subsection (a)(2) after June 30, 2018.**

**(d) Not later than June 30, 2018, the division shall report to the general assembly in an electronic format under IC 5-14-6 concerning whether any new opioid treatment programs have been approved under subsection (c). The report must include the following:**

- (1) The impact on access to opioid treatment programs.**
- (2) The number of individuals served in the opioid treatment programs approved under subsection (c).**

**(3) Treatment outcomes for individuals receiving services in the opioid treatment programs approved under subsection (c).**

**(4) Any recommendations the division has concerning future treatment programs."**

Page 15, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 16. IC 25-22.5-13-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 6. If a prescriber is prescribing methadone for a patient for the treatment of pain or pain management, the prescriber shall include on the prescription or order that the prescription is for the treatment of pain.**

SECTION 17. IC 27-8-32.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:

#### **Chapter 32.1. Coverage for Methadone**

**Sec. 1. This chapter applies to a policy of accident and sickness insurance that is issued, amended, or renewed after June 30, 2015.**

**Sec. 2. As used in this chapter, "insured" means an individual who is entitled to coverage under a policy of accident and sickness insurance.**

**Sec. 3. As used in this chapter, "policy of accident and sickness insurance" has the meaning set forth in IC 27-8-5-1.**

**Sec. 4. A policy of accident and sickness insurance may not provide coverage for methadone if the drug is prescribed for the treatment of pain or pain management.**

SECTION 18. IC 27-13-7-20.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 20.1. (a) This section applies to an individual contract or a group contract that is entered into, amended, or renewed after June 30, 2015.**

**(b) An individual contract or a group contract may not provide coverage for methadone if the drug is prescribed for the treatment of pain or pain management."**

Renumber all SECTIONS consecutively.

(Reference is to SB 464 as introduced.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 11, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Tax & Fiscal Policy, to which was referred Senate Bill 467, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

HERSHMAN, Chair

Report adopted.

## COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs & The Military, to which was referred Senate Bill 472, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 3. IC 10-16-6-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 13. The Indiana National Guard shall:**

(1) provide a list of individuals on its Internet web site that can be searched or checked to determine whether an individual is a member of the Indiana National Guard ordered to state active duty for at least thirty (30) consecutive days as required by IC 10-16-7-23(c); and

(2) provide a list of the rights a servicemember or a servicemember's dependent has under the state and federal servicemembers civil relief acts."

Page 3, delete lines 17 through 42, begin a new paragraph and insert:

"SECTION 5. IC 10-16-7-23 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 23.** (a) As used in this section, "active duty" means:

(1) training or duty under federal law; or

(2) state active duty under section 7 of this chapter;

performed under an order of the governor.

(b) The rights, benefits, and protections of the federal ~~Soldiers' and Sailors' Civil Relief Act~~ **Servicemembers Civil Relief Act**, 50 U.S.C. App. 501 et seq., as amended and in effect on January 1, 2003; apply to a member of the Indiana national guard ordered to active duty for at least thirty (30) consecutive days.

(c) **With respect to a member of the Indiana National Guard ordered to state active duty, a person is not subject to remedies and penalties under this section or IC 10-16-20 for failure to comply with the federal Servicemembers Civil Relief Act, 50 U.S.C. App. 501 et seq., unless:**

(1) the member provides documentation to the person that the member is a member of the Indiana National Guard ordered to state active duty for at least thirty (30) consecutive days; or

(2) the Indiana National Guard provides a list on its Internet web site that can be searched or checked to determine whether an individual is a member of the Indiana National Guard ordered to state active duty for at least thirty (30) consecutive days.

(~~e~~) (d) The rights, benefits, and protections of the federal Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C. 4301 et seq., as amended and in effect on January 1, 2003, apply to a member of the Indiana national guard ordered to active duty.

(~~d~~) (e) Nothing in this section shall be construed as a restriction or limitation on any of the rights, benefits, and protections granted to a member of the Indiana national guard under federal law.

SECTION 6. IC 10-16-20 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:

**Chapter 20. Servicemembers Civil Relief Act**

**Sec. 1. This chapter is intended to supplement rights and protections provided in the federal Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.).**

**Sec. 2. The following definitions apply throughout this chapter:**

(1) "Military service" means:

(A) in the case of a servicemember who is a member of the Army, Navy, Air Force, Marine Corps, or Coast Guard, full-time duty in the active military service of the United States, including:

(i) full-time training duty;

(ii) annual training duty; and

(iii) attendance while at a school designated as a service school by federal law or by the secretary of the military department concerned;

(B) in the case of a member of the Indiana National Guard, service under a call to active:

(i) service authorized by the President of the United States or the Secretary of Defense for a period of more than thirty (30) days in response to a national emergency declared by the President of the United States; or

(ii) duty as defined by IC 10-16-7-23(a) for a period of more than thirty (30) consecutive days;

(C) in the case of a servicemember who is a commissioned officer of the Public Health Service or the National Oceanic and Atmospheric Administration, active service; or

(D) any period during which a servicemember is absent from duty on account of sickness, wounds, leave, or other lawful cause.

(2) "Servicemember" means an individual engaged in military service.

**Sec. 3. The dependent of a servicemember has the same rights and protections provided to a servicemember under Title II of the federal Servicemembers Civil Relief Act (50 U.S.C. App. 521 through 527).**

**Sec. 4. (a) In addition to the rights and protections regarding consumer transactions, contracts, and service providers included in Title III of the federal Servicemembers Civil Relief Act (50 U.S.C. App. 531 through 538), a servicemember may terminate a contract described in subsection (b) at any time after the date the servicemember receives military orders to relocate for a period of service of at least ninety (90) days to a location that does not support the contract.**

**(b) This section applies to a contract to provide any of the following:**

(1) Telecommunication services.

(2) Internet services.

(3) Television services.

(4) Athletic club or gym memberships.

(5) Satellite radio services.

(c) Termination of a contract must be made by delivery of a written or electronic notice of the termination and a copy of the servicemember's military orders to the service provider. If a servicemember terminates a contract, the service provider shall provide the servicemember with a written or electronic notice of the servicemember's rights posted on the Indiana National Guard's Internet web site as required by IC 10-16-6-13.

(d) For any contract terminated under this section, the service provider under the contract may not impose an early termination charge.

(e) Any tax or any other obligation or liability of the servicemember that, in accordance with the terms of the contract, is due and unpaid at the time of termination of the contract shall be paid by the servicemember.

(f) If the servicemember resubscribes to the service provided under a contract described in subsection (b) that was terminated under this chapter during the ninety (90) day period immediately following when the servicemember has returned from service, the service provider may not impose any charges or services fees, other than the usual and customary charges and fees for the installation or acquisition of customer equipment imposed on any other subscriber.

(g) Not later than sixty (60) days after the effective date of the termination of a contract described in subsection (b), the service provider under the contract shall refund to the servicemember all fees paid for services that extend past the termination date of the contract.

**Sec. 5. A civil action to enforce this chapter or IC 10-16-7-23 may be brought in any court with jurisdiction by the attorney general against any person that knowingly or intentionally violates any provision of this chapter. However, a civil action may not proceed if relief from the violation has already been granted under the federal Servicemembers Civil Relief Act."**

Delete pages 4 through 6.

Page 7, delete lines 1 through 10.

Page 7, line 15, delete "uniformed services" and insert "**armed forces of the United States**".

Page 7, line 17, delete "uniformed services," and insert "**armed forces of the United States**".

Page 7, line 21, delete "department." and insert "**department or a third party under an operating agreement**".

Page 8, line 2, delete "uniformed services" and insert "**armed forces of the United States**".

Page 9, line 3, delete "Any" and insert "**Except as provided in subsection (c), any**".

Page 10, line 36, after "9." insert "**(a)**".

Page 11, delete lines 5 through 42, begin a new paragraph and insert:

**"(b) A person injured by a violation of this section may bring a civil action for:**

- (1) actual damages caused by the violation;**
- (2) treble damages; and**
- (3) costs and reasonable attorney's fees.**

SECTION 14. IC 33-23-9-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) An Indiana state court may grant the rights, benefits, and protections

described in Section 513 of the federal ~~Soldiers' and Sailors' Civil Relief Act~~ **Servicemembers Civil Relief Act**, 50 U.S.C. App. 513 ~~501 et seq., as amended and in effect on January 1, 2003~~; to a person primarily or secondarily liable on an obligation or a liability of an Indiana national guard member to whom IC 10-16-7-23 applies.

(b) All rights, benefits, and protections granted to a person under subsection (a) are in addition to the rights, benefits, and protections granted the person under the federal ~~Soldiers' and Sailors' Civil Relief Act~~ **Servicemembers Civil Relief Act**, 50 U.S.C. App. 501 et seq. ~~as amended and in effect on January 1, 2003~~.

SECTION 15. IC 35-52-10-6, AS ADDED BY P.L.169-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. IC 10-16-7-4 defines a crime concerning ~~Indiana military code: the military~~.

Delete page 12.

Renumber all SECTIONS consecutively.

(Reference is to SB 472 as introduced.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 10, Nays 0.

CRIDER, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Tax & Fiscal Policy, to which was referred Senate Bill 478, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 5, between lines 1 and 2, begin a new line block indented and insert:

**"(29) Provide revenue to a school corporation, for deposit in the school corporation's transportation fund established under IC 20-40-6-4, from property tax proceeds allocated under section 39 of this chapter as specified in a resolution adopted under section 39.6 of this chapter."**

Page 10, between lines 38 and 39, begin a new line double block indented and insert:

**"(O) Provide revenue to a school corporation, for deposit in the school corporation's transportation fund established under IC 20-40-6-4, as specified in a resolution adopted under section 39.6 of this chapter."**

Page 14, between lines 21 and 22, begin a new paragraph and insert:

"SECTION 3. IC 36-7-14-39.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 39.6. (a) The governing body of a school corporation may adopt a resolution to request that a redevelopment commission that has established an allocation area under this chapter that includes any territory of the school corporation shall provide revenue from property tax proceeds allocated to the redevelopment commission under this chapter.**

(b) A redevelopment commission may provide revenue to a school corporation under this section only if the redevelopment commission and the legislative body of the unit that established the redevelopment commission adopt substantially similar resolutions agreeing to provide the revenue to the school corporation. Such a resolution must set forth at least the following:

(1) The boundaries of the allocation area from which the annual revenue from allocated property tax proceeds will be provided.

(2) The annual amount of revenue that will be provided, which may not exceed the amount of property tax revenue received by the redevelopment commission under this chapter that is attributable to the school corporation's transportation fund tax rate for the school corporation's transportation fund under IC 20-40-6.

(3) The first and last year that the revenue will be provided.

(c) Before the legislative body of the unit or the redevelopment commission may adopt a resolution under this section to provide revenue to the school corporation, the legislative body of the unit and the redevelopment commission must hold a joint public hearing. The proper officers of the unit and the redevelopment commission must publish a notice of the public hearing in accordance with IC 5-3-1. The notice must specify that the purpose of the hearing is to consider providing revenue to the school corporation from property tax proceeds allocated to the redevelopment commission.

(d) Any revenue provided to a school corporation under this section from property tax proceeds allocated to the redevelopment commission must be deposited in the school corporation's transportation fund and must be used for the purposes of the transportation fund."

Renumber all SECTIONS consecutively.

(Reference is to SB 478 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 3.

HERSHMAN, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 492, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 15, after "section" delete "," and insert ":

(1) "fund" means the public employees' retirement fund; and

(2)".

Page 5, line 8, delete "is" and insert "are".

Page 5, line 11, delete "is" and insert "are".

Page 5, line 16, delete "is" and insert "are".

Page 5, line 19, delete "is" and insert "are".

Page 5, between lines 30 and 31, begin a new line block

indented and insert:

"(3) "Fund" means the public employees' retirement fund."

Page 6, line 23, after "entity." insert "The board shall collaborate with the freezing participating entity by sharing the actuarial method and report."

Page 6, line 37, after "entity." insert "The board shall collaborate with the freezing participating entity by sharing the actuarial method and report."

Page 7, line 8, after "the" insert "public employees' retirement".

Page 7, line 10, after "the" insert "public employees' retirement".

Page 10, line 11, delete "A" and insert "An ordinance or resolution adopted by the governing body of a political subdivision under this subsection that specifies the departmental, occupational, or other definable classification of employees who are required under subdivision (2) to become members of the plan or who may under subdivision (3) elect whether to become members of the fund or plan may not take effect before January 2, 2016. A".

Page 10, line 28, delete "(1)" and insert "(2)".

Page 10, line 33, delete "may" and insert "shall".

Page 11, line 4, delete "may" and insert "shall".

Page 14, line 11, delete "(b)." and insert "(b)(1), (b)(2), or (b)(3).".

Page 14, line 15, after "subdivision" insert "that did not take an action described in this subsection before the effective date of this section".

Page 14, line 15, after "may" insert "adopt an ordinance or resolution, which may not be effective before January 2, 2016, to".

Page 14, line 16, after "date" delete ":" and insert "(which may not be before January 2, 2016):".

Page 14, line 19, delete "is" and insert "are".

Page 14, line 22, delete "is" and insert "are".

Page 14, line 24, after "date" delete ":" and insert "(which may not be before January 2, 2016):".

Page 14, line 27, delete "is" and insert "are".

Page 14, line 30, delete "is" and insert "are".

Page 14, line 34, after "date" insert "(which may not be before January 2, 2016)".

Page 15, line 18, after "subdivision." insert "The board shall collaborate with the freezing political subdivision by sharing the actuarial method and report."

Page 15, line 27, after "subdivision." insert "The board shall collaborate with the freezing political subdivision by sharing the actuarial method and report."

Page 15, line 41, after "subdivision." insert "The board shall collaborate with the freezing political subdivision by sharing the actuarial method and report."

Page 17, line 30, delete "Any" and insert "Except as otherwise provided, any".

Page 17, line 32, delete "and before July 1, 2015,".

Page 18, delete lines 24 through 31.

Page 18, line 32, delete "(f)" and insert "(e)".

Page 19, line 1, delete "(g)" and insert "(f)".

Page 19, line 3, delete "June 30, 2015;" and insert "**an ordinance or resolution described in subdivision (2) that is adopted by the political subdivision has been approved by the board;**".

Page 19, line 21, delete "(h)" and insert "(g)".

Page 19, line 23, delete "June 30, 2015;" and insert "**an ordinance or resolution described in subdivision (2) that is adopted by the political subdivision has been approved by the board;**".

Page 19, delete line 42.

Page 20, delete lines 1 through 5.

Page 20, line 7, delete "June 30, 2015;" and insert "**an ordinance or resolution described in subdivision (2) that is adopted by the political subdivision has been approved by the board;**".

Page 20, line 19, delete "(c)" and insert "(b)".

Page 20, line 24, delete "(d)" and insert "(c)".

Page 23, line 17, after "plan" insert ",".

Page 23, line 17, delete "and before".

Page 23, line 18, delete "July 1, 2015,".

Page 23, delete lines 26 through 34.

Page 23, line 35, delete "(3)" and insert "(2)".

Page 24, line 4, delete "(4)" and insert "(3)".

Page 24, line 6, delete "June 30, 2015;" and insert "**an ordinance or resolution described in clause (C) that is adopted by the political subdivision has been approved by the board;**".

Page 24, line 20, delete "(5)" and insert "(4)".

Page 24, line 22, delete "June 30, 2015;" and insert "**an ordinance or resolution described in clause (C) that is adopted by the political subdivision has been approved by the board;**".

Page 25, line 20, delete "and before July" and insert ",".

Page 25, line 21, delete "1, 2015,".

Page 26, line 14, delete "and before July 1, 2015," and insert ",".

Page 26, line 29, delete "1(a)(4)" and insert "**1(a)(3)**".

Page 29, line 10, delete "23(b)" and insert "**23(d)**".

(Reference is to SB 492 as printed January 30, 2015.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KENLEY, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs & The Military, to which was referred Senate Bill 533, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 5, line 38, delete "chapter." and insert "**chapter and is employed by or working with an approved organization.**".

Page 5, between lines 41 and 42, begin a new paragraph and insert:

**"(c) Subject to subsection (e), the department may reimburse an approved organization for expenses incurred**

**by accredited service officers who assist veterans and dependents of veterans in obtaining federal and state benefits to which the veterans and dependents of veterans are entitled.**

**(d) The Indiana department of veterans' affairs may adopt rules under IC 4-22-2 to establish the following:**

**(1) The manner in which the expenses of an approved organization may be reimbursed under this section.**

**(2) The criteria each approved organization must meet to qualify for reimbursement under this section.**

**(e) The total amount of reimbursements paid under this section in a state fiscal year to an approved organization may not exceed one thousand dollars (\$1,000) per case. For purposes of this section, the assistance provided by an accredited service officer to a particular veteran and any dependent of that veteran is considered a single case. The total amount of reimbursements paid to all approved organizations under this section in a fiscal year may not exceed five hundred thousand dollars (\$500,000).**

**(f) There is annually appropriated to the Indiana department of veterans' affairs five hundred thousand dollars (\$500,000) from the state general fund to make reimbursements under this section."**

Page 5, delete line 42.

Page 6, delete lines 1 through 19.

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

"SECTION 6. IC 10-17-12-7.5, AS ADDED BY P.L.50-2009, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7.5. As used in this chapter, "qualified service member" means an individual who is:

(1) an Indiana resident;

(2) a member of:

(A) the armed forces; or

(B) the National Guard; and

(3) serving on active duty

~~(A) after September 11, 2001; and~~

~~(B) during a time of national conflict or war."~~

Page 6, line 23, delete "a sufficient amount" and insert "**one hundred twenty thousand dollars (\$120,000)**".

Page 6, delete lines 27 through 42.

Page 7, delete lines 1 through 11.

Page 9, line 25, delete "affairs, any benefits awarded to" and insert "**affairs after an eligible applicant has paid tuition and fees to a state educational institution, the eligible applicant may receive a refund equal to the amount of the tuition and fees paid to the state educational institution by the eligible applicant before the date of the determination.**".

Page 9, delete lines 26 through 28.

Page 9, line 40, delete "(a), any" and insert "**(a) after an eligible applicant has paid tuition and fees to a state educational institution, the eligible applicant may receive a refund equal to the amount of the tuition and fees paid to the state educational institution by the eligible applicant before the date of the determination.**".

Page 9, delete lines 41 through 42.

Page 10, delete lines 1 through 3.

Renumber all SECTIONS consecutively.

(Reference is to SB 533 as introduced.)  
and when so amended that said bill do pass and be reassigned to  
the Senate Committee on Appropriations.  
Committee Vote: Yeas 9, Nays 0.

CRIDER, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Pensions & Labor, to which was referred Senate Bill 538, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 11, after "for the" insert "**primary**".

Page 3, line 11, after "purpose" delete ", in whole or".

Page 3, line 12, delete "in part,".

Page 3, line 15, after "employees." insert "**The term does not include an organization or entity whose primary purpose is commercial.**".

Page 5, line 1, strike "Twenty" and insert "**Ten**".

Page 5, line 1, strike "(20%)" and insert "**(10%)**".

Page 7, delete lines 14 through 42.

Page 8, delete lines 1 through 11.

Page 9, delete lines 30 through 40.

Renumber all SECTIONS consecutively.

(Reference is to SB 538 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 5.

BOOTS, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 547, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass and be reassigned to the Senate Committee on Appropriations.  
Committee Vote: Yeas 8, Nays 0.

STEELE, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 567, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 18, line 19, before "Not" begin a new paragraph and insert:

"**(b)**".

Page 18, between lines 25 and 26, begin a new paragraph and insert:

"**(c) The report required under subsection (b) must also include the following information set forth for each tax increment financing district regarding the previous year:**

**(1) Revenues received.**

**(2) Expenses paid.**

**(3) Fund balances.**

**(4) The amount and maturity date for all outstanding obligations.**

**(5) The amount paid on outstanding obligations.**

**(6) A list of all the parcels included in each tax increment financing district allocation area and the base assessed value and incremental assessed value for each parcel in the list."**

Page 18, line 26, strike "(b)" and insert "**(d)**".

Page 18, line 28, strike "(c)" and insert "**(e)**".

(Reference is to SB 567 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

HEAD, Chair

Report adopted.

#### RESOLUTIONS ON FIRST READING

##### House Concurrent Resolution 16

House Concurrent Resolution 16, sponsored by Senators Tomes and Becker:

A CONCURRENT RESOLUTION honoring Johnnie Guy.

*Whereas, Sophomore Johnnie Guy became the first University of Southern Indiana men's runner in 16 years to win a national championship;*

*Whereas, Johnnie finished first in the 10,000 meters at the NCAA Division II Outdoor Track and Field Championships;*

*Whereas, Johnnie finished the race in 29 minutes, 33.31 seconds, more than ten seconds ahead of the second place finisher;*

*Whereas, Johnnie joins the University of Southern Indiana and Great Lakes Valley Conference Hall of Fame member Elly Rono as the only men's runners in school history to win a national title;*

*Whereas, Johnnie Guy began the race running in a pack of five or six competitors but broke away around the 20 minute mark;*

*Whereas, Johnnie Guy broke away from the pack throughout the course of the next two minutes and opened up a 20-meter lead on second place;*

*Whereas, Johnnie Guy's victory marks the Screaming Eagles' first national title of any kind since the university's baseball team won the NCAA II championship in 2010;*

*Whereas, In recognition of his many accomplishments, Johnnie Guy earned All-America honors for the third time this season; and*

*Whereas, Outstanding athletic accomplishments such as this deserve special recognition: 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 congratulates Johnnie Guy on capturing the national championship in the 10,000 meters at the NCAA Division II Outdoor Track and Field Championships.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Johnnie Guy, head coach Mike Hillyard, and President Linda L. M. Bennett.

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 Concurrent Resolution 17

House Concurrent Resolution 17, sponsored by Senators Becker, Delph, Houchin, Long, and Messmer:

A CONCURRENT RESOLUTION honoring the University of Southern Indiana's national championship baseball team.

*Whereas, The University of Southern Indiana's baseball team earned its second NCAA Division II championship in what may be one of the greatest NCAA Division II baseball championship games of all time;*

*Whereas, A bases-loaded walk to senior infielder Matt Bowles scored the winning run in the top of the 12th inning, leading to a 3-2 victory over Colorado Mesa University in Cary, North Carolina, and tying the record as the longest NCAA Division II title game;*

*Whereas, Junior shortstop/pitcher Matt Chavarria, who came in to begin the ninth inning, pitched four scoreless innings;*

*Whereas, Matt Chavarria was named the tournament's most outstanding player and was joined on the All-Tournament team by sophomore Kyle Kempf, junior Ben Wright, and senior Brent Weinzapfel;*

*Whereas, On their way to capturing their second national title in five years, the Screaming Eagles defeated the No. 1, No. 2, No. 3, and No. 4 ranked teams in the country;*

*Whereas, The University of Southern Indiana's national baseball championship is the third team title for University of Southern Indiana Athletics, joining the 2010 baseball team and the 1995 men's basketball team; and*

*Whereas, Outstanding accomplishments such as this deserve special recognition: 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 congratulates the University of Southern Indiana's baseball team on winning its second NCAA Division II championship and wishes the team continued success in all its future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to each team member, assistant coach Jeremy Kuester, head coach Tracy Archuleta, and President Linda L. M. Bennett.

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 resolution be adopted:

SR 16 Senator Delph  
Honoring Tracey and Reginald Jones.

LONG

Motion prevailed.

### RESOLUTIONS ON FIRST READING

#### Senate Resolution 16

Senate Resolution 16, introduced by Senator Delph:

A SENATE RESOLUTION honoring Tracey and Reginald Jones for creating McMiracle on 38th Street, a non-profit organization formed in 1995 to provide bicycles and helmets to underprivileged Central Indiana youth on an annual basis.

*Whereas, Local McDonald's owners Tracey and Reginald Jones created McMiracle on 38th Street to honor their dear friend and fellow McDonald's owner Elizabeth J. Henry;*

*Whereas, McMiracle allows Tracey and Reginald to give back to their community, a community that allows them the privilege and honor to serve;*

*Whereas, Tracey and Reginald's mission through McMiracle is to instill hope in the life of a child and to recognize outstanding youth within inner city communities;*

*Whereas, More than 750 fifth graders from Indianapolis Public Schools, Indiana School for the Deaf, Pike Township, Washington Township, Hamilton Southeastern and Mt. Vernon School Districts have received bicycles, helmets, and bibles from McMiracle;*

*Whereas, In 2014, McMiracle's goal was to provide 1,000 bicycles to children in the Central Indiana community;*

*Whereas, All recipients are referred by their school's principal or social worker based upon the child's financial challenges, academic excellence, superior citizenship, or terminal illness;*

*Whereas, McMiracle has been so influential that its program has been duplicated in both Denver and Dallas; and*

*Whereas, The McMiracle Elizabeth M. Thompson Youth Award honors and empowers middle and high school students who have made a significant impact in the lives of others, demonstrated great leadership within their community, and have excelled academically: Therefore,*

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

SECTION 1. That the Indiana Senate honors Tracey and Reginald Jones for creating McMiracle on 38th Street and for their continued commitment to service in their Central Indiana community.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Tracey and Reginald Jones and to Lisa Glavan.

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

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 8, 10, and 15 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS  
Principal Clerk of the House

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 15 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS  
Principal Clerk of the House

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 8 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS  
Principal Clerk of the House

#### SENATE MOTION

Madam President: I move that Engrossed Senate Bill 422, which is eligible for third reading, be returned to second reading for purposes of amendment.

GROOMS

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Engrossed Senate Bill 174, which is eligible for third reading, be returned to second reading for purposes of amendment.

M. YOUNG

Motion prevailed.

#### RESOLUTIONS ON SECOND READING

##### Senate Concurrent Resolution 3

Senator Hershman called up Senate Concurrent Resolution 3 for second reading. The resolution was read a second time and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives VanNatter and Lehe.

#### SENATE BILLS ON SECOND READING

##### Senate Bill 7

Senator Steele called up Senate Bill 7 for second reading. The bill was read a second time by title.

#### SENATE MOTION (Amendment 7-1)

Madam President: I move that Senate Bill 7 be amended to read as follows:

Page 1, delete lines 1 through 16.

Page 2, delete lines 1 through 6.

Re-number all SECTIONS consecutively.

(Reference is to SB 7 as printed February 4, 2015.)

STEELE

Motion prevailed.

#### SENATE MOTION (Amendment 7-2)

Madam President: I move that Senate Bill 7 be amended to read as follows:

Page 3, line 26, after "it" insert "**was built at least fifteen (15) years ago and**".

(Reference is to SB 7 as printed February 4, 2015.)

STEELE

Motion prevailed.

#### SENATE MOTION (Amendment 7-3)

Madam President: I move that Senate Bill 7 be amended to read as follows:

Page 2, line 25, strike "(c)," and insert "**(d)**".

Page 6, line 23, delete "(7)," and insert "**(3)**".

Page 7, line 2, delete "(b)(6)," and insert "**(b)(3)**".

(Reference is to SB 7 as printed February 4, 2015.)

STEELE

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 27**

Senator Kruse called up Senate Bill 27 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 35**

Senator Boots called up Senate Bill 35 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 50**

Senator M. Young called up Senate Bill 50 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 249**

Senator Leising called up Senate Bill 249 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 323**

Senator Head called up Senate Bill 323 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 323-1)

Madam President: I move that Senate Bill 323 be amended to read as follows:

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

"SECTION 1. IC 16-41-17-8.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 8.5. (a) This section applies only to a waste blood specimen collected after June 30, 2015.**

**(b) The state department shall develop a form to allow a custodial parent or guardian of a newborn to request that the newborn's waste blood specimen be destroyed not later than six (6) months after the waste blood specimen is collected to run the tests required under this chapter.**

**(c) The custodial parent or guardian of a newborn may request in writing on the form developed by the state department under subsection (b) that the waste blood specimen of the newborn be destroyed not later than six (6) months after the waste blood specimen is collected to run the tests required under this chapter."**

Renumber all SECTIONS consecutively.

(Reference is to SB 323 as printed January 28, 2015.)

HEAD

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 327**

Senator Leising called up Senate Bill 327 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 327-1)

Madam President: I move that Senate Bill 327 be amended to read as follows:

Page 5, after line 31, begin a new paragraph and insert:

"SECTION 12. IC 4-32.2-9-8, AS AMENDED BY P.L.227-2007, SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. **(a)** A manufacturer or distributor of a licensed supply to be used in charity gaming in Indiana must file a quarterly report listing the manufacturer's or distributor's sales of the licensed supply.

**(b) A licensed distributor that sells any licensed supply with a prize value that would require reporting of a patron's gambling winnings to the:**

**(1) Internal Revenue Service for federal income tax purposes; or**

**(2) department of revenue for state income tax purposes;**

**must notify the commission of the sale in the quarterly reports described in subsection (a)."**

(Reference is to SB 327 as printed January 30, 2015.)

LEISING

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 347**

Senator Yoder called up Senate Bill 347 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 347-1)

Madam President: I move that Senate Bill 347 be amended to read as follows:

Page 4, delete lines 33 through 42, begin a new paragraph and insert:

**"Sec. 7. (a) A TNC or TNC driver shall maintain motor vehicle insurance that meets the following requirements:**

**(1) The insurance product is issued:**

**(A) by an insurance company that holds a certificate of authority to do insurance business in Indiana; or**

**(B) through a surplus lines producer licensed under IC 27-1-15.8.**

**(2) The insurance provides primary liability coverage:**

**(A) for liability arising from the operation of a vehicle by a TNC driver while providing TNC services; and**

**(B) in an amount equal to at least one million dollars (\$1,000,000) per occurrence for death, personal injury, and property damage.**

**(3) During the period when a TNC driver is logged into the TNC's digital network, but is not providing TNC services, the insurance provides liability coverage in the following amounts:**

**(A) An amount equal to at least fifty thousand dollars (\$50,000) per person for bodily injury.**

**(B) An amount equal to at least one hundred thousand dollars (\$100,000) per occurrence for personal injury to two (2) or more individuals.**

(C) An amount equal to at least twenty-five thousand dollars (\$25,000) per occurrence for property damage.

(b) A TNC or TNC driver may maintain coverage described in subsection (a)(3) through a combination of policies maintained by the TNC, the TNC driver, or both the TNC and the TNC driver.

(c) A motor vehicle insurance policy that provides the coverage required by subsection (a) satisfies the financial responsibility requirement of IC 9-25-4-5 for:

- (1) the period during which TNC services are provided; and
- (2) the period described in subsection (a)(3).

(d) A TNC shall, before the TNC allows an individual to act as a TNC driver on its digital network or software application service, disclose all of the following:

- (1) The motor vehicle insurance coverage and limits of liability that the TNC provides during the period during which the TNC driver uses a personal motor vehicle in connection with a TNC's digital network or software application service.
- (2) That the terms of the TNC driver's personal motor vehicle insurance policy may limit or exclude coverage during the period during which the TNC driver uses a personal motor vehicle in connection with a TNC's digital network or software application service.

(e) For purposes of a claim coverage investigation, a TNC and an insurer that issues a motor vehicle insurance policy described in this section shall cooperate to facilitate the exchange of information, including:

- (1) the precise time that a TNC driver logs onto and off of the TNC's digital network during the twenty-four (24) hour period immediately preceding the accident that is the subject of the claim coverage investigation; and
- (2) disclosure among the parties of a clear description of the insurance coverage, exclusions, and limitations that apply under any applicable motor vehicle insurance policy issued or maintained by a party.

(f) Coverage:

- (1) under a motor vehicle insurance policy required by this section; and
- (2) for liability in connection with a TNC driver's use of the motor vehicle in connection with a TNC's digital network;

may not be conditioned on a denial of a claim for coverage under a personal motor vehicle insurance policy. An insurer that issues a personal motor vehicle insurance policy is not required to deny a claim as a condition of the coverage described in subdivisions (1) and (2).

(g) If the exclusion is:

- (1) expressly set forth in the motor vehicle insurance policy; and
- (2) approved by the commissioner of insurance appointed under IC 27-1-1-2;

an insurer that issues a motor vehicle insurance policy in Indiana may exclude coverage, and any duty to indemnify and defend, for a loss or injury that occurs while an insured

motor vehicle provides or is available to provide TNC services.

(h) An insurer's right described in subsection (g) to exclude coverage and any duty to indemnify and defend applies to any coverage under a motor vehicle insurance policy, including the following:

- (1) Liability coverage for bodily injury and property damage.
- (2) Uninsured and underinsured motorist coverage.
- (3) Medical payment coverage.
- (4) Comprehensive physical damage coverage.
- (5) Collision physical damage coverage.

(i) If a TNC driver is involved in an accident while operating a vehicle to provide TNC service, the TNC driver shall:

- (1) provide proof of financial responsibility required under this section to all parties involved in the accident; and
- (2) notify the TNC of the accident."

Delete page 5.

Page 6, delete lines 1 through 39.

(Reference is to SB 347 as printed February 4, 2015.)

YODER

Motion prevailed. The bill was ordered engrossed.

#### Senate Bill 361

Senator Messmer called up Senate Bill 361 for second reading. The bill was read a second time by title.

#### SENATE MOTION (Amendment 361-1)

Madam President: I move that Senate Bill 361 be amended to read as follows:

Page 1, line 4, delete "Liquified" and insert "**Liquefied**".

Page 1, line 9, after "(A)" insert "**unreasonably**".

Page 1, line 12, delete "seller, supplier," and insert "**provider**".

Page 1, line 13, delete "handler, or transporter".

Page 2, line 10, delete "seller, supplier, handler, or transporter of" and insert "**provider of the**".

Page 2, line 16, delete "seller, supplier, handler, or transporter" and insert "**provider**".

Page 2, after line 20, begin a new paragraph and insert:

**"Sec. 4. Notwithstanding IC 34-51-2-6 concerning comparative fault, the assumption of risk under section 2 of this chapter is a complete defense to an action against a provider of liquefied petroleum gas for bodily injury and property damage resulting from the assumed risks."**

(Reference is to SB 361 as printed February 4, 2015.)

MESSMER

Motion prevailed. The bill was ordered engrossed.

#### Senate Bill 383

Senator Hershman called up Senate Bill 383 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 383-1)

Madam President: I move that Senate Bill 383 be amended to read as follows:

Page 1, line 13, after "footrests" insert ",".

Page 1, line 13, strike "or".

Page 1, line 13, after "pegs" insert ", or a platform".

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

"SECTION 3. IC 9-21-10-4, AS AMENDED BY P.L.221-2014, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) **This section applies to:**

(1) a motorcycle; or

(2) a Class A motor driven cycle;

**that has only two (2) wheels in contact with the ground or pavement.**

(b) A person may not:

(1) drive;

(2) operate; or

(3) ride as a passenger on;

a motorcycle or Class A motor driven cycle in a position other than astride the seat or saddle provided."

Re-number all SECTIONS consecutively.

(Reference is to SB 383 as printed February 4, 2015.)

HERSHMAN

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 437**

Senator Hershman called up Senate Bill 437 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 469**

Senator Houchin called up Senate Bill 469 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 469-1)

Madam President: I move that Senate Bill 469 be amended to read as follows:

Page 1, line 9, delete "underserved rural" and insert "**unserved**".

Page 1, line 13, delete "do the following to".

Page 1, line 14, delete "underserved areas, as" and insert "**unserved areas in Indiana**".

Page 1, delete lines 15 through 17.

Page 2, delete lines 1 through 24.

(Reference is to SB 469 as printed February 3, 2015.)

HOUCHIN

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 476**

Senator Head called up Senate Bill 476 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 476-2)

Madam President: I move that Senate Bill 476 be amended to read as follows:

Page 4, line 32, after "(i)" insert "**This subsection does not apply when calculating the maximum rate for the Vincennes Community School Corporation**".

(Reference is to SB 476 as printed January 30, 2015.)

HEAD

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 487**

Senator Glick called up Senate Bill 487 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 506**

Senator Yoder called up Senate Bill 506 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 517**

Senator M. Young called up Senate Bill 517 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 517-1)

Madam President: I move that Senate Bill 517 be amended to read as follows:

Page 1, line 8, delete "2017" and insert "**2016**".

Page 1, line 11, delete "2016" and insert "**2015**".

(Reference is to SB 517 as printed January 30, 2015.)

M. YOUNG

Motion prevailed. The bill was ordered engrossed.

**ENGROSSED SENATE BILLS  
ON THIRD READING**

**Engrossed Senate Bill 92**

Senator Schneider called up Engrossed Senate Bill 92 for third reading:

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

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

Roll Call 92: yeas 43, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Speedy and Frizzell.

**Engrossed Senate Bill 164**

Senator Patricia Miller called up Engrossed Senate Bill 164 for third reading:

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

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

Roll Call 93: yeas 40, nays 8. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative McMillin.

#### **Engrossed Senate Bill 211**

Senator Patricia Miller called up Engrossed Senate Bill 211 for third reading:

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

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

Roll Call 94: yeas 47, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Frizzell.

#### **Engrossed Senate Bill 324**

Senator Head called up Engrossed Senate Bill 324 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

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

Roll Call 95: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative McNamara.

#### **Engrossed Senate Bill 408**

Senator Merritt called up Engrossed Senate Bill 408 for third reading:

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

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

Roll Call 96: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Morris and Hale.

#### **Engrossed Senate Bill 461**

Senator Patricia Miller called up Engrossed Senate Bill 461 for third reading:

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

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

Roll Call 97: yeas 45, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Clere and Bacon.

The President of the Senate yielded the gavel to Senator David C. Long.

#### **Engrossed Senate Bill 514**

Senator Charbonneau called up Engrossed Senate Bill 514 for third reading:

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

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

Roll Call 98: yeas 41, nays 7. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Price and Truitt.

#### **Engrossed Senate Bill 559**

Senator M. Young called up Engrossed Senate Bill 559 for third reading:

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

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

Roll Call 99: yeas 42, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Frizzell.

## **REPORTS FROM COMMITTEES**

### **COMMITTEE REPORT**

Madam President: The Senate Committee on Rules & Legislative Procedure, to which was referred Senate Bill 98, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

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

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 34-12-3-0.1, AS ADDED BY P.L.220-2011,

SECTION 548, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE AUGUST 26, 1999 (RETROACTIVE)]: Sec. 0.1. ~~The addition of this chapter by P.L.19-2001~~ **This chapter applies only to actions filed before, after, or on April 18, 2001.**

SECTION 2. IC 34-12-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE AUGUST 26, 1999 (RETROACTIVE)]: Sec. 1. As used in this chapter, "firearm" ~~has the meaning set forth in IC 35-47-1-5.~~ **means any weapon:**

(1) **that is:**

(A) **capable of expelling; or**

(B) **designed to expel; or**

(2) **that may readily be converted to expel; a projectile by means of an explosion.**

SECTION 3. IC 34-12-3-2, AS AMENDED BY P.L.114-2012, SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE AUGUST 26, 1999 (RETROACTIVE)]: Sec. 2. As used in this chapter, "person" ~~has the meaning set forth in IC 35-31.5-2-234.~~ **means a human being, corporation, limited liability company, partnership, unincorporated association, or governmental entity.**

SECTION 4. IC 34-12-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE AUGUST 26, 1999 (RETROACTIVE)]: Sec. 3. Except as provided in section 5(1) or 5(2) of this chapter, a person may not bring **or maintain** an action against a firearms or ammunition manufacturer, trade association, or seller for:

(1) recovery of damages resulting from, or injunctive relief or abatement of a nuisance relating to, the lawful:

(A) design;

(B) manufacture;

(C) marketing; or

(D) sale;

of a firearm or ammunition for a firearm; or

(2) recovery of damages resulting from the criminal or unlawful misuse of a firearm or ammunition for a firearm by a third party.

SECTION 5. IC 34-12-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE AUGUST 26, 1999 (RETROACTIVE)]: Sec. 4. If a court finds that a party has brought **or is maintaining** an action under a theory of recovery described in section 3(1) or 3(2) of this chapter, the finding constitutes conclusive evidence that the action is groundless. If a court makes a finding under this section, the court shall dismiss the claims or action and award to the defendant any reasonable attorney's fee and costs incurred in defending the claims or action.

SECTION 6. IC 34-12-3-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE AUGUST 26, 1999 (RETROACTIVE)]: Sec. 5. Nothing in this chapter may be construed to prohibit a person from bringing **or maintaining** an action against a firearms or ammunition manufacturer, trade association, or seller for recovery of damages for the following:

(1) Breach of contract or warranty concerning firearms or ammunition purchased by a person.

(2) Damage or harm to a person or to property owned or leased by a person caused by a defective firearm or ammunition.

(3) Injunctive relief to enforce a valid statute, rule, or ordinance. However, a person may not bring an action seeking injunctive relief if that action is barred under section 3 of this chapter.

SECTION 7. **An emergency is declared for this act.**

(Reference is to SB 98 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Judiciary.

LONG, Chair

Report adopted.

SENATE MOTION

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

SR 17 Senator Head

Honoring the Ancilla College Chargers.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 17

Senate Resolution 17, introduced by Senator Head:

A SENATE RESOLUTION honoring the Ancilla College Chargers men's and women's basketball teams and their unique partnership with Ounce of Prevention.

*Whereas, On February 7th and 8th, 2015, the Ancilla College Chargers men's and women's basketball teams will pair up with the Ounce of Prevention for their annual event to raise funds and awareness for breast cancer;*

*Whereas, The "Ancilla Chargers for Change" basketball games are dedicated to the Chargers' work and partnership with Ounce of Prevention, a local nonprofit founded in 2003 with the focus of bringing awareness to breast cancer and raising funds to offer support to those fighting this disease in Marshall County, Indiana;*

*Whereas, Ounce of Prevention has raised upwards of \$200,000 since the organization's formation, funds that have been used to provide assistance to individuals of every age and background based on need;*

*Whereas, In 2013 alone, over 300,000 people in the U.S. were diagnosed with breast cancer, and the Chargers and Ounce of Prevention's partnership aids and eases the journey of those diagnosed with the disease locally; and*

*Whereas, This year's men's and women's basketball games mark the sixth annual pairing of the Ancilla Chargers with Ounce of Prevention: Therefore,*

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

SECTION 1. That the Indiana Senate recognizes and honors the Ancilla College Chargers men's and women's basketball teams for their commendable work and partnership with Ounce of Prevention.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to all members of the Ancilla College Chargers men's and women's basketball teams and their head coaches Aaron Butcher and Tom Robbins.

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

## SENATE MOTION

Madam President: I move that Senator Houchin be added as coauthor of Senate Bill 289.

ARNOLD

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Buck be added as third author of Engrossed Senate Bill 514.

CHARBONNEAU

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator A. Banks be added as coauthor of Engrossed Senate Bill 375.

HOUCHIN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Buck be added as third author of Senate Bill 426.

HOUCHIN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 539.

YODER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 524.

ZAKAS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 487.

GLICK

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 383.

HERSHMAN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 347.

YODER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 35.

BOOTS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 27.

KRUSE

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 7.

STEELE

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Houchin be added as third author of Engrossed Senate Bill 324.

HEAD

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Crider be added as coauthor of Engrossed Senate Bill 559.

M. YOUNG

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Raatz be added as coauthor of Senate Bill 271.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as coauthor of Engrossed Senate Bill 92.

SCHNEIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as third author of Senate Bill 361.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mishler be added as second author and Senator Broden be added as coauthor of Senate Bill 292.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Messmer be added as second author of Senate Bill 508.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second author of Senate Bill 506.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 485.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Head be added as second author of Senate Bill 524.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as coauthor of Senate Bill 31.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Arnold be added as coauthor of Engrossed Senate Bill 422.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Head be added as third author of Engrossed Senate Bill 422.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Head be added as third author and Senator Arnold be added as coauthor of Senate Bill 536.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as second author of Senate Bill 361.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as coauthor of Senate Bill 547.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as coauthor of Senate Bill 409.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 336.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 288.

GLICK

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 382.

HERSHMAN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 514.

CHARBONNEAU

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 467.

SCHNEIDER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 485.

CRIDER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 415.

MERRITT

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 476.

HEAD

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 467.

SCHNEIDER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 327.

LEISING

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Grooms be added as second author of Senate Bill 129.

BRODEN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lanane be added as third author of Senate Bill 522.

MRVAN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Taylor be added as coauthor of Senate Bill 524.

ZAKAS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Brown be added as coauthor of Senate Bill 381.

STOOPS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Grooms be added as coauthor of Senate Bill 381.

STOOPS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 345.

ROGERS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author of Senate Bill 439.

HERSHMAN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author and Senator Rogers be added as third author of Senate Bill 383.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Head be added as second author of Senate Bill 412.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Taylor be added as coauthor of Senate Bill 409.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as third author and Senators Breaux, Mrvan, Charbonneau and Becker be added as coauthors of Senate Bill 406.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as coauthor of Engrossed Senate Bill 474.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as coauthor of Engrossed Senate Bill 473.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as coauthor of Senate Bill 568.

SCHNEIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Arnold be added as coauthor of Senate Bill 306.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Arnold be added as second author of Senate Bill 35.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Eckerty be added as second author of Senate Bill 516.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Eckerty be added as second author of Senate Bill 312.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as cosponsor of House Concurrent Resolution 17.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Pete Miller be added as second author and Senator Mrvan be added as coauthor of Senate Bill 271.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hershman be added as second author of Senate Bill 379.

STOOPS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Long be removed as first author and Senator Tomes be substituted therefor of Senate Bill 98.

LONG

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, February 9, 2015.

HERSHMAN

Motion prevailed.

The Senate adjourned at 3:45 p.m.

JENNIFER L. MERTZ  
Secretary of the Senate

SUE ELLSPERMANN  
President of the Senate