



# Journal of the Senate

State of Indiana

121st General Assembly

First Regular Session

Twenty-fourth Meeting Day

Monday Afternoon

February 25, 2019

The Senate convened at 3:12 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Senator Dennis K. Kruse.

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

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

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan <input checked="" type="checkbox"/>
Buck	Niemeyer
Busch	Niezugodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Doriot	Rogers
Ford, J.D.	Ruckelshaus
Ford, Jon	Sandlin
Freeman	Spartz
Garten	Stoops
Gaskill	Tallian
Glick	Taylor, G.
Grooms	Tomes
Head	Walker
Holdman	Young, M.
Houchin	Zay

Roll Call 179: present 49; excused 1. [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.

## SENATE MOTION

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

SR 34 Senator Stoops  
Recognizing Indiana Dance Company's performers.

BRAY

Motion prevailed.

## RESOLUTIONS ON FIRST READING

### Senate Resolution 34

Senate Resolution 34, introduced by Senator Stoops:

A SENATE RESOLUTION recognizing Indiana Dance Company's performers in the America's Clogging All-Stars historical performance during the 2019 London New Year's Day Parade.

*Whereas, Indiana Dance Company is a national award winning studio located in Bloomington, Indiana. Their mission is to make each dancer confident and empowered, while helping them reach their full potential as a dancer and an individual;*

*Whereas, The directors of the PowerTaps clogging team, Ryan Rickard and Marci Rickard, invited dancers from the Indiana Dance Company to join the America's Clogging All-Stars, in order to create a performance comprised of the very best cloggers they could find for the 2019 London New Year's Day Parade. Clogging is a type of dance involving synchronizing movements within a group formation, partner turns, precise footwork, and coordinated arm and head movements;*

*Whereas, America's Clogging All-Stars consists of cloggers from the best teams across the United States. This year, ninety-two cloggers from the United States had the opportunity to entertain the largest parade audience in the world in the 2019 London New Year's Day Parade;*

*Whereas, The following dancers from Indiana Dance Company performed as part of America's Clogging All-Stars: Lyndsey Grayelin, Kenzie Jacobs, Mandy Nethery, Kelsey Shuck, and Maddie Wright;*

*Whereas, The group spent six days in London, performing at media day in Trafalgar Square, Cadogan Hall, and at the pre-parade kick-off ceremony. The parade route went through Piccadilly Circus, Regent Street, Trafalgar Square and Whitehall, ending near Big Ben and Westminster. An estimated 600,000 spectators watched in person while another three million tuned in on TV and live stream; and*

*Whereas, The Lord Mayor of Westminster, Steve Summers, stated that their performance was undoubtedly one of the parade's highlights, and that London loved them: Therefore,*

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

SECTION 1. That the Indiana State Senate recognizes America's Clogging All-Stars, particularly those members from Indiana Dance Company.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Indiana Dance Company.

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

#### SENATE MOTION

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

HCR 20 Senator Rogers  
Congratulating Elaine Shomaker on the occasion of her 100th birthday.

BRAY

Motion prevailed.

### RESOLUTIONS ON FIRST READING

#### House Concurrent Resolution 20

House Concurrent Resolution 20, sponsored by Senator Rogers:

A CONCURRENT RESOLUTION congratulating Elaine Shomaker on the occasion of her 100th birthday.

*Whereas, Dorothy Elaine Shomaker was born on March 1, 1919, to Sue and Jay Beckwith in Cleveland, Ohio;*

*Whereas, Elaine Shomaker's father passed away during the Great Depression and Elaine earned her driver's license at 13 years old to help support her mother and herself;*

*Whereas, Mother and daughter moved to Columbia, Missouri, near the University of Missouri and Stephens College campuses;*

*Whereas, Elaine met her husband, Edwin Leroy Shomaker, on a blind date while he attended the University of Missouri and she attended Stephens College, and the two married in 1940;*

*Whereas, Elaine worked for Kemper Insurance and at a bank after her husband joined the Navy to serve the United States in World War II, and she later moved to Mexico, Missouri, to be with family until his return;*

*Whereas, The young couple welcomed two children into the world in 1945 and 1951 after the end of World War II, and Elaine supported the family as a homemaker while Ed worked as an engineer;*

*Whereas, The Shomaker family settled in Elkhart, Indiana, in 1958, established Arrow Tool and Die, built a life as Hoosiers, and spent fond evenings out on their boat on Paw Paw Lake near their home;*

*Whereas, Elaine went to work and later retired from E.H. Tepe Co. Inc. in Elkhart, Indiana, after her husband, Edwin, passed away in 1975 at the age of 58;*

*Whereas, Elaine's passion for gardening, embroidery, baking, and the Chicago Cubs is well known amongst family, friends, and her community; and*

*Whereas, Elaine, affectionately called "Gram" by loved ones, celebrates her 100th birthday on March 1, 2019: 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 Elaine Shomaker on the occasion of her 100th birthday.

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

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.

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1052, 1089, 1138, 1211, 1214, 1397, 1486, 1518, 1526, 1544, 1591, 1607, 1625, 1629 and 1630 and the same are herewith transmitted to the Senate 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 22 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS  
Principal Clerk of the House

### SENATE BILLS ON SECOND READING

#### Senate Bill 7

Senator Mishler 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 26, line 2, delete "2021," and insert "**2022**,"  
Page 29, line 31, delete "2021," and insert "**2022**,"  
Page 29, line 35, delete "2021;" and insert "**2022**;"  
Page 39, line 7, delete "2021," and insert "**2022**,"  
(Reference is to SB 7 as printed February 22, 2019.)

HOLDMAN

Motion prevailed.

SENATE MOTION  
(Amendment 7–2)

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

Page 2, line 7, delete "2027," and insert "**2025**,".

Page 2, between lines 35 and 36, begin a new line double block indented and insert:

**"(D) All operating revenues of the capital improvement board."**

Page 3, line 13, delete "2040." and insert "**2037**,".

Page 13, line 29, delete "and".

Page 18, line 10, delete "July 1, 2041," and insert "**January 1, 2041**,".

Page 18, line 33, reset in roman "January".

Page 18, line 33, delete "July".

(Reference is to SB 7 as printed February 22, 2019.)

MISHLER

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 57**

Senator Koch called up Senate Bill 57 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 64**

Senator Tomes called up Senate Bill 64 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 64–1)

Madam President: I move that Senate Bill 64 be amended to read as follows:

Page 2, line 1, delete "subsection (k)," and insert "**subsections (k) and (l)**,".

Page 4, line 40, after "(2)" insert "**except as provided in subsection (l)**,".

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

**"(l) This subsection applies to a qualified entity that is a public library. A public library is not required to request a national criminal history background check or conduct an expanded criminal history check (as defined under IC 20-26-2-1.5) on an employee or volunteer whose scope of work includes contact with children, or on a person who conducts a performance, presentation, or workshop for children less than fourteen (14) years of age, if:**

**(1) a public library has obtained the results of a national criminal history background check or an expanded criminal history check with respect to that employee, volunteer, or person within the previous three hundred sixty-five (365) days; and**

**(2) the public library:**

**(A) retains the results of the check (if the public library is the library that requested the check); or**

**(B) receives the results of the check from another public library:**

**(i) directly; or**

**(ii) through a secure electronic gateway maintained by one (1) or more public libraries."**

(Reference is to SB 64 as printed February 22, 2019.)

TOMES

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 66**

Senator Mishler called up Senate Bill 66 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 66–1)

Madam President: I move that Senate Bill 66 be amended to read as follows:

Page 10, between lines 6 and 7, begin a new paragraph and insert:

**"SECTION 13. IC 5-1.2-2-62, AS ADDED BY P.L.189-2018, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 62. "Referenced statutes" means all statutes that grant a power to or impose a duty on the authority, including but not limited to this article, IC 5-1-17, IC 5-1-17.5, IC 5-1.3, IC 8-9.5, IC 8-14.5, IC 8-15, IC 8-15.5, and IC 8-16, and IC 8-26.**

**SECTION 14. IC 5-1.2-4-4, AS ADDED BY P.L.189-2018, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. In addition to the powers listed in section 1 of this chapter, the authority may:**

**(1) enter into leases and issue bonds under terms and conditions determined by the authority and use the proceeds of the bonds to:**

**(A) acquire obligations issued by any entity authorized to acquire, finance, construct, or lease capital improvements under IC 5-1-17;**

**(B) acquire any obligations issued by the northwest Indiana regional development authority established by IC 36-7.5-2-1; or**

**(C) acquire any obligations issued by the Gary-Indiana trans-modal compact established by IC 8-26; or**

**(D) carry out the purposes of IC 5-1-17.5 within a motorsports investment district; and**

**(2) perform any other functions determined by the authority to be necessary or appropriate to carry out the purposes of this section."**

Renumber all SECTIONS consecutively.

(Reference is to SB 66 as printed February 22, 2019.)

MISHLER

Motion prevailed.

SENATE MOTION  
(Amendment 66–2)

Madam President: I move that Senate Bill 66 be amended to read as follows:

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

Page 1, line 10, delete "who may work in space".

Page 1, delete line 11.

Page 1, line 12, delete "College".

Page 1, line 14, delete "shall" and insert "**may**".

Page 19, delete lines 33 through 42.

Page 20, delete lines 1 through 14.

Page 20, line 17, delete "board for the Lake" and insert "**Ivy Tech Community College**".

Page 20, line 18, delete "County campus".

Page 20, line 25, delete "develop" and insert "**development of**".

Page 21, delete lines 31 through 32.

Re-number all SECTIONS consecutively.

(Reference is to SB 66 as printed February 22, 2019.)

MELTON

Motion prevailed. The bill was ordered engrossed.

#### Senate Bill 76

Senator Merritt called up Senate Bill 76 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 104

Senator Walker called up Senate Bill 104 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 108

Senator Grooms called up Senate Bill 108 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 110

Senator Koch called up Senate Bill 110 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 111

Senator Koch called up Senate Bill 111 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 133

Senator Leising called up Senate Bill 133 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 162

Senator Messmer called up Senate Bill 162 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 162-1)

Madam President: I move that Senate Bill 162 be amended to read as follows:

Page 1, line 9, delete "and".

Page 1, line 10, delete "." and insert "; and  
**(5) osteopathic manipulative therapy.**"

Page 2, line 2, after "for" insert "**medically necessary**".

Page 2, line 19, delete "and".

Page 2, line 20, delete "." and insert "; and  
**(5) osteopathic manipulative therapy.**"

Page 3, line 29, delete "and".

Page 3, line 30, delete "." and insert "; and  
**(5) osteopathic manipulative therapy.**"

Page 3, line 37, after "for" insert "**medically necessary**".

Page 4, line 14, delete "and".

Page 4, line 15, delete "." and insert "; and  
**(5) osteopathic manipulative therapy.**"

Page 4, line 17, after "for" insert "**medically necessary**".  
(Reference is to SB 162 as printed February 22, 2019.)

MESSMER

Motion prevailed. The bill was ordered engrossed.

#### Senate Bill 164

Senator Sandlin called up Senate Bill 164 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 196

Senator Head called up Senate Bill 196 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 196-1)

Madam President: I move that Senate Bill 196 be amended to read as follows:

Page 2, line 1, delete "recycler":" and insert "**recycler**" **does not include:**"

Page 2, line 2, delete "includes".

Page 2, line 3, delete "does not include".

(Reference is to SB 196 as printed February 22, 2019.)

HEAD

Motion prevailed. The bill was ordered engrossed.

#### Senate Bill 210

Senator G. Taylor called up Senate Bill 210 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 210-1)

Madam President: I move that Senate Bill 210 be amended to read as follows:

Page 16, between lines 37 and 38, begin a new paragraph and insert:

**"SECTION 34. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "financial responsibility" means the ability to satisfy or mitigate the liability that may arise out of the ownership, maintenance, or use of a motor vehicle. The term includes automobile liability insurance.**

**(b) The legislative council is urged to assign to an appropriate interim study committee the topic of evaluating whether the statutory amount of financial responsibility a person is required to carry under motor vehicle laws is adequate and appropriate."**

Renumber all SECTIONS consecutively.  
(Reference is to SB 210 as printed February 20, 2019.)

KOCH

Motion prevailed.

SENATE MOTION  
(Amendment 210–2)

Madam President: I move that Senate Bill 210 be amended to read as follows:

Page 1, delete lines 1 through 16.

Delete pages 2 through 9.

Page 10, delete lines 1 through 34.

Page 10, line 38, after "reinstatement fees" insert "**for the reinstatement of a driving license that was suspended under this title**".

Page 10, line 39, delete "imposed".

Page 10, line 41, delete "under" and insert "**for the reinstatement of a driving license that was suspended under this title**".

Page 10, delete line 42.

Page 11, delete line 1.

Page 11, line 2, delete "of driving privileges under IC 9-30-3-8(d) was imposed".

Page 11, delete lines 8 through 9, begin a new paragraph and insert:

**"(c) A petition filed under subsection (b) must be filed after September 30, 2019, and before January 1, 2020."**

Page 11, line 11, delete "for a suspension".

Page 11, line 12, delete "of driving privileges under IC 9-30-3-8(d)".

Page 11, line 13, delete "or suspension of driving privileges" and insert "**is for the reinstatement of a driving license that was suspended under this title**".

Page 11, line 14, delete "under IC 9-30-3-8(d) was imposed".

Page 11, delete lines 28 through 42.

Delete pages 12 through 15.

Page 16, delete lines 1 through 25.

Renumber all SECTIONS consecutively.

(Reference is to SB 210 as printed February 20, 2019.)

HOLDMAN

Motion prevailed.

SENATE MOTION  
(Amendment 210–3)

Madam President: I move that Senate Bill 210 be amended to read as follows:

Page 10, line 38, after "reinstatement fees" insert "**for the reinstatement of a driving license that was suspended under this article**".

Page 10, line 39, delete "imposed".

Page 10, line 41, delete "under" and insert "**for the reinstatement of a driving license that was suspended under this article**".

Page 10, delete line 42.

Page 11, delete line 1.

Page 11, line 2, delete "of driving privileges under IC 9-30-3-8(d) was imposed".

Page 11, line 9, delete "2019." and insert "**2020.**".

Page 11, line 11, delete "for a suspension".

Page 11, line 12, delete "of driving privileges under IC 9-30-3-8(d)".

Page 11, line 13, delete "or suspension of driving privileges" and insert "**is for the reinstatement of a driving license that was suspended under this article**".

Page 11, line 14, delete "under IC 9-30-3-8(d) was imposed".

Page 11, line 27, delete "2020." and insert "**2021.**".

(Reference is to SB 210 as printed February 20, 2019.)

LANANE

Motion prevailed. The bill was ordered engrossed.

Senate Bill 221

Senator Koch called up Senate Bill 221 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 221–1)

Madam President: I move that Senate Bill 221 be amended to read as follows:

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

"SECTION 1. IC 36-6-1.5-6, AS AMENDED BY P.L.255-2013, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. The merger becomes effective on January 1 of the year following the ~~adoption of the resolution approving~~ **public question in which voters approve** the merger of the townships. An officer elected to represent the merged township government shall be considered to be a resident of the territory comprising the new township government unless the township merger is dissolved under IC 36-6-1.6.

SECTION 2. IC 36-6-1.5-13 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2019]: **Sec. 13. (a) A public question shall be held in each of the townships that adopted identical resolutions under section 5 of this chapter approving the township government merger. The county election board shall place the following public question on the ballot at the next general election held after the last of the identical resolutions is adopted:**

**"Shall (insert name of township) merge with (insert name or names of townships)?"**

**(b) IC 3, except where inconsistent with this chapter, applies to a public question placed on the ballot under this chapter. A public question under this chapter must be certified in accordance with IC 3-10-9-3 and shall be placed on the ballot in accordance with IC 3-10-9.**

**(c) If a majority of the voters of each township who vote on a public question placed on the ballot under this chapter vote in favor of the public question, the townships shall merge under this chapter in accordance with the adopted resolutions."**

Renumber all SECTIONS consecutively.

(Reference is to SB 221 as printed February 22, 2019.)

BUCK

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 243**

Senator Freeman called up Senate Bill 243 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 266**

Senator Crider called up Senate Bill 266 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 266-1)

Madam President: I move that Senate Bill 266 be amended to read as follows:

Page 10, line 7, after "survey;" delete "or".

Page 10, line 13, after "intervention;" insert "**and**".

Page 12, between lines 23 and 24, begin a new paragraph and insert:

**"Sec. 13. (a) A school corporation or school may not:**

**(1) release information regarding the student in violation of this chapter; or**

**(2) have the student participate in any medical health assessment or services, mental health assessment, mental health service, psychiatric or psychological examination or test, or psychiatric or psychological treatment without the informed written consent of the student's parent as provided under section 9 of this chapter.**

**(b) A school corporation or school shall store a student education record concerning any medical health assessments or services, mental health assessments, mental health services, psychiatric or psychological examinations or tests, or psychiatric or psychological treatments of a student in a secure location.**

**(c) If a school corporation or school violates this section, a student, who is at least eighteen (18) years of age or emancipated, or the parent of a student may file a complaint with the department.**

**(d) If the department determines that a school corporation or school has violated this section, the department may deny a grant or grant funds under the integrated school based mental health and substance use disorder services grant program established by IC 20-34-9-5 to the school corporation or school."**

(Reference is to SB 266 as printed February 19, 2019.)

CRIDER

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 281**

Senator Houchin called up Senate Bill 281 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 283**

Senator Houchin called up Senate Bill 283 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 285**

Senator Stoops called up Senate Bill 285 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 285-1)

Madam President: I move that Senate Bill 285 be amended to read as follows:

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

**"(c) The fiscal body of a county may adopt an ordinance to place on the ballot a local public question granting the fiscal body of the county the authority to impose an additional tax rate on the adjusted gross income of local taxpayers in the county of at least one-tenth percent (0.1%), but not more than twenty-five hundredths percent (0.25%), to raise revenue for a county transit project or projects. The fiscal body shall include in the ordinance:**

**(1) a description of the county transit project or projects; and**

**(2) an estimate of the tax increase necessary to raise revenue for the county transit project or projects.**

**(d) If the fiscal body of a county adopts an ordinance under subsection (c), the county auditor shall certify a copy of the ordinance to the department of local government finance, including the language for the question required by subsection (e). The department shall review the language for compliance with subsection (e). The department of local government finance may approve or reject the language. The department shall send its decision to the county auditor and the fiscal body of the county not more than ten (10) days after the ordinance is submitted to the department. If the language is approved, the county auditor shall certify a copy of the ordinance, including the language for the question and the department's approval, to the county election board of the county.**

**(e) If the county auditor certifies an ordinance to the county election board under subsection (d), the county election board shall place the following question on the election ballot in accordance with IC 3-10-9:**

**"Shall \_\_\_\_\_ County have the ability to impose a local income tax rate, not to exceed a rate of \_\_\_\_\_ (insert recommended rate included in the ordinance authorizing the local public question), to pay for improving or establishing a county transit project or projects \_\_\_\_\_ (insert the description of the county transit project or projects set forth in the ordinance authorizing the local public question)?"**

**(f) The county election board shall place the local public question described in subsection (e) on the ballot at the next general election for which the question may be certified under IC 3-10-9-3 and for which all voters of the county are entitled to vote.**

**(g) After an election on the local public question, the circuit court clerk of the county shall:**

**(1) make a certified copy of the election returns; and**

**(2) not later than five (5) days after the election, file the copy with:**

(A) the department of state revenue; and  
(B) the fiscal body of the county.

(h) The local public question is approved by a county if a majority of the county voters voting on the local public question vote "yes". The local public question is defeated by a county if a majority of the county voters voting on the local public question vote "no".

Page 1, line 13, delete "(c) The" and insert "(i) If the voters of the county approve a local public question under this section, the".

Page 2, line 13, delete "(d)" and insert "(j)".

Page 2, line 13, delete "(c)," and insert "(i),".

Page 2, line 23, delete "(c)." and insert "(i).".

Page 2, line 24, delete "(e)" and insert "(k)".

(Reference is to SB 285 as printed February 20, 2019.)

STOOPS

Motion prevailed. The bill was ordered engrossed.

### Senate Bill 293

Senator Merritt called up Senate Bill 293 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 Crider called up Senate Bill 323 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

### Senate Bill 336

Senator M. Young called up Senate Bill 336 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 336-1)

Madam President: I move that Senate Bill 336 be amended to read as follows:

Page 9, delete lines 30 through 42.

Delete page 10.

Renumber all SECTIONS consecutively.

(Reference is to SB 336 as printed February 22, 2019.)

GLICK

Motion prevailed. The bill was ordered engrossed.

### Senate Bill 358

Senator Tallian called up Senate Bill 358 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

### Senate Bill 359

Senator Crider called up Senate Bill 359 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 359-1)

Madam President: I move that Senate Bill 359 be amended to

read as follows:

Page 5, line 2, after "(b)" insert "A psychiatric crisis center, psychiatric inpatient unit, or psychiatric residential treatment provider may only disclose a patient's individualized mental health safety plan under this subsection without the patient's consent if the psychiatric crisis center, psychiatric inpatient unit, or psychiatric residential treatment provider has determined that the patient is a danger to themselves or another person."

(Reference is to SB 359 as printed February 8, 2019.)

CRIDER

Motion prevailed. The bill was ordered engrossed.

### Senate Bill 373

Senator Kruse called up Senate Bill 373 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

### Senate Bill 380

Senator Koch called up Senate Bill 380 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

### Senate Bill 390

Senator Houchin called up Senate Bill 390 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 390-1)

Madam President: I move that Senate Bill 390 be amended to read as follows:

Page 1, line 4, delete "school employee files a".

Page 1, line 4, after "complaint" insert "is filed".

Page 1, line 4, after "alleges that" insert "a school employer or".

Page 1, line 6, after "section" insert "1(a)(1) or".

Page 1, line 7, after "that the" insert "school employer or".

Page 1, line 8, after "section" insert "1(a)(1) or".

Page 1, line 9, delete "chapter;" and insert "chapter, whichever is applicable;".

(Reference is to SB 390 as printed February 22, 2019.)

TOMES

The Chair ordered a division of the Senate. Yeas 15, nays 32.

Motion failed. The bill was ordered engrossed.

### Senate Bill 392

Senator Houchin called up Senate Bill 392 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

### Senate Bill 421

Senator Bohacek called up Senate Bill 421 for second reading. The bill was re-read a second time by title.

SENATE MOTION  
(Amendment 421-4)

Madam President: I move that Senate Bill 421 be amended to read as follows:

Page 2, between lines 1 and 2, begin a new paragraph and insert:

**"Sec. 0.5. This chapter applies to a township having a population of more than three thousand one hundred (3,100) but less than three thousand five hundred (3,500) that is located in a county having a population of more than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000)."**

Page 2, line 40, delete "one (1) or more townships." and insert **"the township described in section 0.5 of this chapter."**

(Reference is to SB 421 as reprinted February 19, 2019.)

BOHACEK

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 422**

Senator Bohacek called up Senate Bill 422 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 423**

Senator Bohacek called up Senate Bill 423 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 437**

Senator Zay 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 442**

Senator Jon Ford called up Senate Bill 442 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 442-1)

Madam President: I move that Senate Bill 442 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning natural resources.

Page 1, delete lines 1 through 15.

Delete pages 2 through 13.

Page 14, delete lines 1 through 35.

Renumber all SECTIONS consecutively.

(Reference is to SB 442 as printed February 22, 2019.)

JON FORD

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 464**

Senator Merritt called up Senate Bill 464 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 476**

Senator Sandlin called up Senate Bill 476 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 513**

Senator Niezgodski called up Senate Bill 513 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 Head called up Senate Bill 517 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 517-2)

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

Page 1, delete lines 1 through 15.

Page 2, line 34, after "county" insert ", a municipality,".

Page 8, line 12, after "(a)" insert **"If the department determines that the location of a utility's facilities will interfere with a planned highway or bridge construction or improvement project, the commissioner may order the utility to relocate the utility's facilities."**

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

**"(f) If the improvement project involves more than one (1) utility and the work plans of the utilities must be performed sequentially, the department shall designate the sequence in which each utility must perform the utility's work. Upon each utility's completion of work, the department shall promptly, after receiving a notice of the completion from the utility under subsection (d), notify the next utility in the sequence that the utility may begin its work."**

Page 15, between lines 19 and 20, begin a new paragraph and insert:

**"(d) Subject to sections 1.4(k), 1.5, and 4 of this chapter and subsection (b), if a utility does not perform the duties imposed by a final work plan adopted under section 1.4(j) of this chapter within the time frame set forth in the final work plan, the department may relocate, or cause the relocation of, the utility's facilities in accordance with subsection (e), or may file a complaint for an emergency order to compel the utility to relocate the facilities in accordance with subsection (f).**

**(e) If the department relocates, or causes the relocation of, the utility's facilities as authorized under subsection (d), the department may recover from the utility the costs of the relocation. Upon the presentation of an invoice of the costs of the relocation from the department, the utility shall reimburse the department for the costs of the relocation that are not extraordinary costs incurred by the department in relocating, or causing the relocation of, the facilities.**

**(f) If the department seeks an emergency order to compel the utility to relocate the utility's facilities as authorized under subsection (d), the department shall file a complaint for the order in the circuit or superior court of the county**



containing the majority of the facilities to be relocated. Except with respect to a utility that is subject to regulation by the Indiana utility regulatory commission, if the department prevails in an action under this subsection, the court shall order the utility to:

(1) reimburse the department for reasonable litigation expenses, including:

(A) court costs; and

(B) reasonable attorney's fees;

incurred by the department in the action; and

(2) pay to the department a civil penalty of not less than twenty thousand dollars (\$20,000).

(g) If the utility prevails in an action under subsection (f), the court shall order the department to pay:

(1) the costs of any relocation of the utility's facilities in connection with the project; and

(2) the reasonable litigation expenses, including:

(A) court costs; and

(B) reasonable attorney's fees;

incurred by the utility in the action."

Page 15, delete lines 36 through 42, begin a new paragraph and insert:

"SECTION 15. IC 8-23-26-2 IS REPEALED [EFFECTIVE JULY 1, 2019]. Sec. 2: If the department determines that the location of a utility's facilities will interfere with a planned highway or bridge construction or improvement project, the commissioner may order the utility to relocate the utility's facilities. An order issued under this section may not take effect less than six (6) months after the date the department requests, in writing, that the utility provide a facilities relocation plan.

SECTION 16. IC 8-23-26-3 IS REPEALED [EFFECTIVE JULY 1, 2019]. Sec. 3: The department shall give notice under IC 4-21.5-3-6 to the utility of the commissioner's order to relocate the utility's facilities.

SECTION 17. IC 8-23-26-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. A utility that receives notice of an order under section 3 1.3(a) of this chapter may appeal the order under IC 4-21.5-3 for the following reasons:

(1) The utility disputes the necessity of the relocation.

(2) The utility determines that the utility cannot relocate the utility's facilities for any reason."

Delete page 16.

Page 17, delete lines 1 through 33, begin a new paragraph and insert:

"SECTION 19. IC 8-23-26-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 13. If a utility does not carry out the utility's responsibilities under section 10 of this chapter within six (6) months after the department has requested, in writing, a facilities relocation plan, the time frame set forth in the final work plan adopted under section 1.4(j) of this chapter, the department may cause the relocation of the customer service facilities to occur in accordance with the procedures set forth in section 1.7(d) through section 1.7(g) of this chapter.

SECTION 20. IC 8-23-26-14 IS REPEALED [EFFECTIVE JULY 1, 2019]. Sec. 14: (a) If the department causes the relocation of customer service facilities under section 13 of this

chapter, the department may recover the costs of the relocation from the utility.

(b) A utility shall reimburse the department for costs that are allowable under section 12(2) of this chapter and that the department determines are not extraordinary costs incurred under section 13 of this chapter upon the presentation of an invoice of the costs from the department."

Renumber all SECTIONS consecutively.

(Reference is to SB 517 as printed February 22, 2019.)

HEAD

Motion prevailed.

SENATE MOTION

(Amendment 517-3)

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

Page 8, line 12, after "(a)" insert "If the department determines that the location of a utility's facilities will interfere with a planned highway or bridge construction or improvement project, the commissioner may order the utility to relocate the utility's facilities."

Page 11, line 25, after "contract." insert "However, if the utility allows a department contractor to perform the required work, the department shall indemnify the utility for any:

(A) damage to the property or facilities of the utility or the utility's customers;

(B) loss of the utility's service to the utility's customers; or

(C) interruption of the utility's service to the utility's customers;

caused by the department contractor's work."

Page 15, between lines 19 and 20, begin a new paragraph and insert:

"(d) Subject to sections 1.4(k), 1.5, and 4 of this chapter and subsection (b), if a utility does not perform the duties imposed by a final work plan adopted under section 1.4(j) of this chapter within the time frame set forth in the final work plan, the department may relocate, or cause the relocation of, the utility's facilities in accordance with subsection (e), or may file a complaint for an emergency order to compel the utility to relocate the facilities in accordance with subsection (f).

(e) If the department relocates, or causes the relocation of, the utility's facilities as authorized under subsection (d), the department may recover from the utility the costs of the relocation. Upon the presentation of an invoice of the costs of the relocation from the department, the utility shall reimburse the department for the costs of the relocation that are not extraordinary costs incurred by the department in relocating, or causing the relocation of, the facilities. However, if the department relocates, or causes the relocation of, the utility's facilities as authorized under subsection (d), the department shall indemnify the utility for any:

(1) damage to the property or facilities of the utility or the utility's customers;

- (2) loss of the utility's service to the utility's customers; or
- (3) interruption of the utility's service to the utility's customers;

caused by the department's, or by a department contractor's, relocation of the utility's facilities.

(f) If the department seeks an emergency order to compel the utility to relocate the utility's facilities as authorized under subsection (d), the department shall file a complaint for the order in the circuit or superior court of the county containing the majority of the facilities to be relocated. Except with respect to a utility that is subject to regulation by the Indiana utility regulatory commission, if the department prevails in an action under this subsection, the court shall order the utility to:

(1) reimburse the department for reasonable litigation expenses, including:

(A) court costs; and

(B) reasonable attorney's fees;

incurred by the department in the action; and

(2) pay to the department a civil penalty of not less than twenty thousand dollars (\$20,000).

(g) If the utility prevails in an action under subsection (f), the court shall order the department to pay:

(1) the costs of any relocation of the utility's facilities in connection with the project; and

(2) the reasonable litigation expenses, including:

(A) court costs; and

(B) reasonable attorney's fees;

incurred by the utility in the action."

Page 15, delete lines 36 through 42, begin a new paragraph and insert:

"SECTION 16. IC 8-23-26-2 IS REPEALED [EFFECTIVE JULY 1, 2019]. Sec. 2: If the department determines that the location of a utility's facilities will interfere with a planned highway or bridge construction or improvement project, the commissioner may order the utility to relocate the utility's facilities. An order issued under this section may not take effect less than six (6) months after the date the department requests, in writing, that the utility provide a facilities relocation plan.

SECTION 17. IC 8-23-26-3 IS REPEALED [EFFECTIVE JULY 1, 2019]. Sec. 3: The department shall give notice under IC 4-21.5-3-6 to the utility of the commissioner's order to relocate the utility's facilities:

SECTION 18. IC 8-23-26-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. A utility that receives notice of an order under section 3 **1.3(a)** of this chapter may appeal the order under IC 4-21.5-3 for the following reasons:

(1) The utility disputes the necessity of the relocation.

(2) The utility determines that the utility cannot relocate the utility's facilities for any reason."

Delete page 16.

Page 17, delete lines 1 through 33, begin a new paragraph and insert:

"SECTION 19. IC 8-23-26-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 13. If a utility does not carry out the utility's responsibilities under section 10 of

this chapter within six (6) months after the department has requested, in writing, a facilities relocation plan, the time frame set forth in the final work plan adopted under section 1.4(j) of this chapter, the department may cause the relocation of the customer service facilities to occur in accordance with the procedures set forth in section 1.7(d) through section 1.7(g) of this chapter. However, if the department relocates, or causes the relocation of, the utility's customer service facilities under this section, the department shall indemnify the utility for any:

(1) damage to the property or facilities of the utility or the utility's customers;

(2) loss of the utility's service to the utility's customers; or

(3) interruption of the utility's service to the utility's customers;

caused by the department's, or by a department contractor's, relocation of the utility's customer service facilities.

SECTION 20. IC 8-23-26-14 IS REPEALED [EFFECTIVE JULY 1, 2019]. Sec. 14: (a) If the department causes the relocation of customer service facilities under section 13 of this chapter, the department may recover the costs of the relocation from the utility.

(b) A utility shall reimburse the department for costs that are allowable under section 12(2) of this chapter and that the department determines are not extraordinary costs incurred under section 13 of this chapter upon the presentation of an invoice of the costs from the department."

Renumber all SECTIONS consecutively.

(Reference is to SB 517 as printed February 22, 2019.)

KOCH

Motion prevailed. The bill was ordered engrossed.

#### Senate Bill 546

Senator Spartz called up Senate Bill 546 for second reading. The bill was read a second time by title.

SENATE MOTION

(Amendment 546-1)

Madam President: I move that Senate Bill 546 be amended to read as follows:

Page 2, between lines 10 and 11, begin a new line block indented and insert:

**"(8) One (1) member appointed by the exclusive representative (as defined in IC 20-29-2-9) that represents the largest number of members in Indiana at the time of appointment.**

**(9) One (1) member appointed by the exclusive representative (as defined in IC 20-29-2-9) that represents the second largest number of members in Indiana at the time of appointment."**

(Reference is to SB 546 as printed February 22, 2019.)

STOOPS

Motion failed. The bill was ordered engrossed.

**Senate Bill 547**

Senator Spartz called up Senate Bill 547 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 548**

Senator Spartz called up Senate Bill 548 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 552**

Senator Messmer called up Senate Bill 552 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 552-3)

Madam President: I move that Senate Bill 552 be amended to read as follows:

Page 2, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 4. IC 4-31-11-4, AS AMENDED BY P.L.256-2015, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) Each development committee consists of three (3) members appointed as follows:

- (1) One (1) member appointed by the governor, who shall chair the committee.
- (2) One (1) member appointed by the ~~permit holder of the track where the breed of horse races.~~ **lieutenant governor.**
- (3) One (1) member appointed by the ~~horsemen's association that is approved for funding by the Indiana horse racing commission. and representing owners.~~

(b) The members of each development committee must be residents of Indiana who are knowledgeable in horse breeding and racing. ~~and must include one (1) member who is an owner and one (1) member who is a breeder.~~ No more than two (2) members of each development committee may be members of the same political party.

~~(c) If more than one (1) horsemen's association for a breed represents owners, the associations must agree on the associations' appointment described in subsection (a)(3) to the development committee.~~

**(c) For a member to be eligible for an appointment and to continue to serve on a development committee under subsection (a), the member must hold a valid current license issued by the commission."**

Page 9, between lines 33 and 34, begin a new paragraph and insert:

**"(k) If a riverboat relocates under this section or section 4.6 of this chapter to Vigo County, the licensed owner shall pay one million five hundred thousand dollars (\$1,500,000) to the department of natural resources on a date established by the licensed owner and the commission in each year, for three (3) years, that the relocated riverboat is in operation. The department of natural resources shall deposit the payments received under this subsection in the West Baden Springs historic hotel preservation and maintenance fund**

**established under IC 36-7-11.5-11.**

**(l) If a riverboat relocates under this section or section 4.6 of this chapter to Vigo County, the licensed owner shall pay:**

- (1) a one (1) time payment of one million two hundred thousand dollars (\$1,200,000) within the first year of the relocated riverboat operating in Vigo County;**
- (2) a one (1) time payment of nine hundred thousand dollars (\$900,000) within the second year of the relocated riverboat operating in Vigo County; and**
- (3) a one (1) time payment of six hundred thousand dollars (\$600,000) within the third year of the relocated riverboat operating in Vigo County;**

**to the city of Evansville."**

Page 9, line 36, delete "If gaming operations are relocated within the city" and insert **"(a) If a licensed owner holding a license under section 1(a)(1) of this chapter applies to the commission to relocate gaming operations to a location in Vigo County, the licensed owner shall provide notice of the filing of the application to all of the owners of riverboats licensed to operate under this article by certified mail, return receipt requested.**

**(b) Any licensed owner may, within thirty (30) days of receipt of a notice under subsection (a), file a declaration of interest to compete for ownership of the riverboat license that is proposed to be relocated to Vigo County.**

**(c) Upon the receipt of any declaration of interest described in subsection (b), the commission shall initiate the following process to value the riverboat license that is being proposed to be relocated to Vigo County:**

- (1) The commission shall retain three (3) appraisers to determine the fair market value of the riverboat license proposed to be relocated to Vigo County. Any licensed owner that filed a declaration of interest shall promptly reimburse the commission for the appraiser's fees.**
- (2) The commission shall select appraisers that have at least five (5) years experience of determining the value of gaming licenses.**
- (3) Each appraiser shall certify to the commission in writing and under oath that the appraiser does not have any conflicts of interest in appraising the value of the riverboat license.**
- (4) Each appraiser shall independently determine the fair market value of the riverboat license that is the subject of the application for relocation of the date of the appraisal. The determination of fair market value shall be based on the riverboat being sited within the city of Gary and shall not include the value of the land the riverboat is located on within the city of Gary.**
- (5) Each appraiser shall submit a report to the commission describing in detail the facts, conclusion, and methodology used by the appraiser to determine the fair market value of the riverboat license.**
- (6) Upon receipt of the appraisals, the commission shall add the fair market value determined by each appraiser and divide the total by three (3) to determine the fair market value of the riverboat license to be relocated to Vigo County. If an appraisal is ten percent (10%) less than the average of the two (2) other appraisals, it shall**

not be used and the remaining two (2) appraisals shall be added together and the total shall be divided by two (2) to determine the fair market value of the license being relocated to Vigo County.

(d) Upon the completion of the process described in subsection (c), the commission may determine whether the holder of the riverboat license described in section 1(a)(1) of this chapter may be relocated to Vigo County or be required to sell its license to a license holder that filed a declaration of interest. In making this determination, the commission shall consider:

- (1) economic benefits;
- (2) tax revenue;
- (3) the number of new jobs;
- (4) whether the applicant plans to make at least fifty percent (50%) of the owner's proposed investment in the Vigo County casino for the development of nongaming amenities;
- (5) whether the applicant has a resolution of support from the legislative body of the unit in Vigo County where it seeks to relocate;
- (6) the financial stability of the applicant;
- (7) the applicant's history of community involvement; and
- (8) any other factor that the commission considers appropriate.

(e) If the commission determines that a license holder that has filed a declaration of interest may purchase the license of the license holder described in section 1(a)(1) of this chapter for the fair market value as determined under subsection (c) and relocate the gaming operation to Vigo County, the commission shall:

- (1) require the license holder that filed the successful declaration of interest to promptly deliver to the commission, not later than ten (10) days after the commission's determination, an irrevocable letter of credit, issued by a bank acceptable to the commission, in the amount of the fair market value in favor of the license holder described in section 1(a)(1) of this chapter to secure payment for the purchase price;
- (2) fix a date certain for the sale of the license; and
- (3) impose other requirements that the commission deems necessary and appropriate to protect the interest of the state, the license holder under section 1(a)(1) of this chapter, and the license holder that filed the successful declaration of interest."

Page 9, delete lines 37 through 42.

Page 10, delete line 15.

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

"SECTION 18. IC 4-33-6-7, AS AMENDED BY P.L.234-2007, SECTION 302, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7. (a) In granting a license under this chapter, the commission may give favorable consideration to the following:

- (1) Economically depressed areas of Indiana.
- (2) Areas of Indiana with an undue economic concentration.

~~(2)~~ (3) Applicants presenting plans that provide for significant economic development over a large geographic area.

(b) This subsection applies to any owner's license issued for a city described in section 1(a)(1) of this chapter. The commission must require the applicant to provide assurances that economic development will occur in the city and that adequate infrastructure and site preparation will be provided to support the riverboat operation. In order to prove the assurance that economic development will occur, the applicant must:

- (1) construct or provide for the construction of an approved hotel; or
- (2) cause economic development that will have an economic impact on the city that exceeds the economic impact that the construction of an approved hotel would have.

(c) This subsection applies to an owner's license issued for the City of East Chicago. If a controlling interest in the owner's license is transferred, the fiscal body of the City of East Chicago may adopt an ordinance voiding any term of the development agreement (as defined by IC 36-1-8-9.5) between:

- (1) the city; and
- (2) the person transferring the controlling interest in the owner's license;

that is in effect as of the date the controlling interest is transferred. The ordinance may provide for any payments made under the redevelopment agreement, including those held in escrow, to be redirected to the City of East Chicago for use as directed by ordinance of the city fiscal body. A requirement to redirect a payment is valid to the same extent as if the requirement had been part of the original agreement. If the ordinance provides for the voiding and renegotiation of any part of a redevelopment agreement, the mayor of the City of East Chicago may negotiate with the person acquiring a controlling interest in the owner's license to replace any terms voided by the ordinance. Terms negotiated under this subsection must be ratified in an ordinance adopted by the city legislative body."

Page 17, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 27. IC 4-33-13-5, AS AMENDED BY P.L.212-2018(ss), SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) This subsection does not apply to tax revenue remitted by an operating agent operating a riverboat in a historic hotel district. After funds are appropriated under section 4 of this chapter, each month the treasurer of state shall distribute the tax revenue deposited in the state gaming fund under this chapter to the following:

(1) An amount equal to the following shall be set aside for revenue sharing under subsection (e):

(A) Before July 1, 2021, the first thirty-three million dollars (\$33,000,000) of tax revenues collected under this chapter shall be set aside for revenue sharing under subsection (e).

(B) After June 30, 2021, if the total adjusted gross receipts received by licensees from gambling games authorized under this article during the preceding state fiscal year is equal to or greater than the total adjusted

gross receipts received by licensees from gambling games authorized under this article during the state fiscal year ending June 30, 2020, the first thirty-three million dollars (\$33,000,000) of tax revenues collected under this chapter shall be set aside for revenue sharing under subsection (e).

(C) After June 30, 2021, if the total adjusted gross receipts received by licensees from gambling games authorized under this article during the preceding state fiscal year is less than the total adjusted gross receipts received by licensees from gambling games authorized under this article during the state year ending June 30, 2020, an amount equal to the first thirty-three million dollars (\$33,000,000) of tax revenues collected under this chapter multiplied by the result of:

- (i) the total adjusted gross receipts received by licensees from gambling games authorized under this article during the preceding state fiscal year; divided by
- (ii) the total adjusted gross receipts received by licensees from gambling games authorized under this article during the state fiscal year ending June 30, 2020;

shall be set aside for revenue sharing under subsection (e).

(2) Subject to subsection (c), twenty-five percent (25%) of the remaining tax revenue remitted by each licensed owner shall be paid:

(A) to the city that is designated as the home dock of the riverboat from which the tax revenue was collected, in the case of:

- (i) a city described in IC 4-33-12-6(b)(1)(A); or
- (ii) a city located in a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000); or

(B) to the county that is designated as the home dock of the riverboat from which the tax revenue was collected, in the case of a riverboat whose home dock is not in a city described in clause (A).

(3) Subject to subsection (d), the remainder of the tax revenue remitted by each licensed owner shall be paid to the state general fund. In each state fiscal year, the treasurer of state shall make the transfer required by this subdivision not later than the last business day of the month in which the tax revenue is remitted to the state for deposit in the state gaming fund. However, if tax revenue is received by the state on the last business day in a month, the treasurer of state may transfer the tax revenue to the state general fund in the immediately following month.

(b) This subsection applies only to tax revenue remitted by an operating agent operating a riverboat in a historic hotel district after June 30, ~~2015~~ 2019. After funds are appropriated under section 4 of this chapter, each month the treasurer of state shall distribute the tax revenue remitted by the operating agent under this chapter as follows:

(1) Fifty-six and five-tenths percent (56.5%) shall be paid as follows:

(A) Sixty-six and four-tenths percent (66.4%) shall

be paid to the state general fund.

**(B) Thirty-three and six-tenths percent (33.6%) shall be paid to the West Baden Springs historic hotel preservation and maintenance fund established by IC 36-7-11.5-11(b). However, at any time the balance in that fund exceeds twenty-five million dollars (\$25,000,000), the amount described in this clause shall be paid to the state general fund.**

(2) Forty-three and five-tenths percent (43.5%) shall be paid as follows:

(A) Twenty-two and four-tenths percent (22.4%) shall be paid as follows:

- (i) Fifty percent (50%) to the fiscal officer of the town of French Lick.
- (ii) Fifty percent (50%) to the fiscal officer of the town of West Baden Springs.

(B) Fourteen and eight-tenths percent (14.8%) shall be paid to the county treasurer of Orange County for distribution among the school corporations in the county. The governing bodies for the school corporations in the county shall provide a formula for the distribution of the money received under this clause among the school corporations by joint resolution adopted by the governing body of each of the school corporations in the county. Money received by a school corporation under this clause must be used to improve the educational attainment of students enrolled in the school corporation receiving the money. Not later than the first regular meeting in the school year of a governing body of a school corporation receiving a distribution under this clause, the superintendent of the school corporation shall submit to the governing body a report describing the purposes for which the receipts under this clause were used and the improvements in educational attainment realized through the use of the money. The report is a public record.

(C) Thirteen and one-tenth percent (13.1%) shall be paid to the county treasurer of Orange County.

(D) Five and three-tenths percent (5.3%) shall be distributed quarterly to the county treasurer of Dubois County for appropriation by the county fiscal body after receiving a recommendation from the county executive. The county fiscal body for the receiving county shall provide for the distribution of the money received under this clause to one (1) or more taxing units (as defined in IC 6-1.1-1-21) in the county under a formula established by the county fiscal body after receiving a recommendation from the county executive.

(E) Five and three-tenths percent (5.3%) shall be distributed quarterly to the county treasurer of Crawford County for appropriation by the county fiscal body after receiving a recommendation from the county executive. The county fiscal body for the receiving county shall provide for the distribution of the money received under this clause to one (1) or more taxing units (as defined in IC 6-1.1-1-21) in the county under a formula established by the county fiscal body after receiving a recommendation from the county executive.

(F) Six and thirty-five hundredths percent (6.35%) shall be paid to the fiscal officer of the town of Paoli.

(G) Six and thirty-five hundredths percent (6.35%) shall be paid to the fiscal officer of the town of Orleans.

(H) Twenty-six and four-tenths percent (26.4%) shall be paid to the Indiana economic development corporation established by IC 5-28-3-1 for transfer as follows:

(i) Beginning after December 31, 2017, ten percent (10%) of the amount transferred under this clause in each calendar year shall be transferred to the South Central Indiana Regional Economic Development Corporation or a successor entity or partnership for economic development for the purpose of recruiting new business to Orange County as well as promoting the retention and expansion of existing businesses in Orange County.

(ii) The remainder of the amount transferred under this clause in each calendar year shall be transferred to Radius Indiana or a successor regional entity or partnership for the development and implementation of a regional economic development strategy to assist the residents of Orange County and the counties contiguous to Orange County in improving their quality of life and to help promote successful and sustainable communities.

To the extent possible, the Indiana economic development corporation shall provide for the transfer under item (i) to be made in four (4) equal installments. However, an amount sufficient to meet current obligations to retire or refinance indebtedness or leases for which tax revenues under this section were pledged before January 1, 2015, by the Orange County development commission shall be paid to the Orange County development commission before making distributions to the South Central Indiana Regional Economic Development Corporation and Radius Indiana or their successor entities or partnerships. The amount paid to the Orange County development commission shall proportionally reduce the amount payable to the South Central Indiana Regional Economic Development Corporation and Radius Indiana or their successor entities or partnerships.

(c) For each city and county receiving money under subsection (a)(2), the treasurer of state shall determine the total amount of money paid by the treasurer of state to the city or county during the state fiscal year 2002. The amount determined is the base year revenue for the city or county. The treasurer of state shall certify the base year revenue determined under this subsection to the city or county. The total amount of money distributed to a city or county under this section during a state fiscal year may not exceed the entity's base year revenue. For each state fiscal year, the treasurer of state shall pay that part of the riverboat wagering taxes that:

- (1) exceeds a particular city's or county's base year revenue; and
- (2) would otherwise be due to the city or county under this section;

to the state general fund instead of to the city or county.

(d) Each state fiscal year the treasurer of state shall transfer from the tax revenue remitted to the state general fund under subsection (a)(3) to the build Indiana fund an amount that when added to the following may not exceed two hundred fifty million dollars (\$250,000,000):

- (1) Surplus lottery revenues under IC 4-30-17-3.
- (2) Surplus revenue from the charity gaming enforcement fund under IC 4-32.2-7-7.
- (3) Tax revenue from pari-mutuel wagering under IC 4-31-9-3.

The treasurer of state shall make transfers on a monthly basis as needed to meet the obligations of the build Indiana fund. If in any state fiscal year insufficient money is transferred to the state general fund under subsection (a)(3) to comply with this subsection, the treasurer of state shall reduce the amount transferred to the build Indiana fund to the amount available in the state general fund from the transfers under subsection (a)(3) for the state fiscal year.

(e) Except as provided in subsections (l) and (m), before August 15 of each year, the treasurer of state shall distribute the wagering taxes set aside for revenue sharing under subsection (a)(1) to the county treasurer of each county that does not have a riverboat according to the ratio that the county's population bears to the total population of the counties that do not have a riverboat. Except as provided in subsection (h), the county auditor shall distribute the money received by the county under this subsection as follows:

- (1) To each city located in the county according to the ratio the city's population bears to the total population of the county.
- (2) To each town located in the county according to the ratio the town's population bears to the total population of the county.
- (3) After the distributions required in subdivisions (1) and (2) are made, the remainder shall be retained by the county.

(f) Money received by a city, town, or county under subsection (e) or (h) may be used for any of the following purposes:

- (1) To reduce the property tax levy of the city, town, or county for a particular year (a property tax reduction under this subdivision does not reduce the maximum levy of the city, town, or county under IC 6-1.1-18.5).
- (2) For deposit in a special fund or allocation fund created under IC 8-22-3.5, IC 36-7-14, IC 36-7-14.5, IC 36-7-15.1, and IC 36-7-30 to provide funding for debt repayment.
- (3) To fund sewer and water projects, including storm water management projects.
- (4) For police and fire pensions.
- (5) To carry out any governmental purpose for which the money is appropriated by the fiscal body of the city, town, or county. Money used under this subdivision does not reduce the property tax levy of the city, town, or county for a particular year or reduce the maximum levy of the city, town, or county under IC 6-1.1-18.5.

(g) Before July 15 of each year, the treasurer of state shall determine the total amount of money distributed to an entity

under IC 4-33-12-6 or IC 4-33-12-8 during the preceding state fiscal year. If the treasurer of state determines that the total amount of money distributed to an entity under IC 4-33-12-6 or IC 4-33-12-8 during the preceding state fiscal year was less than the entity's base year revenue (as determined under IC 4-33-12-9), the treasurer of state shall make a supplemental distribution to the entity from taxes collected under this chapter and deposited into the state general fund. Except as provided in subsection (i), the amount of an entity's supplemental distribution is equal to:

(1) the entity's base year revenue (as determined under IC 4-33-12-9); minus

(2) the sum of:

(A) the total amount of money distributed to the entity and constructively received by the entity during the preceding state fiscal year under IC 4-33-12-6 or IC 4-33-12-8; plus

(B) the amount of any admissions taxes deducted under IC 6-3.1-20-7.

(h) This subsection applies only to a county containing a consolidated city. The county auditor shall distribute the money received by the county under subsection (e) as follows:

(1) To each city, other than a consolidated city, located in the county according to the ratio that the city's population bears to the total population of the county.

(2) To each town located in the county according to the ratio that the town's population bears to the total population of the county.

(3) After the distributions required in subdivisions (1) and (2) are made, the remainder shall be paid in equal amounts to the consolidated city and the county.

(i) This subsection applies to a supplemental distribution made after June 30, 2017. The maximum amount of money that may be distributed under subsection (g) in a state fiscal year is equal to the following:

(1) Before July 1, 2021, forty-eight million dollars (\$48,000,000).

(2) After June 30, 2021, if the total adjusted gross receipts received by licensees from gambling games authorized under this article during the preceding state fiscal year is equal to or greater than the total adjusted gross receipts received by licensees from gambling games authorized under this article during the state fiscal year ending June 30, 2020, the maximum amount is forty-eight million dollars (\$48,000,000).

(3) After June 30, 2021, if the total adjusted gross receipts received by licensees from gambling games authorized under this article during the preceding state fiscal year is less than the total adjusted gross receipts received by licensees from gambling games authorized under this article during the state fiscal year ending June 30, 2020, the maximum amount is equal to the result of:

(A) forty-eight million dollars (\$48,000,000); multiplied by

(B) the result of:

(i) the total adjusted gross receipts received by licensees from gambling games authorized under this

article during the preceding state fiscal year; divided by

(ii) the total adjusted gross receipts received by licensees from gambling games authorized under this article during the state fiscal year ending June 30, 2020.

If the total amount determined under subsection (g) exceeds the maximum amount determined under this subsection, the amount distributed to an entity under subsection (g) must be reduced according to the ratio that the amount distributed to the entity under IC 4-33-12-6 or IC 4-33-12-8 bears to the total amount distributed under IC 4-33-12-6 and IC 4-33-12-8 to all entities receiving a supplemental distribution.

(j) This subsection applies to a supplemental distribution, if any, payable to Lake County, Hammond, Gary, or East Chicago under subsections (g) and (i). Beginning in July 2016, the treasurer of state shall, after making any deductions from the supplemental distribution required by IC 6-3.1-20-7, deduct from the remainder of the supplemental distribution otherwise payable to the unit under this section the lesser of:

(1) the remaining amount of the supplemental distribution; or

(2) the difference, if any, between:

(A) three million five hundred thousand dollars (\$3,500,000); minus

(B) the amount of admissions taxes constructively received by the unit in the previous state fiscal year.

The treasurer of state shall distribute the amounts deducted under this subsection to the northwest Indiana redevelopment authority established under IC 36-7.5-2-1 for deposit in the development authority revenue fund established under IC 36-7.5-4-1.

(k) Money distributed to a political subdivision under subsection (b):

(1) must be paid to the fiscal officer of the political subdivision and may be deposited in the political subdivision's general fund or riverboat fund established under IC 36-1-8-9, or both;

(2) may not be used to reduce the maximum levy under IC 6-1.1-18.5 of a county, city, or town or the maximum tax rate of a school corporation, but, except as provided in subsection (b)(2)(B), may be used at the discretion of the political subdivision to reduce the property tax levy of the county, city, or town for a particular year;

(3) except as provided in subsection (b)(2)(B), may be used for any legal or corporate purpose of the political subdivision, including the pledge of money to bonds, leases, or other obligations under IC 5-1-14-4; and

(4) is considered miscellaneous revenue.

Money distributed under subsection (b)(2)(B) must be used for the purposes specified in subsection (b)(2)(B).

(l) After June 30, 2020, the amount of wagering taxes that would otherwise be distributed to South Bend under subsection (e) shall be deposited as being received from all riverboats whose supplemental wagering tax, as calculated under IC 4-33-12-1.5(b), is over three and five-tenths percent (3.5%). The amount deposited under this subsection, in each riverboat's account, is proportionate to the supplemental wagering tax

received from that riverboat under IC 4-33-12-1.5 in the month of July. The amount deposited under this subsection must be distributed in the same manner as the supplemental wagering tax collected under IC 4-33-12-1.5. This subsection expires June 30, 2021.

(m) After June 30, 2021, the amount of wagering taxes that would otherwise be distributed to South Bend under subsection (e) shall be withheld and deposited in the state general fund.

SECTION 27. IC 4-33-13-5.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 5.3. (a)** The auditor of state shall determine the total amount of money paid by the auditor of state to an entity subject to this section under IC 4-35-8.5-2 and section 5 of this chapter during the state fiscal year 2019. The amount determined under this subsection is the base year revenue for each entity subject to this section. The auditor of state shall certify the base year revenue determined under this subsection to each entity subject to this section.

(b) This subsection applies if a person holding a riverboat owner's license under IC 4-33-6-1(a)(1) relocates the riverboat to another location in Gary. If the total amount payable to Gary under section 5 of this chapter is greater than the base revenue determined under subsection (a), the auditor of state shall deduct the lesser of the following from the amount otherwise payable to Gary:

- (1) The difference between the base revenue determined for Hammond under subsection (a) and the amount payable to Hammond under section 5 of this chapter.
- (2) The difference between the amount payable to Gary under section 5 of this chapter and the base revenue determined for Gary under subsection (a).

The auditor of state shall supplement the amount payable to Hammond under section 5 of this chapter with the amount deducted under this subsection. The auditor of state shall make the determinations and supplement the amount payable under this subsection each year, for the first three (3) years after the riverboat relocates to another location in Gary.

(c) This subsection applies if a person holding a riverboat owner's license under IC 4-33-6-1(a)(1) relocates the riverboat to another location in Gary. If the total amount payable to Gary under section 5 of this chapter is greater than the base revenue determined under subsection (a), the auditor of state shall deduct the lesser of the following from the amount otherwise payable to Gary:

- (1) The difference between the base revenue determined for East Chicago under subsection (a) and the amount payable to East Chicago under section 5 of this chapter.
- (2) The difference between the amount payable to Gary under section 5 of this chapter and the base revenue determined for Gary under subsection (a).

The auditor of state shall supplement the amount payable to East Chicago under section 5 of this chapter with the amount deducted under this subsection. The auditor of state shall make the determinations and supplement the amount payable under this subsection each year, for the first three

(3) years after the riverboat relocates to another location in Gary.

(d) This subsection applies if a person holding a riverboat owner's license under IC 4-33-6-1(a)(1) relocates the riverboat to another location in Gary. If the total amount payable to Gary under section 5(a)(2) of this chapter is greater than the base revenue determined under subsection (a), the auditor of state shall deduct the lesser of the following from the amount otherwise payable to Gary:

- (1) The difference between the base revenue determined for Michigan City under subsection (a) and the amount payable to Michigan City under section 5(a)(2) of this chapter.
- (2) The difference between the amount payable to Gary under section 5(a)(2) of this chapter and the base revenue determined for Gary under subsection (a).

The auditor of state shall supplement the amount payable to Michigan City under section 5(a)(2) of this chapter with the amount deducted under this subsection. The auditor of state shall make the determinations and supplement the amount payable under this subsection each year, for the first three (3) years after the riverboat relocates to another location in Gary.

(e) This subsection applies if a person holding a riverboat owner's license under IC 4-33-6-1(a)(1) relocates the riverboat to another location in Gary. If the total amount payable to Gary under section 5(a)(2) of this chapter is greater than the base revenue determined under subsection (a), the auditor of state shall deduct the lesser of the following from the amount otherwise payable to Gary:

- (1) The difference between the base revenue determined for LaPorte County under subsection (a) and the amount payable to Michigan City under section 5(a)(2) of this chapter.
- (2) The difference between the amount payable to LaPorte County under section 5(a)(2) of this chapter and the base revenue determined for Gary under subsection (a).

The auditor of state shall supplement the amount payable to LaPorte County under section 5(a)(2) of this chapter with the amount deducted under this subsection. The auditor of state shall make the determinations and supplement the amount payable under this subsection each year, for the first three (3) years after the riverboat relocates to another location in Gary."

Page 20, delete lines 18 through 26, begin a new paragraph and insert:

"SECTION 32. IC 4-35-5-2.4, AS ADDED BY P.L. 233-2007, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 2.4.** In determining whether to grant a license under this chapter to an applicant, the commission shall consider the following:

- (1) The character, reputation, experience, and financial integrity of the following:
  - (A) The applicant.
  - (B) A person that:
    - (i) directly or indirectly controls the applicant; or



(ii) is directly or indirectly controlled by the applicant or by a person that directly or indirectly controls the applicant.

(2) The facilities or proposed facilities for the conduct of gambling games. The facilities or proposed facilities must include capital expenditures of at least one hundred million dollars (\$100,000,000).

(3) The prospective total revenue to be collected by the state from the conduct of gambling games.

(4) The good faith affirmative action plan of each applicant to recruit, train, and upgrade minorities in all employment classifications.

(5) The financial ability of the applicant to purchase and maintain adequate liability and casualty insurance.

(6) If the applicant has adequate capitalization to provide and maintain facilities for gambling games for the duration of the license.

(7) The extent to which the applicant exceeds or meets other standards adopted by the commission.

**(8) Whether the facilities or proposed facilities for the conduct of gambling games are in or will be in areas of undue economic concentration."**

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

**"(b) A gambling game tax is imposed on eighty-eight percent (88%) of the adjusted gross receipts received from wagering on table games authorized under this article. The tax is equal to twenty percent (20%) of the adjusted gross receipts received by a licensee during the period beginning July 1 of each year and ending June 30 the following year."**

Page 28, line 29, strike "(b)" and insert "(c)".

Page 28, line 37, strike "(c)" and insert "(d)".

Page 28, line 39, strike "(d)" and insert "(e)".

Page 29, line 1, strike "(e)" and insert "(f)".

Page 32, delete line 22.

Page 32, line 23, delete "(5)" and insert "(4)".

Page 35, line 17, delete "must do the following:" and insert "**must:**".

Page 35, line 18, delete "Submit" and insert "**submit**".

Page 35, line 20, delete "wagering." and insert "**wagering; and**".

Page 35, line 21, delete "Pay" and insert "**pay**".

Page 45, between lines 39 and 40, begin a new paragraph and insert:

"SECTION 46. IC 36-7-11.5-11, AS AMENDED BY P.L.255-2015, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 11. (a) As used in this section, "fund" refers to the West Baden Springs historic hotel preservation and maintenance fund established by subsection (b).

(b) The West Baden Springs historic hotel preservation and maintenance fund is established. The fund consists of the following:

(1) Amounts deposited in the fund under IC 4-33-6.5-6, IC 4-33-12-6 (before the enactment of P.L.96-2010), IC 4-33-13-5(b) (before July 1, 2015), IC 6-9-45.5, and IC 6-9-45.6.

(2) Grants and gifts that the department of natural resources receives for the fund under terms, obligations, and liabilities that the department considers appropriate.

(3) The one million dollar (\$1,000,000) initial fee paid to the gaming commission under IC 4-33-6.5.

(4) Any amount transferred to the fund upon the repeal of IC 36-7-11.5-8 (the community trust fund).

**(5) Amounts paid to the department of natural resources under IC 4-33-6-4.5(k).**

The fund shall be administered by the department of natural resources. The expenses of administering the fund shall be paid from money in the fund.

(c) The treasurer of state shall invest the money in the fund that is not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. The treasurer of state shall deposit in the fund the interest that accrues from the investment of the fund.

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

~~(e) One million dollars (\$1,000,000) is appropriated from the fund to the department of natural resources in the state fiscal year beginning after June 30, 2014, and ending before July 1, 2015. Two million dollars (\$2,000,000) is appropriated from the fund to the department of natural resources in each state fiscal year beginning after June 30, 2015. The money appropriated under this subsection may be used by the department of natural resources only for the following purposes:~~

(1) To reimburse claims made for expenditures for a qualified historic hotel, as determined by the owner of the hotel riverboat resort.

(2) To reimburse claims made for expenditures to maintain:  
(A) the grounds surrounding a qualified historic hotel;  
(B) supporting buildings and structures related to a qualified historic hotel; and  
(C) other facilities used by the guests of the qualified historic hotel;

as determined by the owner of the hotel riverboat resort.

The department of natural resources shall promptly pay each claim for a purpose described in this subsection, without review or approval of the project or claim under IC 14-21 or IC 36-7-11. IC 14-21-1-18 does not apply to projects or claims paid for maintenance under this section. If insufficient money is available to fully pay all of the submitted claims, the department of natural resources shall pay the claims in the order in which they are received until each claim is fully paid.

(f) Notwithstanding IC 4-9-1-1-7, IC 4-12-1-12, IC 4-13-2-18, or any other law, interest accruing to the fund may not be withheld, transferred, assigned, or reassigned to a purpose other than the reimbursement of claims under subsection (e)."

Renumber all SECTIONS consecutively.

(Reference is to SB 552 as printed February 22, 2019.)

MESSMER

Motion prevailed.

SENATE MOTION  
(Amendment 552-1)

Madam President: I move that Senate Bill 552 be amended to read as follows:

Page 17, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 27. IC 4-33-13-5.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 5.3. (a) The auditor of state shall determine the total amount of money paid by the auditor of state to an entity subject to this section under IC 4-35-8.5-2 and section 5 of this chapter during the state fiscal year 2019. The amount determined under this subsection is the base year revenue for each entity subject to this section. The auditor of state shall certify the base year revenue determined under this subsection to each entity subject to this section.**

**(b) This subsection applies if a person holding a riverboat owner's license under IC 4-33-6-1(a)(1) relocates the riverboat to another location in Gary. If the total amount payable to Gary under section 5 of this chapter is greater than the base revenue determined under subsection (a), the auditor of state shall deduct the lesser of the following from the amount otherwise payable to Gary:**

- (1) The difference between the base revenue determined for Hammond under subsection (a) and the amount payable to Hammond under section 5 of this chapter.**
- (2) The difference between the amount payable to Gary under section 5 of this chapter and the base revenue determined for Gary under subsection (a).**

The auditor of state shall supplement the amount payable to Hammond under section 5 of this chapter with the amount deducted under this subsection. The auditor of state shall make the determinations and supplement the amount payable under this subsection each year, for the first three (3) years after the riverboat relocates to another location in Gary.

**(c) This subsection applies if a person holding a riverboat owner's license under IC 4-33-6-1(a)(1) relocates the riverboat to another location in Gary. If the total amount payable to Gary under section 5 of this chapter is greater than the base revenue determined under subsection (a), the auditor of state shall deduct the lesser of the following from the amount otherwise payable to Gary:**

- (1) The difference between the base revenue determined for East Chicago under subsection (a) and the amount payable to East Chicago under section 5 of this chapter.**
- (2) The difference between the amount payable to Gary under section 5 of this chapter and the base revenue determined for Gary under subsection (a).**

The auditor of state shall supplement the amount payable to East Chicago under section 5 of this chapter with the amount deducted under this subsection. The auditor of state shall make the determinations and supplement the amount payable under this subsection each year for the first three (3) years after the riverboat relocates to another location in Gary."

Renumber all SECTIONS consecutively.

(Reference is to SB 552 as printed February 22, 2019.)

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION  
(Amendment 552-2)

Madam President: I move that Senate Bill 552 be amended to read as follows:

Page 17, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 27. IC 4-33-13-5.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 5.3. (a) The auditor of state shall determine the total amount of money paid by the auditor of state to an entity subject to this section under section 5(a)(2) of this chapter and IC 4-35-8.5-2 during the state fiscal year 2019. The amount determined under this subsection is the base year revenue for each entity subject to this section. The auditor of state shall certify the base year revenue determined under this subsection to each entity subject to this section.**

**(b) This subsection applies if a person holding a riverboat owner's license under IC 4-33-6-1(a)(1) relocates the riverboat to another location in Gary. If the total amount payable to Gary under section 5(a)(2) of this chapter is greater than the base revenue determined under subsection (a), the auditor of state shall deduct the lesser of the following from the amount otherwise payable to Gary:**

- (1) The difference between the base revenue determined for Michigan City under subsection (a) and the amount payable to Michigan City under section 5(a)(2) of this chapter.**
- (2) The difference between the amount payable to Gary under section 5(a)(2) of this chapter and the base revenue determined for Gary under subsection (a).**

The auditor of state shall supplement the amount payable to Michigan City under section 5(a)(2) of this chapter with the amount deducted under this subsection.

**(c) This subsection applies if a person holding a riverboat owner's license under IC 4-33-6-1(a)(1) relocates the riverboat to another location in Gary. If the total amount payable to Gary under section 5(a)(2) of this chapter is greater than the base revenue determined under subsection (a), the auditor of state shall deduct the lesser of the following from the amount otherwise payable to Gary:**

- (1) The difference between the base revenue determined for LaPorte County under subsection (a) and the amount payable to LaPorte County under section 5(a)(2) of this chapter.**
- (2) The difference between the amount payable to LaPorte County under section 5(a)(2) of this chapter and the base revenue determined for Gary under subsection (a).**

The auditor of state shall supplement the amount payable to LaPorte County under section 5(a)(2) of this chapter with the amount deducted under this subsection."

Renumber all SECTIONS consecutively.

(Reference is to SB 552 as printed February 22, 2019.)

BOHACEK

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 562**

Senator Raatz called up Senate Bill 562 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 565**

Senator Holdman called up Senate Bill 565 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 565-2)

Madam President: I move that Senate Bill 565 be amended to read as follows:

Page 50, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 21. IC 6-8.1-5-1, AS AMENDED BY P.L.242-2015, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. (a) As used in this section, "letter of findings" includes a supplemental letter of findings.

(b) If the department reasonably believes that a person has not reported the proper amount of tax due, the department shall make a proposed assessment of the amount of the unpaid tax on the basis of the best information available to the department. The amount of the assessment is considered a tax payment not made by the due date and is subject to IC 6-8.1-10 concerning the imposition of penalties and interest. The department shall send the person a notice of the proposed assessment through the United States mail.

(c) The notice of proposed assessment is prima facie evidence that the department's claim for the unpaid tax is valid, **including during an action appealed to the tax court under this chapter**. The burden of proving that the proposed assessment is wrong rests with the person against whom the proposed assessment is made.

(d) The notice shall state that the person has forty-five (45) days from the date the notice is mailed, if the notice was mailed before January 1, 2011, and sixty (60) days from the date the notice is mailed, if the notice was mailed after December 31, 2010, to pay the assessment or to file a written protest. If the person files a protest and requires a hearing on the protest, the department shall:

- (1) set the hearing at the department's earliest convenient time; and
- (2) notify the person by United States mail of the time, date, and location of the hearing.

(e) The department may hold the hearing at the location of its choice within Indiana if that location complies with IC 6-8.1-3-8.5.

(f) After conducting a hearing on a protest, or after making a decision on a protest when no hearing is requested, the department shall issue a letter of findings and shall send a copy of the letter through the United States mail to the person who filed the protest and to the person's surety, if the surety was notified of the proposed assessment under subsection (b). The department may continue the hearing until a later date if the taxpayer presents additional information at the hearing or the

taxpayer requests an opportunity to present additional information after the hearing.

(g) A person that disagrees with a decision in a letter of findings may request a rehearing not more than thirty (30) days after the date on which the letter of findings is issued by the department. The department shall consider the request and may grant the rehearing if the department reasonably believes that a rehearing would be in the best interests of the taxpayer and the state.

(h) If a person disagrees with a decision in a letter of findings, the person may appeal the decision to the tax court. However, the tax court does not have jurisdiction to hear an appeal that is filed more than ninety (90) days after the date on which:

- (1) the letter of findings is issued by the department, if the person does not make a timely request for a rehearing under subsection (g) on the letter of findings; or
- (2) the department issues a denial of the person's timely request for a rehearing under subsection (g) on the letter of findings.

The ninety (90) day period may be extended according to the terms of a written agreement signed by both the department and the person. The agreement must specify a date upon which the extension will terminate and a statement that the person agrees to preserve the person's records until that specified termination date. The specified termination date agreed upon under this subsection may not be more than ninety (90) days after the expiration of the period otherwise specified by this subsection.

(i) The tax court shall hear an appeal under subsection (h) de novo and without a jury. The tax court may do the following:

- (1) Uphold or deny any part of the assessment that is appealed.
- (2) Assess the court costs in a manner that the court believes to be equitable.
- (3) Enjoin the collection of a listed tax under IC 33-26-6-2.

(j) The department shall demand payment, as provided in IC 6-8.1-8-2(a), of any part of the proposed tax assessment, interest, and penalties that it finds owing because:

- (1) the person failed to properly respond within the sixty (60) day period;
- (2) the person requested a hearing but failed to appear at that hearing; or
- (3) after consideration of the evidence presented in the protest or hearing, the department finds that the person still owes tax.

(k) The department shall make the demand for payment in the manner provided in IC 6-8.1-8-2.

(l) Subsection (b) does not apply to a motor carrier fuel tax return."

Page 50, line 22, delete "contemporaneous".

Page 50, line 27, delete "A record shall not include any information not".

Page 50, delete lines 28 through 29.

Page 50, line 36, strike "or".

Page 50, line 40, delete "of the person".

Page 50, line 42, delete "destruction." and insert "destruction; or".

Page 51, line 1, strike "In addition,".

Page 51, line 1, before "if" begin a new line block indented and insert:

"(3)".

Page 51, line 4, delete "the date on" and insert "for a period during".

Page 51, line 5, delete "no longer".

Page 51, line 7, delete "and copying".

Page 51, delete lines 12 through 31, begin a new paragraph and insert:

"(e) The failure of a person to keep books and records in the ordinary course of business shall be considered for purposes of determining the weight of the evidence as it relates to the person's liability for a listed tax, and not for purposes of the admissibility of the evidence. In examining the evidence, the department and the courts may take into account any federal law regarding the probative value of such evidence."

Page 63, delete lines 6 through 42.

Delete pages 64 through 65.

Page 66, delete lines 1 through 19.

Renumber all SECTIONS consecutively.

(Reference is to SB 565 as printed February 13, 2019.)

HOLDMAN

Motion prevailed. The bill was ordered engrossed.

#### Senate Bill 566

Senator Raatz called up Senate Bill 566 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 567

Senator Raatz called up Senate Bill 567 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 575

Senator Charbonneau called up Senate Bill 575 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 575-1)

Madam President: I move that Senate Bill 575 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning health.

Delete everything after the enacting clause and insert the following:

SECTION 1. [EFFECTIVE UPON PASSAGE] (a) The legislative council is urged to assign to an appropriate interim study committee, for study during the 2019 interim of the general assembly, the topic of hospital licensure.

(b) If the legislative council assigns the topic under subsection (a), the study must include the following:

(1) A review of Indiana's current hospital licensing structure.

(2) Information concerning other states' hospital licensure and national trends.

(3) Information concerning the different types of hospitals and possible classifications, including subclassifications, of these hospitals through the hospital's license.

(4) An examination of state hospital licensure in the context of federal law, regulations, policies, and conditions of participation in the Medicare and Medicaid programs.

(c) If the legislative council makes the assignment described in subsection (a), the interim study committee shall, not later than November 1, 2019, report the results of the study and any recommendations for legislation to the legislative council in an electronic format under IC 5-14-6.

(d) This SECTION expires January 1, 2020.

SECTION 2. An emergency is declared for this act.

(Reference is to SB 575 as printed February 22, 2019.)

CHARBONNEAU

Motion prevailed. The bill was ordered engrossed.

#### Senate Bill 604

Senator Doriot called up Senate Bill 604 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 613

Senator Zay called up Senate Bill 613 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 613-2)

Madam President: I move that Senate Bill 613 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning trade regulation.

Delete everything after the enacting clause and insert the following:

SECTION 1. [EFFECTIVE JULY 1, 2019] (a) The legislative council is urged to assign to an appropriate interim study committee the topic of allowing Indiana lenders to make installment small loans, as described in Senate Bill 613-2019, as introduced.

(b) This SECTION expires January 1, 2020.

(Reference is to SB 613 as printed February 22, 2019.)

J.D. FORD

Upon request of Senator J.D. Ford the President ordered the roll of the Senate to be called. Roll Call 180: yeas 16, nays 33.

Motion failed. The bill was ordered engrossed.

#### Senate Bill 623

Senator Buchanan called up Senate Bill 623 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 623-2)

Madam President: I move that Senate Bill 623 be amended to read as follows:

Page 4, line 23, delete "thirty (30) days after" and insert "**ten (10) days prior to**".  
(Reference is to SB 623 as printed February 22, 2019.)

BUCHANAN

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 632**

Senator Bassler called up Senate Bill 632 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

4:49 p.m.

The Chair declared a recess until the fall of the gavel.

**RECESS**

The Senate reconvened at 6:18 p.m., with the President of the Senate in the Chair.

**REPORT OF THE SENATE  
COMMITTEE ON ETHICS**

Madam President: Pursuant to Senate Rule 97, the Senate Committee on Ethics met on February 25, 2019, to render an advisory opinion with regard to Senator Bohacek's request that the Committee consider whether or not he has a conflict of interest pertaining to SB 553 which would require him to be excused from voting on this bill at any stage of the legislative process. The members in attendance were: Chairman L. Brown, Senator Charbonneau, Senator Walker, Senator Breaux and Senator Lonnie M. Randolph.

The Senate Committee on Ethics has considered the facts presented by Senator Bohacek and hereby recommends that Senator Bohacek be excused from participation in all votes pertaining to Senate Bill 553 at any stage in the legislative process. The vote of the Committee was 5-0.

L. BROWN, Chair

Report adopted.

SENATE MOTION

Madam President: I move that Senator Sandlin be added as third author of Senate Bill 7.

MISHLER

Motion prevailed.

SENATE MOTION

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

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 57.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Leising and Raatz be added as coauthors of Senate Bill 64.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 66.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be removed as coauthor of Senate Bill 104.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as second author of Senate Bill 104.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 104.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Garten be added as second author of Senate Bill 108.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 108.

GROOMS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 111.

KOCH

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Zay be added as coauthor of Senate Bill 111.

KOCH

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 131.

DORIOT

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 133.

LEISING

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Merritt be added as second author and Senator Bassler be added as third author of Senate Bill 162.

MESSMER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 162.

MESSMER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Zay be added as coauthor of Senate Bill 162.

MESSMER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator M. Young be added as second author of Senate Bill 196.

HEAD

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Zay be added as third author of Senate Bill 221.

KOCH

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 243.

FREEMAN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 256.

JON FORD

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Crane be removed as coauthor of Senate Bill 266.

CRANE

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 266.

CRIDER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Raatz be added as second author of Senate Bill 283.

HOUCHIN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Koch be added as coauthor of Senate Bill 283.

HOUCHIN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 283.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Busch be added as second author of Senate Bill 293.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 293.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 297.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as coauthor of Senate Bill 323.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 323.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zay be added as coauthor of Senate Bill 323.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Boots be added as second author of Senate Bill 358.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 358.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Head be added as second author and Senator Bohacek be added as coauthor of Senate Bill 380.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as coauthor of Senate Bill 380.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bassler be added as second author of Senate Bill 392.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 392.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as second author of Senate Bill 423.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 423.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Jon Ford and Niemeyer be added as coauthors of Senate Bill 423.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 437.

ZAY

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 437.

ZAY

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senators Becker and Melton be added as coauthors of Senate Bill 440.

JON FORD

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Zay be removed as coauthor of Senate Bill 442.

ZAY

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Zay be added as second author of Senate Bill 442.

JON FORD

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 464.

MERRITT

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 464.

MERRITT

Motion prevailed.

## SENATE MOTION

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

SANDLIN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 513.

NIEZGODSKI

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Merritt be added as second author of Senate Bill 517.

HEAD

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Crider be added as coauthor of Senate Bill 517.

HEAD

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 546.

SPARTZ

Motion prevailed.

## SENATE MOTION

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

SPARTZ

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 548.

SPARTZ

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 552.

MESSMER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Holdman be added as second author of Senate Bill 566.

RAATZ

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator G. Taylor be added as coauthor of Senate Bill 566.

RAATZ

Motion prevailed.



## SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 575.

CHARBONNEAU

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 575.

CHARBONNEAU

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Koch be added as third author of Senate Bill 604.

DORIOT

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 607.

RAATZ

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senators Leising and Holdman be added as coauthors of Senate Bill 613.

ZAY

Motion prevailed.

### ENGROSSED SENATE BILLS ON THIRD READING

#### Engrossed Senate Bill 1

Senator Houchin called up Engrossed Senate Bill 1 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 181: yeas 49, 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 Mahan and Steuerwald.

#### Engrossed Senate Bill 131

Senator Doriot called up Engrossed Senate Bill 131 for third reading:

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

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

Roll Call 182: yeas 49, 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 Cherry, Miller and Stutzman.

#### Engrossed Senate Bill 186

Senator Koch called up Engrossed Senate Bill 186 for third reading:

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

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

Roll Call 183: yeas 48, 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 sponsors: Representatives McNamara and Negele.

#### Engrossed Senate Bill 239

Senator Freeman called up Engrossed Senate Bill 239 for third reading:

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

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

Roll Call 184: yeas 49, 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 Speedy.

#### Engrossed Senate Bill 256

Senator Jon Ford called up Engrossed Senate Bill 256 for third reading:

A BILL FOR AN ACT concerning motor vehicles.

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

Roll Call 185: yeas 47, nays 2. 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 Pressel.

#### Engrossed Senate Bill 265

Senator Head called up Engrossed Senate Bill 265 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning trusts and fiduciaries.

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

Roll Call 186: yeas 42, 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 sponsor: Representative Steuerwald.

#### **Engrossed Senate Bill 280**

Senator Houchin called up Engrossed Senate Bill 280 for third reading:

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

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

Roll Call 187: yeas 48, 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 sponsors: Representatives Davisson, Bartels and Manning.

#### **Engrossed Senate Bill 297**

Senator Lonnie M. Randolph called up Engrossed Senate Bill 297 for third reading:

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

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

Roll Call 188: yeas 49, 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 Steuerwald, Soliday, Jackson and Harris.

#### **Engrossed Senate Bill 333**

Senator Grooms called up Engrossed Senate Bill 333 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 189: yeas 49, 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 Mahan and McNamara.

#### **Engrossed Senate Bill 375**

Senator Niemeier called up Engrossed Senate Bill 375 for third reading:

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

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

Roll Call 190: yeas 42, 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 sponsor: Representative Aylesworth.

#### **Engrossed Senate Bill 420**

Senator Raatz called up Engrossed Senate Bill 420 for third reading:

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

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

Roll Call 191: yeas 44, 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 DeVon and VanNatter.

#### **Engrossed Senate Bill 436**

Senator Zay called up Engrossed Senate Bill 436 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 192: yeas 48, 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 sponsors: Representatives Clere, Bacon and Zent.

#### **Engrossed Senate Bill 440**

Senator Jon Ford called up Engrossed Senate Bill 440 for third reading:

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

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

Roll Call 193: yeas 49, 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 Ziemke and DeVon.

**Engrossed Senate Bill 483**

Senator Alting called up Engrossed Senate Bill 483 for third reading:

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

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

Roll Call 194: yeas 49, 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 Frye.

**Engrossed Senate Bill 491**

Senator Tomes called up Engrossed Senate Bill 491 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

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

Roll Call 195: yeas 49, 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 Frye and Gutwein.

**Engrossed Senate Bill 516**

Senator Head called up Engrossed Senate Bill 516 for third reading:

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

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

Roll Call 196: 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 sponsors: Representatives Eberhart, Lehe, Karickhoff and Manning.

**Engrossed Senate Bill 527**

Senator Houchin called up Engrossed Senate Bill 527 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 197: yeas 49, 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 DeVon.

**Engrossed Senate Bill 529**

Senator Grooms called up Engrossed Senate Bill 529 for third reading:

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

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

Roll Call 198: yeas 44, 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 Clere, Lehe, Goodin and Davisson.

**Engrossed Senate Bill 533**

Senator Leising called up Engrossed Senate Bill 533 for third reading:

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

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

Roll Call 199: yeas 49, 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 Lehe and Gutwein.

**Engrossed Senate Bill 553**

Senator Tallian called up Engrossed Senate Bill 553 for third reading:

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

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

Roll Call 200: yeas 32, nays 16. 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 Eberhart and Wolkins.

**Engrossed Senate Bill 563**

Senator Holdman called up Engrossed Senate Bill 563 for third reading:

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

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

Roll Call 201: yeas 45, nays 4. 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 Huston, T. Brown and Lehman.

#### Engrossed Senate Bill 596

Senator Spartz called up Engrossed Senate Bill 596 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 202: yeas 42, 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 Schaibley, Cook and Goodrich.

#### Engrossed Senate Bill 607

Senator Raatz called up Engrossed Senate Bill 607 for third reading:

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

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

Roll Call 203: yeas 47, nays 2. 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 Sullivan and Huston.

#### Engrossed Senate Bill 625

Senator Becker called up Engrossed Senate Bill 625 for third reading:

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

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

Roll Call 204: yeas 49, 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 Karickhoff, Shackelford, Clere and Kirchhofer.

#### SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Resolution 26.

HOUCHIN

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Houchin be added as coauthor of Senate Bill 186.

KOCH

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 186.

KOCH

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senators Kruse and M. Young be added as coauthors of Senate Bill 239.

FREEMAN

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 239.

FREEMAN

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 256.

JON FORD

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Crane be added as coauthor of Senate Bill 280.

HOUCHIN

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 436.

ZAY

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 440.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 440.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Lanane, Breaux, Bohacek and Crane be added as coauthors of Senate Bill 483.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as coauthor of Senate Bill 513.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 563.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as coauthor of Senate Bill 566.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 10:00 a.m., Tuesday, February 26, 2019.

BRAY

Motion prevailed.

The Senate adjourned at 7:29 p.m.

JENNIFER L. MERTZ  
Secretary of the Senate

SUZANNE CROUCH  
President of the Senate