



Journal of the House

State of Indiana

120th General Assembly

Second Regular Session

Thirteenth Day

Monday Afternoon

January 29, 2018

The invocation was offered by Pastor Duane Smith of Maranatha Tabernacle in Loogootee, a guest of Representative Lindauer.

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

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

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

Austin	Kirchhofer
Aylesworth <input type="checkbox"/>	Klinker
Bacon	Lawson
Baird	Lehe
Bartels	Lehman
Bartlett	Leonard
Bauer	Lindauer
Behning	Lucas
Beumer	Lyness
Borders	Macer
C. Brown	Mahan
T. Brown	May
Burton	Mayfield
Candelaria Reardon	McNamara
Carbaugh	Miller
Cherry	Moed
Clere	Morris
Cook	Morrison
Culver	Moseley
Davisson	Negele
DeLaney	Nisly
DeVon	Ober
Dvorak	Olthoff
Eberhart	Pelath
Ellington	Pierce
Engleman	Porter
Errington	Pressel
Forestal	Pryor
Friend	Richardson
Frizzell <input type="checkbox"/>	Saunders
Frye	Schaibley
GiaQuinta	Shackleford
Goodin	Siegrist
Gutwein	Slager
Hamilton	Smaltz
Hamm	M. Smith
Harris	V. Smith
Hatfield	Soliday
Heaton	Speedy
Heine	Stemler
Huston	Steuerwald
Jordan	Sullivan
Judy	Summers
Karickhoff	J. Taylor
Kersey	Thompson

Torr
VanNatter
Washburne
Wesco
Wolkins

Wright
J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 57: 98 present; 2 excused. The Speaker announced a quorum in attendance. [NOTE: indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, January 30, 2018, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

RESOLUTIONS ON FIRST READING

House Resolution 9

Representative V. Smith introduced House Resolution 9:

A HOUSE RESOLUTION recognizing Joe Mays.

Whereas, Joe Mays is affectionately known as the "Peanut Man" in Gary;

Whereas, For more than 50 years, Joe Mays hoisted thousands of bags of home-roasted peanuts into the air at the corner of Grant Street and 25th Avenue in Gary;

Whereas, Joe Mays was so well known that former Mayor Rudy Clay renamed that corner "Joe Mays Corner" in his honor;

Whereas, In addition to selling peanuts, Joe Mays did tricks for passing motorists, spun tops on a string, balanced household objects on his chin, and juggled bags of peanuts right into car windows;

Whereas, Joe Mays also performed on "Bozo's Circus" more than two dozen times during his entertainment career;

Whereas, When he wasn't entertaining the locals, Joe Mays worked full time at U.S. Steel as a crane assistant for 38 years;

Whereas, Joe Mays began entertaining people while serving in the U.S. Army in the early 1950s with a top his mother sent to him;

Whereas, After returning home, Joe Mays appeared on "The Ted Mack Amateur Hour" before entertaining crowds at halftime shows for the Harlem Globetrotters; he also performed in Gary holiday parades, the Bud Billiken Parade in Chicago, and at hospitals, nursing homes, and schools;

Whereas, Eventually health issues forced Joe Mays to leave his corner, and he now resides with his daughter; and

Whereas, Joe Mays brightened the lives of countless people from the corner of Grant Street and 25th Avenue: Therefore,

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

SECTION 1. That the Indiana House of Representatives wishes to thank Joe Mays for his years of caring for the citizens of Northwest Indiana and to remind him that he will forever remain in their hearts.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Joe Mays and his family.

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

House Resolution 10

Representative Hamilton introduced House Resolution 10:

A HOUSE RESOLUTION urging the legislative council to assign to the appropriate committee the topic of a ban on flame retardant materials.

Whereas, The Consumer Product Safety Commission has voted to warn the public about the dangers of flame retardant chemicals in mattresses, upholstered furniture, and electronics enclosures;

Whereas, Thirteen other states have passed similar legislation;

Whereas, These bills were backed by firefighters groups who have raised concerns about increased cancer rates due to exposure to chemicals in burning homes;

Whereas, These bills were also backed by the American Academy of Pediatrics because studies have linked flame retardants to a host of biological and neurophysical ailments; and

Whereas, In order to ensure the safety of all Hoosiers, further consideration should be given to this topic: Therefore,

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

SECTION 1. That the legislative council is urged to assign to the appropriate committee the topic of a ban on flame retardant materials.

The resolution was read a first time and referred to the Committee on Public Health.

House Resolution 11

Representative Schaibley introduced House Resolution 11:

A HOUSE RESOLUTION congratulating Pleasant View Elementary School on its selection as a National Blue Ribbon School.

Whereas, In 2017, the United States Department of Education awarded Pleasant View Elementary School of the Zionsville Community Schools corporation a National Blue Ribbon, an award only 342 schools across the country received last year;

Whereas, The National Blue Ribbon Schools Program was founded to recognize public and private elementary, middle, and high schools where students perform at very high levels or where significant improvements are being made in students' academic achievement;

Whereas, Pleasant View Elementary School was bestowed this mark of excellence for the school's and students' exemplary academic performance and dedication to STEM education; and

Whereas, This merit based distinction is a testament to Pleasant View Elementary's overall dedication, its academic success, and its history of achievement: Therefore,

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

SECTION 1. That the Indiana House of Representatives congratulates Pleasant View Elementary School on its selection as a 2017 National Blue Ribbon School and urges the school to keep reaching for the stars.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Principal Stacy Smith and Superintendent Dr. Scott Robison.

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

House Resolution 12

Representative Schaibley introduced House Resolution 12:

A HOUSE RESOLUTION congratulating College Wood Elementary School on its selection as a National Blue Ribbon School.

Whereas, In 2017, the United States Department of Education named College Wood Elementary School of the Carmel Clay Schools corporation a National Blue Ribbon School, an award only 342 schools across the country received last year;

Whereas, The National Blue Ribbon Schools Program was founded to recognize public and private elementary, middle, and high schools where students perform at very high levels or where significant improvements are being made in students' academic achievement;

Whereas, College Wood Elementary School was bestowed this mark of excellence for being an Exemplary High Performing School and demonstrating high academic proficiency; and

Whereas, This merit-based distinction is a testament to College Wood Elementary's overall dedication, its academic success, and its history of achievement: Therefore,

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

SECTION 1. That the members of the Indiana House of Representatives congratulate College Wood Elementary School on its selection as a 2017 National Blue Ribbon School and urge the school to keep striving for the best.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Principal Kathy Olssen.

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

Senate Concurrent Resolution 19

The Speaker handed down Senate Concurrent Resolution 19, sponsored by Representatives Moed and Speedy:

A CONCURRENT RESOLUTION congratulating the University of Indianapolis football team on finishing the 2017 regular season with a perfect 11-0 record for the first time since 1953.

Whereas, The University of Indianapolis football team completed its first undefeated regular season in 64 years;

Whereas, The University of Indianapolis football team finished the regular season with multiple records including the most consecutive wins, with 15, and the best scoring offense at 38.2 points per game;

Whereas, The University of Indianapolis football team garnered a conference record of fourteen GLVC "Player of the Week" awards;

Whereas, The University of Indianapolis football team matched both team and GLVC marks for fewest interceptions

thrown with four, while also leading the nation in fewest sacks allowed with .5 per game;

Whereas, The University of Indianapolis football team completed 2017 with its highest-ever position in the AFCA Division II Coaches Poll at thirteenth; and

Whereas, The University of Indianapolis football team made its fourth postseason appearance in six years and captured its fifth GLVC title in six years: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the University of Indianapolis football team on finishing the 2017 regular season with a perfect record.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to the University of Indianapolis Board of Trustees; Dr. Rob Manual, President of the University of Indianapolis; Dr. Sue Willey, Vice President for Intercollegiate Athletics; Bob Bartolomeo, Head Coach; Chris Keevers, Defensive Coordinator; Kenny Ray Augustus, Special Teams Coordinator; Casey Gillin, Passing Game Coordinator; Brad Wilson, Run Game Coordinator; Collin Coffey, Recruiting Coordinator; Dan Reineck; Sean Collins; Cody Crawford; Josh Runda; Steve Barrick; Ned Shannon; Zarah Calvin; Scott Young, and each member of the 2017 University of Indianapolis Football Team.

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

Senate Concurrent Resolution 21

The Speaker handed down Senate Concurrent Resolution 21, sponsored by Representative DeVon:

A CONCURRENT RESOLUTION congratulating Dr. Jerry Thacker on being named the 2017 Outstanding Educator by the Indiana Association of Public School Superintendents.

Whereas, Dr. Jerry Thacker was named the Indiana Association of Public School Superintendents' 2017 Outstanding Educator;

Whereas, Dr. Thacker oversees fifteen schools and over 11,200 students as the Superintendent of Penn-Harris-Madison School Corporation;

Whereas, Dr. Thacker began his education as a sixth grade teacher at Madison Elementary School and took on leadership roles in districts in Indiana and Michigan before returning to Penn-Harris-Madison School Corporation as Superintendent in 2006;

Whereas, Dr. Thacker has received a number of awards as Superintendent, including Indiana Superintendent of the Year in 2012, Outstanding Educator in 2013, and the Sagamore of the Wabash in 2014; and

Whereas, Under Dr. Thacker's leadership, Penn-Harris-Madison School Corporation has been consistently named an "A" Rated School District and ranks in the state's top four percent of school districts with nine Four Star Schools: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates Dr. Jerry Thacker on being named the 2017

Outstanding Educator by the Indiana Association of Public School Superintendents.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Dr. Jerry Thacker.

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

Senate Concurrent Resolution 22

The Speaker handed down Senate Concurrent Resolution 22, sponsored by Representative DeVon:

A CONCURRENT RESOLUTION congratulating the Penn High School girls soccer team on their second straight Class 3A state championship title.

Whereas, Penn High School girls soccer team completed the 2017 season ranked first in the nation with twenty-three wins, zero losses, and one tie;

Whereas, Penn High School prevailed against Northridge, Munster, and Noblesville High School to play against Guerin Catholic High School in the State Championship game;

Whereas, senior midfielder and captain Molly McLaughlin broke through the field 20 yards out after a pass from senior forward Kristina Lynch to make the first goal in the fifty-fourth minute of play;

Whereas, Kristina Lynch found junior forward Maya Lacognato at point-blank range in front of the net at the sixty-first minute for the second and final goal of the game;

Whereas, senior goalkeeper Mackenzie Wood stopped all eight of Guerin's shots, three of which were on goal, including a diving save in the twenty-first minute;

Whereas, Penn High School prevailed over Guerin Catholic High School with a final score of 2-0; and,

Whereas, this is the third straight championship game and second straight win under coach Jeff Hart: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Penn High School girls soccer team on their second straight Class 3A state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to Sean Galiher, Principal of Penn High School; Aaron Leniski, Athletic Director of Penn High School; and Jeff Hart, Head Coach of Penn High School girls soccer team.

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

Senate Concurrent Resolution 23

The Speaker handed down Senate Concurrent Resolution 23, sponsored by Representative DeVon:

A CONCURRENT RESOLUTION congratulating Glenn Northern on his receipt of the 2018 Outstanding High School Music Educator of the Year award.

Whereas, Glenn Northern graduated from the University of Evansville with a Bachelors Degree in Music Education in 1989;

Whereas, Glenn taught in Newburgh, Evansville, and Rensselaer over twelve years before arriving at Penn-Harris-Madison School Corporation in 2001;

Whereas, Glenn was the assistant band director at Penn High School, band director at Discovery Middle School, and director of the Penn Marching Kingsmen from 2001 to 2011;

Whereas, Glenn was named Director of Bands and the Fine Arts & Communications Academy Leader in 2011 and currently oversees more than 450 students in four concert bands, three jazz ensembles, two percussion classes, a pit orchestra, pep band, marching band, and five winter guards;

Whereas, The Penn Symphonic Winds was named Co-Champion of the ISSMA Concert Band Finals in 2015 while under Glenn's direction, the only ISSMA Championship ever won by a Penn-Harris-Madison band;

Whereas, Glenn received "Outstanding Bandmaster" from Phi Beta Mu in 2015 and "Michiana Outstanding Music Educator" from Quinlan & Fabish Music Co. in 2011; and

Whereas, Penn-Harris-Madison has been recognized as one of the "Best Communities for Music Education" by the NAMM Foundation due in great part to Glenn's work: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates Glenn Northern on his receipt of the 2018 Outstanding High School Music Educator of the Year award.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Glenn Northern and Sean Galiher, Principal of Penn High School.

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

Senate Concurrent Resolution 25

The Speaker handed down Senate Concurrent Resolution 25, sponsored by Representatives Siegrist, Lehe, T. Brown and Klinker:

A CONCURRENT RESOLUTION congratulating the Purdue University football team on winning the 2017 Foster Farms Bowl.

Whereas, The Purdue University football team became bowl eligible for the first time since 2012 by beating their in-state rivals, the Indiana University Hoosiers, by a score of 31-24 in the annual Old Oaken Bucket game;

Whereas, Under the leadership of first-year head coach Jeff Brohm, the Boilermakers were invited to play in the Foster Farms Bowl on December 27, 2017, at Levi's Stadium in Santa Clara, California;

Whereas, The Boilermakers squared off against the University of Arizona Wildcats for the third time since 2003, with the Boilers owning a perfect record against the Wildcats;

Whereas, With both teams trading blows early, Purdue ended an impressive 31-point first half with a trick play, which led to a 30-yard run by junior running back D.J. Knox to help set up a field goal as time expired;

Whereas, After Arizona stormed back to take the lead late in the fourth quarter, sophomore quarterback Elijah Sindelar connected with senior wide receiver Anthony Mahoungou to score the go-ahead touchdown in dramatic fashion with 1:44 remaining in the game;

Whereas, Sindelar earned the bowl's Most Valuable Player award on offense, finishing with 396 yards and 4 touchdowns, and senior linebacker Ja'Whaun Bentley earned Most Valuable Player honors on defense with 8 tackles and a sack;

Whereas, The 38-35 bowl victory over the Wildcats marks Purdue Football's first winning season since 2011 and caps a remarkable turn around season for the Boilermakers; and

Whereas, The young men on the Purdue Football team are student athletes who balanced countless hours of football practices and games on top of a full academic course load, and the Indiana General Assembly commends these individuals for their commitment to both academics and athletics: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Purdue University football team on winning the 2017 Foster Farms Bowl.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to Jeff Brohm, head coach of the Purdue University football team, and Mike Bobinski, Purdue University athletic director.

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

REPORTS FROM COMMITTEES

COMMITTEE REPORT

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

(Reference is to HB1006 as printed January 23, 2018.)

Committee Vote: Yeas 19, Nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1016, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1016 as introduced.)

Committee Vote: Yeas 9, Nays 2.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1165, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 8, delete lines 39 through 42.

Page 9, delete lines 1 through 35.

Page 10, line 15, delete "IC 5-2-10.1-6, IC 10-21-1-4, or IC 20-20-45" and insert "IC 5-2-10.1-6 or IC 10-21-1-4".

Re-number all SECTIONS consecutively.

(Reference is to HB 1165 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1194, has had the same under consideration

and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1194 as introduced.)

Committee Vote: Yeas 8, Nays 1.

STEUERWALD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1212, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1212 as introduced.)

Committee Vote: Yeas 9, Nays 0.

STEUERWALD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1230, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 29, delete "each school year" and insert "**every two (2) school years**".

(Reference is to HB 1230 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1290, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB1290 as printed January 26, 2018.)

Committee Vote: Yeas 18, Nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1316, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 3. IC 6-2.5-10-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 7. (a) The department shall account separately for the amount of revenue collected on retail transactions that involve remotely accessed prewritten computer software and taxed at a gross retail tax rate and use tax rate of three percent (3%) under IC 6-2.5-4-16.7.**

(b) The department shall report the amount of revenue accounted for under subsection (a) for each state fiscal year to the state budget committee before September 1 of the immediately following fiscal year.

(c) If:

- (1) the amount of revenue accounted for under subsection (a) exceeds two hundred fifty million dollars (\$250,000,000) for a state fiscal year; and**
- (2) the gross retail tax rate and use tax rate has not been reduced under this section;**

the gross retail tax rate and use tax rate is reduced to six and seventy-five hundredths percent (6.75%) beginning January 1 of the following year."

Re-number all SECTIONS consecutively.

(Reference is to HB 1316 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 18, nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1374, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 22, delete lines 2 through 42.

Page 23, line 1, delete "(3)" and insert "(2)".

Page 23, delete lines 3 through 5.

Page 23, line 19, delete "IC 5-1.2-8," and insert "**IC 5-1.2-9,**"

Page 23, line 34, delete "IC 5-1.2-1;" and insert "**IC 5-1.2-9; and**".

Page 23, line 37, delete ";" and insert ".".

Page 23, delete lines 38 through 40.

Page 24, line 40, delete ""Environmental remediation" and insert ""**Indiana brownfields**".

Page 24, line 41, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 24, line 42, delete ""Environmental remediation" and insert ""**Indiana brownfields**".

Page 25, line 1, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 25, line 8, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 25, line 10, after "the" insert "**water**".

Page 25, line 11, after "local" insert "**transportation**".

Page 25, line 38, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 26, line 14, delete "and".

Page 26, line 19, after "illness;" insert "**or**".

Page 26, delete lines 21 through 24, begin a new line double blocked indented and insert:

"(C) as a licensed child caring institution that provides residential care described in IC 12-7-2-29(1) or corresponding provisions of the laws of the state in which the facility or building is located."

Page 26, line 36, delete "and".

Page 26, line 41, after "illness;" insert "**or**".

Page 27, delete lines 1 through 4, begin a new line blocked indented and insert:

"(3) is a licensed child caring institution providing residential care described in IC 12-7-2-29(1) or corresponding provisions of the laws of the state in which the property is located."

Page 27, delete lines 7 through 8.

Page 27, line 9, delete "38." and insert "37."

Page 27, line 11, delete "39." and insert "38."

Page 27, line 14, delete "40." and insert "39."

Page 27, line 17, delete "41." and insert "40."

Page 27, line 24, delete "42." and insert "41."

Page 27, line 28, delete "43." and insert "42."

Page 27, line 31, delete "44." and insert "43."

Page 27, line 31, before "infrastructure" insert "**transportation**".

Page 27, line 33, delete "45. "Local" and insert "**44. "Local transportation**".

Page 27, line 34, after "local" insert "**transportation**".

Page 27, line 35, delete "46. "Local" and insert "**45. "Local transportation"**".

Page 27, line 36, before "infrastructure" insert "**transportation"**".

Page 27, line 36, after "local" insert "**transportation"**".

Page 27, line 38, delete "47." and insert "**46."**".

Page 27, line 40, delete "48." and insert "**47."**".

Page 28, line 2, delete "49." and insert "**48."**".

Page 28, line 5, delete "50." and insert "**49."**".

Page 28, line 9, delete "51." and insert "**50."**".

Page 28, line 14, delete "52." and insert "**51."**".

Page 28, line 17, delete "53." and insert "**52."**".

Page 28, line 22, delete "54." and insert "**53."**".

Page 29, line 3, delete "55." and insert "**54."**".

Page 29, line 19, delete "environmental remediation" and insert "**Indiana brownfields"**".

Page 29, line 21, after "the" insert "**water"**".

Page 29, line 28, after "local" insert "**transportation"**".

Page 29, line 37, delete "56." and insert "**55."**".

Page 31, line 25, delete "57." and insert "**56."**".

Page 31, line 28, delete "58." and insert "**57."**".

Page 31, between lines 39 and 40, begin new paragraph and insert:

"Sec. 58. "Pollution", for purposes of IC 5-1.2-9, means all forms of environmental pollution, including water pollution, air pollution, sewage, solid and radioactive waste, thermal pollution, radiation contamination, and noise pollution.

Sec. 58.4. "Pollution control facility", for purposes of IC 5-1.2-9, means a facility for the abatement, reduction, or prevention of pollution or for the removal or treatment of any substances in materials being processed that otherwise would cause pollution when used. This includes the following:

(1) Coal washing, coal cleaning, or coal preparation facilities designed to reduce the sulfur and ash levels of Indiana coal.

(2) Coal-fired boiler facilities designed to reduce emissions while burning Indiana coal.

(3) Pollution control equipment to allow for the environmentally sound use of Indiana coal."

Page 31, line 42, delete "environmental remediation" and insert "**Indiana brownfields"**".

Page 32, line 3, after "the" insert "**water"**".

Page 32, line 5, after "local" insert "**transportation"**".

Page 32, line 19, after "article," insert "**IC 5-1-17, IC 5-1-17.5,"**".

Page 32, line 42, delete "environmental".

Page 33, line 1, delete "remediation" and insert "**Indiana brownfields"**".

Page 34, line 8, delete "under this chapter".

Page 35, between lines 2 and 3, begin new paragraph and insert:

"Sec. 83. "Water infrastructure assistance program" refers to the infrastructure assistance program established by IC 5-1.2-14."

Page 35, line 12, delete "six (6)" and insert "**seven (7)"**".

Page 35, delete lines 20 through 23, begin new paragraph and insert:

"(d) The sixth and seventh members are nonvoting members. Each of these members must be a member of the general assembly. The chairperson and the vice chairperson of the legislative council shall each appoint one (1) of the nonvoting members."

Page 46, delete lines 17 through 31, begin new line block indented and insert:

"(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) carry out the purposes of IC 5-1-17.5 within a motorsports investment district.

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

Page 48, line 35, delete "11" and insert "**10"**".

Page 50, delete lines 7 through 9.

Page 50, line 10, delete "(d)" and insert "**(c)"**".

Page 50, line 17, delete "(e)" and insert "**(d)"**".

Page 50, line 17, delete "section:" and insert "**section are not:"**".

Page 50, line 18, delete "are not".

Page 50, line 20, delete "are".

Page 54, line 14, delete "subsections (b) and (c)," and insert "**subsection (b),"**".

Page 57, delete lines 17 through 23, begin a new paragraph and insert:

"Sec. 34. The public finance director shall prepare an annual report that provides an update on transportation projects in which the authority is involved."

Page 57, line 24, after "submitted" insert "**to the legislative council"**".

Page 59, line 22, after "bonds" insert "**are appropriated for and"**".

Page 65, line 15, after "bonds" insert "**are appropriated for and"**".

Page 67, line 6, delete "The authority may initiate" and insert "**(a) The authority has all the powers necessary to carry out and effectuate its public purposes under this chapter, including initiating"**".

Page 67, between lines 9 and 10, begin new line block indented and insert:

"(1) Provide, or cause to be provided by a participating provider, by acquisition, lease, construction, fabrication, repair, restoration, reconditioning, refinancing, or installation, health facility property to be located within a health facility.
(2) Lease as lessor any item of health facility property for those rentals and upon the terms and conditions as the authority considers advisable and are not in conflict with this chapter.

(3) To charge to and apportion among participating providers its administrative costs and expenses incurred in the exercise of the powers and duties conferred by this chapter and IC 5-1.2-4.

(4) Assist, coordinate, and participate with other issuers of tax exempt bonds and public officials in other states in connection with financings or refinancings on behalf of multiple state health facilities. Assistance, coordination, and participation provided under this subdivision may include conducting any hearings required by state or federal law in order for bonds to be issued by public officials in other states if part of the proceeds of the bonds will be used by participating providers in Indiana. Neither the state of Indiana nor the authority, nor any officers, agents, or employees of the state or the authority, are subject to any liability resulting from assistance to or coordination or participation with other issuers of tax exempt bonds under this subsection. Any assistance, coordination, or participation provided under this subsection is given with the understanding that the issuers of tax exempt bonds or borrowers will agree to indemnify and hold

harmless the state of Indiana and the authority and their officers, agents, and employees from all claims and liability arising from any action against the state of Indiana or the authority relating to the bonds.

(5) Employ and enter into agreements with, and delegate to any person as the authority sees fit, the power to manage the routine affairs of the authority, including the originating and processing of any applications from participating providers for the lease or purchase from the authority, or financing, reimbursing, or refinancing by the authority, of health facility property and to service the leases, installment purchase contracts, and loan agreements between the authority and the participating providers."

Page 67, line 10, delete "(1)" and insert "(6)".

Page 67, line 16, delete "(2)" and insert "(7)".

Page 67, line 17, delete "IC 5-1.2-4-1(a)(10)," and insert "IC 5-1.2-4-1(a)(10) and IC 5-1.2-4-1(a)(33),".

Page 67, line 21, delete "(3)" and insert "(8)".

Page 67, line 31, delete "(4)" and insert "(9)".

Page 67, line 39, delete "(5)" and insert "(10)".

Page 67, line 42, delete "(6)" and insert "(11)".

Page 68, line 3, delete "(7)" and insert "(12)".

Page 68, line 6, delete "(8)" and insert "(13)".

Page 68, between lines 11 and 12, begin new paragraph and insert:

"(b) No part of the revenues or assets of the authority may inure to the benefit of or be distributable to its members or officers or other private persons. Any net earnings of the authority beyond that necessary for retirement of authority indebtedness or to implement the public purposes of this chapter inure to the benefit of the state. Upon termination or dissolution of the authority, all rights and properties of the authority pass to and are vested in the state, subject to the rights of lien holders and other creditors."

Page 68, between lines 20 and 21, begin new paragraph and insert:

"Sec. 7. (a) The authority may issue, sell, and deliver its bonds, in accordance with IC 5-1.2-4 and this chapter, for the purpose of paying for or making loans to participating providers for the financing, reimbursing, or refinancing of all or any part of the cost of health facility property, to finance the acquisition of health facility property for lease or sale to participating providers, and any other purposes authorized by this chapter.

(b) The authority may provide for the issuance of bonds of the authority for the purpose of refunding any bonds of the authority then outstanding, including the payment of any redemption premium on these bonds and any interest accrued or to accrue to the earliest or any subsequent date of redemption, purchase or maturity of these bonds, and, if considered advisable by the authority, for the additional purpose of paying all or any part of the cost of health facility property.

(c) The proceeds of any bonds issued for the purpose of refunding outstanding bonds may, in the discretion of the authority, be applied to the purchase or retirement at maturity or redemption of the outstanding bonds either on their earliest or any subsequent redemption date or upon the purchase or at the maturity of the bonds and may, pending such an application, be placed in escrow to be applied to the purchase or retirement at maturity or redemption on the date as may be determined by the authority. Subject to the provisions of any trust indenture to the contrary, any of the escrowed proceeds, pending such a use, may be invested and reinvested in obligations as are determined by the authority to assure the prompt payment of the principal and interest and redemption premium, if any, on the outstanding bonds to be so refunded. The interest, income, and profits, if any,

earned or realized on such an investment may also be applied to the payment of the outstanding bonds to be so refunded. Only after the terms of the escrow have been fully satisfied and carried out, any balance of the proceeds and interest, income, and profits, if any, earned or realized on the investments shall be returned to the authority or the participating providers for use by them in any lawful manner. All the bonds are subject to this chapter in the same manner and to the same extent as other bonds issued under this chapter.

(d) The proceeds of the bonds (other than refunding bonds) of each issue shall be used for the payment of all or part of the cost of, or for the making of a loan in the amount of all or part of the cost of, the health facility property for which the bonds have been authorized and, at the option of the authority, for the deposit to a reserve fund or reserve funds for the bonds. However, the authority may be paid, out of money from the proceeds of the sale and delivery of its bonds issued in accordance with this chapter, all of the authority's out-of-pocket expenses and costs in connection with the issuance, sale, and delivery of the bonds, and the costs of obtaining insurance, guarantees, and letters of credit securing payment of the bonds and the lease and the loan and installment purchase payments, plus an amount equal to the compensation paid to any employees of the authority for the time those employees have spent on activities relating to the issuance, sale, and delivery of the bonds. Bond proceeds shall be disbursed in the manner and under the restrictions determined by the authority.

Sec. 8. (a). Any bond resolution or related trust indenture, indenture of mortgage, or deed of trust may contain provisions, which must be a part of the contract with the holders of the bonds to be authorized, as to pledging or assigning the revenues generated by the health facility property, pledging or assigning the notes and mortgage, lease, or other security given by the participating providers whose health facility property has been financed with the proceeds of the bonds or other specified revenues or property of the authority."

Page 68, line 21, delete "7." and insert "9."

Page 68, line 24, delete "or of notes".

Page 68, line 28, after "(2)" insert "a pooling of notes and".

Page 68, line 34, delete "8." and insert "10."

Page 68, between lines 35 and 36, begin new paragraph and insert:

"Sec. 11. Any holder of bonds or any coupons appertaining to the bonds, and the trustee under any trust agreement or resolution authorizing the issuance of the bonds, except to the extent the rights given in this chapter may be restricted by the trust agreement or resolution, may, either at law or in equity, by suit, action, mandamus, or other proceeding, protect and enforce any and all rights under the laws of Indiana, or under the trust agreement resolution, or under any other contract executed by the authority under this chapter, and enforce and compel the performance of all duties required by this chapter or by the agreement or resolution to be performed by the authority or by any officer of the authority.

Sec. 12. All property acquired or held by the authority under this chapter is declared to be public property used for public and governmental purposes, and all property, income from the property and bonds issued under this chapter, interest payable on the bonds and income derived from the bonds, are exempt from all taxes, direct or indirect, imposed by the state, any county, any city, or any political subdivision of the state.

Sec. 13. Nothing in this chapter may be construed as a restriction or limitation upon any powers which the authority might otherwise have under any other law of this state, and this chapter is cumulative to these powers. This chapter shall be construed to provide a complete,

additional, and alternative method for the doing of the things authorized, and shall be construed as supplemental to powers conferred by any other laws. The adoption by the authority of bylaws and rules, and the issuance of bonds by the authority under this chapter need not comply with the requirements of any other state laws applicable to the adoption of bylaws and rules and the issuance of bonds, notes, and other obligations. No proceedings, notice, or approval is required for the issuance of any bonds or any instrument or the security for the bonds or instruments, or for the proper conduct of the authority's business, affairs, or operations, except as provided in this chapter."

Page 68, line 36, delete "9." and insert "14."

Page 69, line 14, delete "10." and insert "15."

Page 69, line 30, delete "11." and insert "16."

Page 70, line 20, delete "12." and insert "17."

Page 71, line 1, delete "13." and insert "18."

Page 71, line 5, delete "9 or 10" and insert "14 or 15".

Page 72, line 28, delete "14." and insert "19."

Page 73, line 11, delete "15." and insert "20."

Page 73, line 20, delete "16." and insert "21."

Page 74, line 8, delete "17." and insert "22."

Page 83, line 17, after "not" insert "exclusively either a **pollution control facility or**".

Page 83, line 19, delete "and".

Page 83, line 23, delete "state." and insert "state; and".

Page 83, between lines 23 and 24, begin a new line block indented and insert:

"(6) for pollution control facilities, describes the facilities and how they will abate, reduce, or prevent pollution."

Page 84, line 3, delete "This resolution may also authorize the".

Page 84, delete lines 4 through 13.

Page 88, between lines 9 and 10, begin new paragraph and insert:

"(b) With respect to any bonds issued under this chapter, the cumulative terms of refunding bonds may not exceed fifty (50) years."

Page 88, line 10, delete "(b)" and insert "(c)".

Page 88, line 20, delete "(c)" and insert "(d)".

Page 88, line 27, delete "state." and insert "state, except for **pollution control equipment**".

Page 90, line 1, delete "only".

Page 90, line 3, delete "only".

Page 90, line 41, delete "The" and insert "**For the purposes of this chapter, the**".

Page 97, line 40, delete "Environmental Remediation Revolving Loan" and insert "**Indiana Brownfields**".

Page 98, line 3, delete "environmental remediation revolving loan" and insert "**Indiana brownfields**".

Page 98, line 26, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 98, line 33, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 98, line 34, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 98, line 36, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 98, line 39, delete "environmental".

Page 98, line 40, delete "remediation" and insert "**Indiana brownfields**".

Page 98, line 42, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 99, line 5, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 99, line 20, delete "environmental".

Page 99, line 21, delete "remediation" and insert "**Indiana brownfields**".

Page 99, line 25, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 99, line 38, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 100, line 26, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 100, line 30, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 100, line 34, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 100, line 35, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 101, line 33, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 102, line 5, delete "environmental".

Page 102, line 6, delete "remediation" and insert "**Indiana brownfields**".

Page 102, line 7, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 102, line 28, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 102, line 29, delete "may" and insert "**shall**".

Page 103, line 10, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 103, line 32, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 103, line 38, after "to" insert "**or for the benefit of**".

Page 103, line 39, after "to" insert "**or for the benefit of**".

Page 104, line 1, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 104, line 16, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 104, line 18, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 104, line 29, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 105, line 6, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 105, line 20, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 105, line 23, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 106, line 9, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 106, line 19, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 106, line 20, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 106, delete line 36.

Page 106, line 37, delete "remediation" and insert "**the Indiana brownfields program and the Indiana brownfields**".

Page 107, line 6, delete "to a" and insert "**to or for the benefit of a**".

Page 110, line 41, after "14." insert "**Water**".

Page 111, line 3, after "The" insert "**water**".

Page 111, line 4, after "The" insert "**water**".

Page 111, line 34, before "infrastructure" insert "**water**".

Page 111, line 41, after "the" insert "**water**".

Page 112, line 32, after "the" insert "**water**".

Page 112, line 34, after "the" insert "**water**".

Page 113, line 39, after "the" insert "**water**".

Page 114, line 8, after "the" insert "**water**".

Page 114, line 22, after "the" insert "**water**".

Page 114, line 25, after "the" insert "**water**".

Page 114, line 38, after "the" insert "**water**".

Page 115, line 2, after "the" insert "**water**".

Page 115, line 7, after "the" insert "**water**".

Page 115, line 17, after "the" insert "**water**".

Page 115, line 19, after "the" insert "water".
 Page 115, line 38, after "the" insert "water".
 Page 116, line 12, after "the" insert "water".
 Page 116, line 18, after "Local" insert "Transportation".
 Page 116, line 21, after "local" insert "transportation".
 Page 116, line 23, after "local" insert "transportation".
 Page 117, line 14, after "local" insert "transportation".
 Page 117, line 42, after "local" insert "transportation".
 Page 118, line 3, after "local" insert "transportation".
 Page 118, line 11, after "local" insert "transportation".
 Page 118, line 30, after "local" insert "transportation".
 Page 118, line 34, after "local" insert "transportation".
 Page 120, line 1, delete "6" and insert "7".
 Page 120, line 23, after "local" insert "transportation".
 Page 123, line 40, after "PROJECTS" insert "FOR THE NORTHWEST INDIANA REGIONAL DEVELOPMENT AUTHORITY AND THE NORTHERN INDIANA COMMUTER TRANSPORTATION DISTRICT".
 Page 124, delete lines 6 through 19.
 Page 124, line 20, delete "(5)" and insert "(2)".
 Page 124, line 26, delete "(6)" and insert "(3)".
 Page 125, line 8, delete "NWIRDA" and insert "IFA, the NWIRDA".
 Page 125, line 35, delete "or".
 Page 125, line 36, after "NWIRDA;" insert "or".
 Page 125, between lines 36 and 37, begin a new line block indented and insert:
 "(3) the NICTD;".
 Page 127, line 26, delete "northwest" and insert "northern".
 Page 128, line 12, delete "includes" and insert "includes, but is not limited to".
 Page 128, line 13, after "equipment," insert "rail track, embankments, rights of way, sidings, passenger stations or platforms, parking lots, overpasses, railroad bridges, ancillary structures and related safety systems equipment and technology".
 Page 129, line 24, delete "(referred" and insert "(each entity referred".
 Page 129, line 32, delete "(referred" and insert "(each entity referred".
 Page 131, line 19, after "NICTD" insert "may utilize and".
 Page 131, line 26, delete "(5);" and insert "(5) as determined by the NWIRDA or the NICTD, whichever is appropriate;".
 Page 131, line 35, after "to" insert "and for the construction of".
 Page 134, line 24, delete "fifty (50)" and insert "forty (40)".
 Page 142, line 23, delete "IC 5-1.2-2-55);" and insert "IC 5-1.2-2-54);".
 Page 158, between lines 30 and 31, begin a new paragraph and insert:
 "SECTION 45. IC 5-28-28.5-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 0.5. As used in this chapter, "broadband services" includes services, including voice, video, and data, that provide capacity for transmission of more than three hundred eighty-four (384) kilobits per second in at least one (1) direction regardless of the technology or medium used, including wireless, copper wire, fiber optic cable, or coaxial cable. If voice transmission capacity is offered in conjunction with other services using transmission of more than three hundred eighty-four (384) kilobits per second, the voice transmission capacity may be less than three hundred eighty-four (384) kilobits per second. The authority shall annually reconsider the three hundred eighty-four (384) kilobits threshold under this section with a bias toward raising the threshold in a manner consistent with technological advances.

SECTION 46. IC 5-28-28.5-8, AS ADDED BY P.L.33-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 8. (a) As used in this

section, "broadband adoption" refers to an agreement by a customer to subscribe to broadband services (as defined in IC 8-1-33-8) that are:

- (1) offered by a communications service provider; and
- (2) available to the customer.

(b) A unit that wishes to be certified as a broadband ready community must establish a procedure to promote broadband adoption in the unit after the unit is certified as a broadband ready community. The procedure must include the following:

- (1) A single point of contact in charge of broadband adoption in the unit.
- (2) An assurance that each communications service provider that already provides broadband services in the unit will be notified that the unit is applying to be a broadband ready community.
- (3) An assurance that the unit will work with communications service providers to promote broadband adoption in the unit.

(c) A procedure established under subsection (b) may not do the following:

- (1) Discriminate among communications service providers with respect to promoting broadband adoption in the unit.
- (2) Impose a fee on communications service providers to fund promotion of broadband adoption in the unit.

SECTION 47. IC 5-28-30-1 IS REPEALED [EFFECTIVE JULY 1, 2018]. Sec. 1. As used in this chapter, "broadband development project" means a project authorized by the broadband development program under IC 8-1-33-1.

Page 159, line 21, delete "(9)".

Page 159, line 21, strike "A broadband development project".

Page 162, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 55. IC 5-28-33-8 IS REPEALED [EFFECTIVE JULY 1, 2018]. Sec. 8. In implementing this chapter, the corporation shall consult with the Indiana finance authority to avoid unnecessary duplication of efforts under this chapter and IC 8-1-33-1".

Page 170, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 62. IC 8-1-29.5-7, AS AMENDED BY P.L.162-2007, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 7. (a) In imposing a civil penalty under section 6(b)(4) of this chapter, the commission may consider the following factors:

- (1) The duration and gravity of the offense, including the number of customers affected.
- (2) Economic benefits accrued by the provider or certificate holder as a result of the offense.
- (3) The amount of a civil penalty that will deter future offenses by the provider or certificate holder.
- (4) The market share of the provider or certificate holder in the affected service areas.
- (5) Good faith of the provider or certificate holder in attempting to remedy the offense after receiving notification of the offense.

(b) If the commission waives a civil penalty for any offense described in section 6(b)(4) of this chapter, the commission must make a written finding as to why it is waiving the civil penalty. The commission may waive a civil penalty under section 6(b)(4) of this chapter if the commission finds that the offense is the result of any of the following:

- (1) Technological infeasibility.
- (2) An act of God.
- (3) A defect in, or prohibited use of, customer provided equipment.
- (4) A negligent act of a customer.
- (5) An emergency situation.
- (6) Unavoidable casualty.

(c) The secretary of the commission shall direct a civil penalty imposed and collected under section 6(b)(4) of this chapter as follows:

(1) A civil penalty imposed for an offense that directly affects retail customers must be refunded directly to the customers of the provider or certificate holder in the form of credits on customer bills.

(2) A civil penalty imposed for an offense not described in subdivision (1) must be deposited into an account designated by the Indiana economic development corporation for use by the corporation in making loans or grants to broadband developers and operators. ~~under the Indiana broadband development program established by IC 8-1-33-15.~~

Page 171, delete lines 13 through 17, begin a new paragraph and insert:

"SECTION 65. IC 8-1-33 IS REPEALED [EFFECTIVE JULY 1, 2018]. (Indiana Broadband Development Program)."

Page 183, line 41, delete "7(b)(3)" and insert "**7(b)(4)**".

Page 187, line 23, delete "IC 5-1.2-9-27(a), IC 5-1.2-9-27(b)," and insert "**IC 5-1.2-9-27,**".

Page 187, line 39, delete "IC 5-1.2-9-27(a), IC 5-1.2-9-27(b)," and insert "**IC 5-1.2-9-27,**".

Page 189, line 26, delete "IC 5-1.2-4-17." and insert "**IC 5-1.2-4-19.**".

Page 200, line 22, strike "environmental remediation".

Page 200, line 23, after "loan" insert "**Indiana brownfields**".

Page 210, line 36, strike "environmental remediation revolving loan" and insert "**the Indiana brownfields**".

Page 211, line 39, after "authority" insert "**may utilize and**".

Page 212, line 4, delete "(4);" and insert "**(4) as determined by the NWIRDA or the NICTD, whichever is appropriate;**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1374 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 18, nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1399, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 26, delete "mathematics and science," and insert "**mathematics,**".

Page 2, delete line 33.

Page 2, between lines 33 and 34, begin a new line block indented and insert:

"(2) Course work in the area of specialized content knowledge for teaching at least one (1) of the following:

(A) Biology.

(B) Chemistry.

(C) Earth and atmospheric sciences.

(D) Physics.

(3) Course work in the area of pedagogical content knowledge in at least one (1) science, technology, engineering, or mathematics field, focused on the following:

(A) Teaching.

(B) Learners and learning.

(C) Curriculum and assessment."

Page 2, line 34, delete "(2)" and insert "(4)".

(Reference is to HB 1399 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1420, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 1, delete "(2)".

Page 2, line 1, strike "through" and insert "**(2), (3), and**".

Page 5, delete line 42.

Page 6, delete lines 1 through 3.

Page 6, after line 12, begin a new paragraph and insert:

"SECTION 7. IC 20-28-9-1.5, AS AMENDED BY P.L.228-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 1.5. (a) This subsection governs salary increases for a teacher employed by a school corporation. Compensation attributable to additional degrees or graduate credits earned before the effective date of a local compensation plan created under this chapter before July 1, 2015, shall continue for school years beginning after June 30, 2015. Compensation attributable to additional degrees for which a teacher has started course work before July 1, 2011, and completed course work before September 2, 2014, shall also continue for school years beginning after June 30, 2015. For school years beginning after June 30, 2015, a school corporation may provide a supplemental payment to a teacher in excess of the salary specified in the school corporation's compensation plan if the teacher teaches an advanced placement course, a **Cambridge international course**, or has earned a master's degree from an accredited postsecondary educational institution in a content area directly related to the subject matter of:

(1) a dual credit course; or

(2) another course;

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

(b) Increases or increments in a local salary range must be based upon a combination of the following factors:

(1) A combination of the following factors taken together may account for not more than thirty-three and one-third percent (33.33%) of the calculation used to determine a teacher's increase or increment:

(A) The number of years of a teacher's experience.

(B) The possession of either:

(i) additional content area degrees beyond the requirements for employment; or

(ii) additional content area degrees and credit hours beyond the requirements for employment, if required under an agreement bargained under IC 20-29.

(2) The results of an evaluation conducted under IC 20-28-11.5.

(3) The assignment of instructional leadership roles, including the responsibility for conducting evaluations under IC 20-28-11.5.

(4) The academic needs of students in the school corporation.

(c) Except as provided in subsection (d), a teacher rated ineffective or improvement necessary under IC 20-28-11.5 may not receive any raise or increment for the following year if the teacher's employment contract is continued. The amount that

would otherwise have been allocated for the salary increase of teachers rated ineffective or improvement necessary shall be allocated for compensation of all teachers rated effective and highly effective based on the criteria in subsection (b).

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

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

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

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

(h) The Indiana education employment relations board shall review a compensation plan for compliance with this section as part of its review under IC 20-29-6-1. The Indiana education employment relations board has jurisdiction to determine compliance of a compensation plan submitted under this section.

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

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

SECTION 8. IC 20-30-4-2, AS AMENDED BY P.L.242-2017, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2. In consultation with the student's school counselor, after seeking consultation with each student's parents, and not later than the date on which the student completes grade 9, each student shall further develop the graduation plan developed in grade 6 under section 1.5 of this chapter to also include the following:

- (1) The subject and skill areas of interest to the student.
- (2) A program of study under the college/technology preparation curriculum adopted by the state board under IC 20-30-10-2 for grades 10, 11, and 12 that meets the interests and aptitude of the student.
- (3) Assurances that, upon satisfactory fulfillment of the plan, the student:
 - (A) is entitled to graduate; and
 - (B) will have taken at least the minimum variety and number of courses necessary to gain admittance to a state educational institution.
- (4) An indication of assessments (other than the statewide assessment program and the graduation examination (before July 1, 2018)) that the student plans to take voluntarily during grade 10 through grade 12 and which may include any of the following:
 - (A) The SAT Reasoning Test.
 - (B) The ACT test.
 - (C) Advanced placement or Cambridge International exams.

(D) College readiness exams approved by the department.

(E) Workforce readiness exams approved by the department of workforce development established under IC 22-4.1-2.

(5) An indication of the graduation pathway requirement (after June 30, 2018) that the student plans to take.

SECTION 9. IC 20-30-10-4, AS AMENDED BY P.L.49-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 4. Each high school must provide at least ~~two (2)~~ **of each one (1) or more** of the following course offerings:

- (1) Dual credit.
- (2) Advanced placement.

(3) Cambridge International.

SECTION 10. IC 20-30-10-5, AS ADDED BY P.L.46-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 5. Notwithstanding any other law, a high school may replace high school courses on the high school transcript with dual credit courses (as defined in IC 21-43-1-2.5), **Cambridge International** or advanced placement courses on the same subject matter with equal or greater rigor to the required high school course and may count such a course as satisfying academic honors or another special diploma requirement. A dual credit course must be authorized by an eligible institution (as described in IC 21-43-4-3.5) that is a member of a national dual credit accreditation organization, or the eligible institution must make assurances that the final assessment for the course given for dual credit under this section is substantially equivalent to the final assessment given in the college course in that subject.

SECTION 11. IC 20-33-3-10, AS ADDED BY P.L.1-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 10. (a) **Except as provided in subsection (b)**, an issuing officer may issue an employment certificate only to a child whose employment is necessary and only after receipt of the following two (2) documents:

- (1) Proof of age as set forth under section 11 of this chapter.
- (2) Proof of prospective employment as set forth under section 12 of this chapter.

(b) This subsection applies to a student who attends a nonaccredited nonpublic school. An issuing officer shall issue an employment certificate only after receipt of the following two (2) documents:

- (1) Proof of age as set forth under section 11 of this chapter.**
- (2) Proof of prospective employment as set forth under section 12 of this chapter.**

(b) (c) A child seeking an employment certificate from a school the child does not attend must also present to the issuing officer a written statement that:

- (1) is from the school the child does attend, **or, in the case of a student who attends a nonaccredited nonpublic school, is from the student's parent and attests that the student is enrolled in school;** and
- (2) attests to the child's acceptable academic performance and attendance.

(d) A written statement submitted under subsection (c)(1) by a parent of a student who attends a nonaccredited nonpublic school may be submitted to the issuing officer via facsimile or electronic mail.

SECTION 12. IC 20-33-3-22, AS ADDED BY P.L.1-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 22. The following apply only to a child who is at least fourteen (14) years of age and less than sixteen (16) years of age:

- (1) The child may not work before 7 a.m. or after 7 p.m. **on a day that precedes a school day or after 10 p.m. on a day that does not precede a school day. However, the**

child may work until 9 p.m. from June 1 through Labor Day.

(2) The child may not work:

- (A) more than three (3) hours on a school day **other than a Friday;**
- (B) more than eighteen (18) hours in a school week;
- (C) more than eight (8) hours on a nonschool day; or
- (D) more than forty (40) hours in a nonschool week.

SECTION 13. IC 20-36-5-1, AS AMENDED BY P.L.2-2007, SECTION 238, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 1. A student shall receive credits toward graduation or an academic honors diploma by demonstrating the student's proficiency in a course or subject area required for graduation or the academic honors diploma, whether or not the student has completed course work in the subject area, by any one (1) or more of the following methods:

- (1) Receiving a score that demonstrates proficiency on a standardized assessment of academic or subject area competence that is accepted by accredited postsecondary educational institutions.
- (2) Receiving a high proficiency level score on an end of course assessment for a course without taking the course.
- (3) Successfully completing a similar course at an eligible institution under the postsecondary enrollment program under IC 21-43-4.
- (4) Receiving a score of three (3), four (4), or five (5) on an advanced placement examination for a course or subject area.
- (5) Receiving a score of E(e) or higher on a Cambridge International Advanced A or AS level examination for a course or subject area.**

~~(5)~~ (6) Other methods approved by the state board.

SECTION 14. IC 20-36-6 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]:

Chapter 6. Cambridge International Courses

Sec. 1. As used in this chapter, "Cambridge course" refers to a course from the Cambridge Assessment International Education program.

Sec. 2. As used in this chapter, "Cambridge International examination" refers to the Cambridge International examination sponsored by the Cambridge Assessment International Education program.

Sec. 3. (a) Each student who enrolls in a Cambridge course may take the accompanying Cambridge International examination to receive high school credit for the Cambridge course.

(b) The department and the state board must provide that a successfully completed Cambridge course is credited towards fulfilling the requirements of the Core 40 with academic honors designation.

SECTION 15. IC 20-38-3-5, AS ADDED BY P.L.21-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 5. ARTICLE V. PLACEMENT AND ATTENDANCE

A. When a student transfers before or during a school year, the receiving state school initially shall honor placement of the student in educational courses based on the student's enrollment in the sending state school, on educational assessments conducted at the school in the sending state if the courses are offered, or on both the enrollment and assessments. Course placement includes honors, **Cambridge International**, international baccalaureate, advanced placement, vocational, technical, and career pathways courses. Continuing the student's academic program from the previous school and promoting placement in academically and career challenging courses are paramount when considering placement. The school in the receiving state may perform subsequent evaluations to ensure

appropriate placement and continued enrollment of the student in the courses.

B. The receiving state school initially shall honor placement of a student in educational programs based on current educational assessments conducted at the school in the sending state or by participation or placement in similar programs in the sending state. Similar programs include gifted and talented programs and English as a second language programs. A school in a receiving state may perform subsequent evaluations to ensure appropriate placement of a student.

C. In compliance with the federal requirements of the Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., the receiving state shall initially provide comparable services to a student with disabilities based on the student's current individualized education program.

D. In compliance with the requirements of Section 504 of the Rehabilitation Act, 29 U.S.C. 794, and with Title II of the Americans with Disabilities Act, 42 U.S.C. 12131 through 12165, the receiving state shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities, subject to an existing 504 Plan or Title II Plan, to provide the student with equal access to education. A school in a receiving state may perform subsequent evaluations to ensure appropriate placement of a student.

E. Local education agency administrative officials have flexibility in waiving course or program prerequisites or other preconditions for placement in courses or programs offered under the jurisdiction of the local education agency.

F. A student whose parent or legal guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the local education agency superintendent to visit with the parent or legal guardian before the leave or deployment.

SECTION 16. IC 21-12-1.7-3, AS AMENDED BY P.L.165-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 3. (a) This section applies to an academic year beginning after August 31, 2014. The commission shall publish annually a schedule of award amounts for the higher education award and freedom of choice grant issued under this article. The schedule must provide award amounts on the basis of the recipient's expected family contribution. The expected family contribution shall be derived from information submitted on the recipient's financial aid application form. The commission shall determine award amounts separately for:

- (1) recipients attending approved public state educational institutions (except Ivy Tech Community College);
- (2) Ivy Tech Community College;
- (3) recipients attending a nonprofit college or university listed in IC 21-7-13-6(a)(1)(C); and
- (4) recipients attending approved postsecondary credit bearing proprietary institutions.

(b) This subsection expires June 30, 2017. The schedule of award amounts published under subsection (a) shall offer a larger award to a recipient who, as of the student's most recently concluded academic year, has successfully completed:

- (1) at least thirty (30) credit hours or the equivalent by the end of the student's first academic year;
- (2) at least sixty (60) credit hours or the equivalent by the end of the student's second academic year; or
- (3) at least ninety (90) credit hours or the equivalent by the end of the student's third academic year.

A student's academic years used to determine if the student meets the requirements of this subdivision are not required to be successive calendar years.

(c) This subsection applies to an academic year beginning after August 31, 2017. The schedule of award amounts

published under subsection (a) must offer a larger award to first time and prior recipients who successfully completed:

- (1) at least thirty (30) credit hours or the equivalent during the last academic year in which the student received state financial aid; or
- (2) at least thirty (30) credit hours or the equivalent during the last academic year in which the student was enrolled in a postsecondary educational institution.

(d) In determining eligibility under subsection (c), the commission shall apply all the following types of credits regardless of whether the credits were completed during the last academic year described in subsection (c)(1) or (c)(2):

- (1) Credits earned from dual credit, advanced placement, **Cambridge International**, and international baccalaureate courses.
- (2) College credits earned during high school.
- (3) Credits earned exceeding thirty (30) credit hours during a previous academic year in which a student received state financial aid.

(e) The schedule of award amounts shall set forth an amount for recipients described in subsection (a)(1) that is equal to fifty percent (50%) of the amount for recipients described in subsection (a)(3).

(f) This subsection expires September 1, 2016. A student that initially enrolls in an eligible institution for an academic year beginning before September 1, 2013, is eligible for the larger award determined under subsection (b) regardless of the student's credit completion.

SECTION 17. IC 21-12-3-9, AS AMENDED BY P.L.165-2016, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 9. (a) A higher education award for a student in a program leading to a baccalaureate degree may be renewed for a total of three (3) undergraduate academic years following the academic year of the first award or until an earlier time as the student receives a degree normally obtained in four (4) undergraduate academic years. A higher education award for a student in a program leading to a technical certificate or an undergraduate associate degree may be renewed for the number of academic years normally required to obtain a certificate or degree in the student's program. The commission may grant a renewal only upon application and only upon its finding that:

- (1) the applicant has successfully completed the work of a preceding year;
- (2) the applicant remains domiciled in Indiana;
- (3) the recipient's financial situation continues to warrant an award, based on the financial requirements set forth in section (1)(a)(3) of this chapter;
- (4) the applicant is eligible under section 2 of this chapter;
- (5) the student maintains satisfactory academic progress, as determined by the eligible institution;
- (6) beginning in an academic year beginning after August 31, 2017, the student successfully completes:
 - (A) at least twenty-four (24) credit hours or the equivalent during the last academic year in which the student received state financial aid; or
 - (B) at least twenty-four (24) credit hours or the equivalent during the last academic year in which the student was enrolled in a postsecondary educational institution; and

(7) if the student initially enrolls in an eligible institution for an academic year beginning after August 31, 2013, the student successfully completes:

- (A) at least twenty-four (24) credit hours or the equivalent by the end of the student's first academic year;
- (B) at least forty-eight (48) credit hours or the equivalent by the end of the student's second academic year; and

(C) at least seventy-two (72) credit hours or the equivalent by the end of the student's third academic year.

A student's academic years used to determine if the student meets the requirements of this subdivision are not required to be successive calendar years. A recipient who fails to meet the credit hour requirement for a particular academic year becomes ineligible for an award during the next academic year. The recipient may regain eligibility for an award in subsequent academic years if the recipient meets the aggregate credit hour requirements commensurate with the recipient's academic standing. In addition, the commission may allow a student who is otherwise ineligible under this subdivision for an award during the next academic year to maintain eligibility for an award if the student submits a petition to the commission and the commission makes a determination that extenuating circumstances (as determined by the commission) prevented the student from meeting the requirements of this subdivision. This subdivision expires June 30, 2017.

(b) In determining eligibility under subsection (a)(6), the commission shall apply all the following types of credits regardless of whether the credits were completed during the last academic year described in subsection (a)(6)(A) or (a)(6)(B):

- (1) Credits earned from dual credit, advanced placement, **Cambridge International**, and international baccalaureate courses.
- (2) College credits earned during high school.
- (3) Credits earned exceeding thirty (30) credit hours during a previous academic year in which a student received state financial aid.

SECTION 18. IC 21-12-6-7, AS AMENDED BY P.L.165-2016, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 7. (a) Subject to IC 21-12-13-2, a scholarship awarded under section 6 of this chapter or this section may be renewed. To qualify for a scholarship renewal, a scholarship recipient must do the following:

- (1) Submit to the commission a renewal application that contains all the information and evidence required by the commission to determine eligibility for the scholarship renewal.
- (2) Continue to be enrolled as a full-time student in good standing at an eligible institution.
- (3) This subdivision applies only to applicants who initially enroll in the program under section 5 of this chapter or IC 21-12-6.5-2 after June 30, 2011. For purposes of this chapter, applicants who are enrolled in the program before July 1, 2011, will not have an income or financial resources test applied to them when they subsequently apply to renew a scholarship. Continue to have a lack of financial resources reasonably available to the applicant, as defined by the commission, that, in the absence of an award under this chapter, would deter the scholarship applicant from completing the applicant's education at the approved postsecondary educational institution that the applicant has selected and that has accepted the applicant.
- (4) Maintain satisfactory academic progress, as determined by the eligible institution.
- (5) If the student initially enrolls in an eligible institution for an academic year beginning after August 31, 2013, the student successfully completes:

- (A) at least thirty (30) credit hours or the equivalent by the end of the student's first academic year;
- (B) at least sixty (60) credit hours or the equivalent by the end of the student's second academic year; and
- (C) at least ninety (90) credit hours or the equivalent by the end of the student's third academic year.

A student's academic years used to determine if the student meets the requirements of this subdivision are not required to be successive calendar years. A recipient who fails to meet the credit hour requirement for a particular academic year becomes ineligible for an award during the next academic year. The recipient may become eligible for an award in subsequent academic years if that recipient meets the aggregate credit hour requirements commensurate with the recipient's academic standing. In addition, the commission may allow a student who is otherwise ineligible under this subdivision for an award during the next academic year to maintain eligibility for an award if the student submits a petition to the commission and the commission makes a determination that extenuating circumstances (as determined by the commission) prevented the student from meeting the requirements of this subdivision. This subdivision expires June 30, 2017.

(6) Beginning in an academic year beginning after August 31, 2017, the student successfully completes:

(A) at least thirty (30) credit hours or the equivalent during the last academic year in which the student received state financial aid; or

(B) at least thirty (30) credit hours or the equivalent during the last academic year in which the student was enrolled in postsecondary education.

(7) Continue to meet any other minimum criteria established by the commission.

(b) In determining eligibility under subsection (a)(6), the commission shall apply all the following types of credits regardless of whether the credits were completed during the last academic year described in subsection (a)(6)(A) or (a)(6)(B):

(1) Credits earned from dual credit, advanced placement, **Cambridge International**, and international baccalaureate courses.

(2) College credits earned during high school.

(3) Credits earned exceeding thirty (30) credit hours during a previous academic year in which a student received state financial aid.

(c) The commission may allow a student who is otherwise ineligible under subsection (a)(6) for an award during the next academic year to maintain eligibility for an award if the student submits a petition to the commission and the commission makes a determination that extenuating circumstances (as determined by the commission) prevented the student from meeting the requirements under subsection (a)(6).

SECTION 19. IC 34-13-3.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]:

Chapter 3.5. Claims Against Public Schools

Sec. 1. (a) This chapter applies only to an action brought against a public school under the laws of:

(1) the United States; or

(2) Indiana.

(b) This chapter does not apply to a civil action or administrative proceeding under IC 20-28 or IC 20-29.

Sec. 2. This chapter may not be construed to restrict or limit the rights, procedures, or remedies available to an individual or entity under:

(1) the federal or state Constitution; or

(2) another federal law.

Sec. 3. As used in this chapter, "public school" refers to a:

(1) school corporation (as defined in IC 20-18-2-16); or

(2) charter school (as defined in IC 20-24-1-4).

Sec. 4. An individual or entity may not initiate a civil action or an administrative proceeding against a public school, unless the individual or entity submits a written notice to the public school and the governing body that notifies the public school and the governing body of the alleged violation of law and indicates a proposed remedy.

Sec. 5. A proposed remedy that is offered under section 4 of this chapter must meet the following conditions:

(1) Provide the public school with a specific request for relief.

(2) Allow the public school to offer the individual or entity the relief requested in the written notice submitted under section 4 of this chapter before the individual or entity initiates a civil action or administrative proceeding against the public school.

Sec. 6. Not later than fifteen (15) days after the individual or entity submits the notice described in section 4 of this chapter to the public school, the public school may do the following:

(1) Remedy the alleged violation or violations.

(2) Make a written offer to the individual or entity to resolve a dispute.

Sec. 7. If an individual or entity does not submit the notice described in section 4 of this chapter to a public school before initiating a civil action or an administrative proceeding, a court, administrative law judge, or hearing officer shall dismiss the action without prejudice.

SECTION 20. [EFFECTIVE UPON PASSAGE] (a) The definitions in IC 20 apply throughout this SECTION.

(b) The legislative council is urged to assign to an appropriate interim study committee the task of studying the impact of the following on school corporations and charter schools:

(1) The amount of litigation, including administrative proceedings, initiated against a school corporation or charter school.

(2) The cost to a school corporation or charter school to defend against litigation described in subdivision (1).

(3) Ways to promote settlement before a dispute involves litigation described in subdivision (1).

(4) The use of fee shifting provisions by school corporations and charter schools as a means to deter litigation.

SECTION 21. An emergency is declared for this act."

(Reference is to HB 1420 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

BEHNING, Chair

Report adopted.

HOUSE BILLS ON SECOND READING

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: House Bills 1007, 1023, 1027, 1057, 1060, 1073, 1080, 1091, 1096, 1120, 1141, 1214, 1228, 1250, 1270, 1277, 1285, 1311, 1319, 1323, 1352 and 1358.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1004

Representative Siegrist called down Engrossed House Bill 1004 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

Roll Call 58: yeas 98, 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 Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Alting.

Engrossed House Bill 1015

Representative Torr called down Engrossed House Bill 1015 for third reading:

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

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

Roll Call 59: yeas 86, nays 11. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Bray, Tallian and Glick.

Representatives Candelaria Reardon and Summers, who had been present, is now excused.

Engrossed House Bill 1017

Representative Gutwein called down Engrossed House Bill 1017 for third reading:

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

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

Roll Call 60: yeas 96, 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 Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Charbonneau and Head.

Engrossed House Bill 1167

Representative Cook called down Engrossed House Bill 1167 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 61: yeas 95, 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 Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Mishler and Bassler.

The Speaker yielded the gavel to the Deputy Speaker Pro Tempore, Representative Karickhoff.

Engrossed House Bill 1244

Representative DeVon called down Engrossed House Bill 1244 for third reading:

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

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

Roll Call 62: yeas 94, 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 Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Zakas.

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

Engrossed House Bill 1303

Representative Steuerwald called down Engrossed House Bill 1303 for third reading:

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

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

Roll Call 63: yeas 95, 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 Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Bray and Lanane.

Representative Candelaria Reardon, who had been excused, is now present.

Engrossed House Bill 1309

Representative Engleman called down Engrossed House Bill 1309 for third reading:

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

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

Roll Call 64: yeas 96, 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 Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Buck.

Engrossed House Bill 1314

Representative DeVon called down Engrossed House Bill 1314 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 65: yeas 97, 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 Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Zay and Raatz.

The Deputy Speaker Pro Tempore yielded the gavel to the Speaker.

Engrossed House Bill 1359

Representative Steuerwald called down Engrossed House Bill 1359 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 66: yeas 85, nays 12. 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 Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators M. Young, Houchin and Freeman.

Representatives Austin and Summers, who had been present, are now excused.

Engrossed House Bill 1384

Representative Beumer called down Engrossed House Bill 1384 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 67: yeas 85, nays 10. 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 Clerk

was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Messmer.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1061, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Page 18, after line 19, begin a new paragraph and insert:

"SECTION 5. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "legislative council" refers to the legislative council created by IC 2-5-1.1-1.

(b) As used in this SECTION, "study committee" means either of the following:

(1) A statutory committee established under IC 2-5.

(2) An interim study committee.

(c) The legislative council is urged to assign to the appropriate study committee, during the 2018 interim, the task of studying the appropriate statute of repose duration for a product liability action that involves:

(1) a protracted exposure to a foreign substance that is visited into the body; and

(2) a cause of action based upon:

(A) death;

(B) disease;

(C) negligence;

(D) personal injury; or

(E) strict liability.

(d) If an appropriate study committee is assigned the topic described in subsection (c), the study committee shall issue to the legislative council a final report containing the study committee's findings and recommendations, including any recommended legislation concerning the topic, in an electronic format under IC 5-14-6, not later than November 1, 2018.

(e) This SECTION expires December 31, 2018.

SECTION 6. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

(Reference is to HB 1061 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 7, nays 6.

STEUERWALD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred House Bill 1065, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 5-28-33-2, AS ADDED BY P.L.152-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2. As used in this chapter, "high speed Internet service" means a connection to the Internet that provides capacity for transmission at an average speed of at least ~~three hundred eighty-four (384) kilobits~~ **twenty-five (25) megabits** per second downstream **and at least three (3) megabits upstream**, regardless of the technology or medium used to provide the connection.

SECTION 2. IC 5-28-33-6, AS ADDED BY P.L.152-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 6. The corporation **and the office of technology (established by IC 4-13.1-2-1)** may apply for state broadband data and development grants under the

federal Broadband Data Improvement Act and the American Recovery and Reinvestment Act of 2009 **and any other relevant sources for state or federal grants.**

SECTION 3. IC 5-28-33-9, AS ADDED BY P.L.152-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 9. The corporation shall establish the following priorities in developing and implementing the high speed Internet service deployment and adoption initiative:

(1) First, extending the deployment of high speed Internet service to areas where:

(A) Internet connections are unavailable; or

(B) the only available Internet connections provide capacity for transmission at an average speed of less than ~~two hundred (200) kilobits~~ **five (5) megabits** per second downstream.

(2) Second, extending the deployment of high speed Internet service to areas where the only available Internet connections provide capacity for transmission at an average speed of:

(A) not less than ~~two hundred (200) kilobits;~~ **five (5) megabits;** and

(B) not more than ~~one and five-tenths (1.5) twenty-five (25) megabits;~~

per second downstream.

(3) Third, supporting programs to promote broadband adoption throughout Indiana.

SECTION 4. IC 5-28-33-10, AS ADDED BY P.L.152-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 10. The corporation **and the office of technology (established by IC 4-13.1-2-1)** is ~~are~~ designated as the ~~single only eligible entity entities~~ to receive a grant under 47 U.S.C. 1304."

Delete page 2.

Page 3, delete lines 1 through 29.

Page 3, line 36, delete "September 1, 2018," and insert "**October 1, 2018,**"

Page 4, delete lines 5 through 8.

Page 4, line 9, delete "(8)" and insert "(5)".

Page 4, line 9, delete "concerning:" and insert "**concerning**".

Page 4, line 10, delete "(A)".

Page 4, line 10, delete "reform;" and insert "**reform**".

Page 4, delete lines 11 through 12.

Page 4, run in lines 9 through 13.

Page 4, line 14, after "study," insert "**and notwithstanding IC 8-1-2.6-1.1, IC 8-1-2.6-13, and IC 8-1-32.5-6,**"

Page 4, line 19, delete "September 1, 2018," and insert "**October 1, 2018,**"

Renumber all SECTIONS consecutively.

(Reference is to HB 1065 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

OBER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1115, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 14-22-10-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2. (a) As used in this section and section 2.5 of this chapter, "governmental entity" means any of the following:

(1) The government of the United States of America.

(2) The state. ~~of Indiana.~~

(3) A county.

- (4) A city.
- (5) A town.
- (6) A township.
- (7) The following, if created by the Constitution of the United States, the Constitution of the State of Indiana, a statute, an ordinance, a rule, or an order:
 - (A) An agency.
 - (B) A board.
 - (C) A commission.
 - (D) A committee.
 - (E) A council.
 - (F) A department.
 - (G) A district.
 - (H) A public body corporate and politic.

(b) As used in this section and section 2.5 of this chapter, "monetary consideration" means a fee or other charge for permission to go upon a tract of land. The term does not include:

- (1) the gratuitous sharing of game, fish, or other products of the recreational use of the land;
- (2) services rendered for the purpose of wildlife management; or
- (3) contributions in kind made for the purpose of wildlife management.

(c) As used in this section and section 2.5 of this chapter, "owner" means a governmental entity or another person that:

- (1) has a fee interest in;
- (2) is a tenant, a lessee, or an occupant of; or
- (3) is in control of;

a tract of land.

(d) A person who goes upon or through the premises, including caves, of another:

- (1) with or without permission; and
- (2) either:
 - (A) without the payment of monetary consideration; or
 - (B) with the payment of monetary consideration directly or indirectly on the person's behalf by an agency of the state or federal government;

for the purpose of swimming, camping, hiking, sightseeing, or **accessing a trail, a greenway, or another similar area**, or for any other purpose (other than the purposes described in section 2.5 of this chapter) does not have an assurance that the premises are safe for the purpose.

(e) The owner of the premises does not:

- (1) assume responsibility; or
- (2) incur liability;

for an injury to a person or property caused by an act or failure to act of other persons using the premises.

(f) This section does not affect the following:

- (1) Existing Indiana case law on the liability of owners or possessors of premises with respect to the following:
 - (A) Business invitees in commercial establishments.
 - (B) Invited guests.
- (2) The attractive nuisance doctrine.

(g) This section does not excuse the owner or occupant of premises from liability for injury to a person or property caused by a malicious or an illegal act of the owner or occupant."

Delete page 2.

Page 3, delete lines 1 through 4.

(Reference is to HB 1115 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

STEUERWALD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1195, has had the same under consideration and begs leave to report the same back to the

House with the recommendation that said bill be amended as follows:

Page 2, line 30, delete "orders." and insert "orders or dealer cost plus seventy-five percent (75%) gross profit, whichever is greater."

Page 3, line 29, delete "theft, or operator" and insert "or theft."

Page 3, delete lines 30 through 31.

Page 3, line 32, delete "(9)" and insert "(8)".

Page 3, line 33, delete "(10) Goodwill" and insert "(9) **Manufacturer or distributor reimbursed goodwill**".

Page 3, delete lines 34 through 38.

Page 3, line 39, delete "(13)" and insert "(10)".

Page 3, line 39, delete "tires" and insert "tires."

Page 3, line 39, delete "or related elements."

Page 4, line 19, delete "may not:" and insert "**may not impose a surcharge on a dealer for the purpose of recovering any of its costs related to the reimbursement of a dealer for parts or labor required under this section.**".

Page 4, delete lines 20 through 23.

Page 4, line 24, delete "section."

Page 5, line 17, delete "six (6) months" and insert "**twelve (12) months**".

Page 5, line 33, delete "Subsection (c) does not apply to a manufacturer or" and insert "**A manufacturer or distributor shall provide a dealer with written notification of the specific grounds upon which a claim is being charged back as a result of an audit. A manufacturer or distributor shall provide a reasonable appeals process allowing the dealer at least thirty (30) days after receipt of the notice of charge back to provide additional supporting documentation or information rebutting the charge back. If the charge back is based upon noncompliance with documentation requirements, material claim submission requirements, or other material clerical errors, the manufacturer or distributor shall allow the dealer thirty (30) days from the receipt of the notice of charge back to cure any material noncompliance. A manufacturer's or distributor's audit or appeals process shall allow a dealer, the dealer's designated agent, officer, or employee to request, in writing, a meeting with the manufacturer or distributor via in-person meeting, video conference, or telephone call or a written explanation of the basis for a charge back. The manufacturer or distributor shall respond with all details and specific information supporting the basis for each charge back. The manufacturer or distributor and the dealer may agree, during the audit or appeals process, to an extension of time for the dealer to cure any material noncompliance as necessitated by the volume of the claim charge backs at issue.**".

Page 5, delete lines 34 through 42.

Page 6, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 5. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "legislative council" refers to the legislative council created by IC 2-5-1.1-1.

(b) As used in this SECTION, "study committee" means either of the following:

(1) A statutory committee established under IC 2-5.

(2) An interim study committee.

(c) The legislative council is urged to assign to the appropriate study committee, during the 2018 interim, the task of studying manufacturer car subscription services.

(d) If an appropriate study committee is assigned the topic described in subsection (c), the study committee shall issue to the legislative council a final report containing the study committee's findings and recommendations, including any recommended legislation concerning the topic, in an electronic format under IC 5-14-6, not later than November 1, 2018.

(e) This SECTION expires December 31, 2018.

SECTION 6. An emergency is declared for this act."

Page 6, delete lines 11 through 42.

Renumber all SECTIONS consecutively.

(Reference is to HB 1195 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1257, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB1257 as printed January 23, 2018.)

Committee Vote: Yeas 18, Nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1260, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 8 through 17.

Page 2, delete lines 1 through 10, begin a new paragraph and insert:

"SECTION 2. IC 16-21-2-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) **Before January 1, 2019**, the state health commissioner may:

- (1) issue a license upon the application without further evidence; or
- (2) request additional information concerning the application and conduct an investigation to determine whether a license should be granted.

This subsection expires January 1, 2019.

(b) After December 31, 2018, the state health commissioner:

(1) may:

(A) issue a license upon the application of a hospital that is not accredited by a recognized accrediting organization without further evidence; or

(B) request additional information concerning the application of a hospital that is not accredited by a recognized accrediting organization and conduct an investigation to determine whether a license should be granted; and

(2) shall issue a license upon the application of a hospital that has received accreditation by a recognized accrediting organization without the state department conducting an annual survey.

(c) The state department may investigate a complaint against an accredited hospital described in subsection (b)(2) for substantial noncompliance, as determined by the state department, with state law or rules. Nothing in this section prohibits the state health commissioner from taking action against a hospital under IC 16-21-3 for substantial noncompliance with state law or rules.

(d) If a hospital is not accredited by a recognized accrediting organization, the state department shall conduct an annual survey of the hospital.

(e) The state department shall conduct random validation surveys on behalf of the federal Centers for Medicare and Medicaid Services.

(f) A hospital shall provide a copy of the survey report and certificate of accreditation from a recognized

accrediting organization to the state health commissioner not more than ten (10) days after receipt of the survey or accreditation.

(g) The state department shall work with recognized accrediting organizations to develop and implement common accrediting and licensure standards.

SECTION 3. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

(Reference is to HB 1260 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 8, nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1263, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1263 as introduced.)

Committee Vote: Yeas 16, Nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1276, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, reset in roman lines 32 through 34.

Page 2, line 32, strike "(e)" and insert "**(d)**".

Page 2, line 35, delete "(d)" and insert "**(e)**".

Page 2, line 39, delete "(e)" and insert "**(f)**".

Page 4, line 17, delete "(f)" and insert "**(g)**".

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

Page 4, line 37, strike "(h)" and insert "**(i)**".

(Reference is to HB 1276 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1328, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 9.

Page 2, delete lines 17 through 42.

Delete page 3.

Renumber all SECTIONS consecutively.

(Reference is to HB 1328 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

STEUERWALD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1356, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, line 4, after "send" insert "**notification via electronic mail or**".

(Reference is to HB 1356 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 6, nays 2.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1406, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 4-31-6-11, AS AMENDED BY P.L.103-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 11. (a) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-32(h) or IC 31-25-4-34(c), the commission shall send to the person who is the subject of the order a notice that does the following:

(1) States that the person is delinquent and is subject to an order placing the person on probationary status.

(2) Explains that unless the person contacts the bureau and:

- (A) pays the person's child support arrearage in full;
- (B) establishes a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; or
- (C) requests a hearing under IC 31-25-4-33;

within twenty (20) days after the date the notice is mailed; the commission shall place the person on probationary status with respect to any license issued to the person under this chapter.

(3) Explains that the person may contest the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status by making written application to the bureau within twenty (20) days after the date the notice is mailed.

(4) Explains that the only basis for contesting the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status is a mistake of fact.

(5) Explains the procedures to:

- (A) pay the person's child support arrearage in full;
- (B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; and
- (C) request a hearing under IC 31-25-4-33.

(6) Explains that the probation will terminate ten (10) business days after the commission receives a notice from the bureau that the person has:

- (A) paid the person's child support arrearage in full; or
- (B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

place on probationary status any license issued under this chapter and held by the person who is the subject of the order. The commission shall send the person a notice that does the following:

(1) States that the person's license has been placed on probationary status.

(2) States that the person's license will be suspended if the commission has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice.

(3) Describes the amount of child support that the person is in arrears.

(4) Explains the procedures to:

(A) pay the person's child support arrearage in full; and

(B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(b) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-34(c), the commission shall send to the person who is the subject of the order a notice that states the following:

(1) That a license issued to the person under this chapter has been placed on probationary status, beginning five (5) business days after the date the notice is mailed; and that the probation will terminate ten (10) business days after the commission receives a notice from the bureau that the person has:

- (A) paid the person's child support arrearage in full; or
- (B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(2) That if the commission is advised by the bureau that the person whose license has been placed on probationary status has failed to:

- (A) pay the person's child support arrearage in full; or
- (B) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the date the notice is mailed; the commission shall suspend the person's license.

(c) If a person whose license has been placed on probationary status fails to:

- (1) pay the person's child support arrearage in full; or
- (2) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the notice required under subsection (b) is mailed; the commission shall suspend the person's license.

(b) If the commission has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice in subsection (a), the commission shall suspend the license issued to the person under this chapter.

(d) (c) The commission may not reinstate a license placed on probationary status or suspended under this section until the commission receives a notice from the bureau that the person has:

- (1) paid the person's child support arrearage in full; or
- (2) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has addressed the delinquency.

SECTION 2. IC 4-33-8.5-3, AS AMENDED BY P.L.103-2007, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 3. (a) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-32(h) or IC 31-25-4-34(c), the commission shall send to the person who is the subject of the order a notice that does the following:

(1) States that the person is delinquent and is subject to an order placing the person on probationary status.

(2) Explains that unless the person contacts the bureau and:

- (A) pays the person's child support arrearage in full;
- (B) establishes a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; or
- (C) requests a hearing under IC 31-25-4-33;

within twenty (20) days after the date the notice is mailed; the commission shall place the person on probationary status with respect to any license issued to the person under this chapter.

(3) Explains that the person may contest the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status by making written application to the bureau within twenty (20) days after the date the notice is mailed.

(4) Explains that the only basis for contesting the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status is a mistake of fact.

(5) Explains the procedures to:

- (A) pay the person's child support arrearage in full;
- (B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; and
- (C) request a hearing under IC 31-25-4-33.

(6) Explains that the probation will terminate ten (10) business days after the commission receives a notice from the bureau that the person has:

- (A) paid the person's child support arrearage in full; or
- (B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

place on probationary status any license issued under this article and held by the person who is the subject of the order. The commission shall send the person a notice that does the following:

(1) States that the person's license has been placed on probationary status.

(2) States that the person's license will be suspended if the commission has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice.

(3) Describes the amount of child support that the person is in arrears.

(4) Explains the procedures to:

- (A) pay the person's child support arrearage in full; and
- (B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(b) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-34(c), the commission shall send to the person who is the subject of the order a notice that states the following:

(1) That a license issued to the person under this article has been placed on probationary status, beginning five (5) business days after the date the notice is mailed; and that the probation will terminate ten (10) business days after the commission receives a notice from the bureau that the person has:

- (A) paid the person's child support arrearage in full; or
- (B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(2) That if the commission is advised by the bureau that the person whose license has been placed on probationary status has failed to:

- (A) pay the person's child support arrearage in full; or
- (B) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the date the notice is mailed; the commission shall suspend the person's license.

(c) If a person whose license has been placed on probationary status fails to:

- (1) pay the person's child support arrearage in full; or
- (2) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the notice required under subsection (b) is mailed; the commission shall suspend the person's license.

(b) If the commission has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice in subsection (a), the commission shall suspend the license issued to the person under this article.

(d) (c) The commission may not reinstate a license placed on probationary status or suspended under this section until the commission receives a notice from the bureau that the person has:

- (1) paid the person's child support arrearage in full; or
- (2) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has addressed the delinquency.

SECTION 3. IC 4-35-6.7-2, AS ADDED BY P.L.80-2010, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2. (a) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-32(h) or IC 31-25-4-34(c), the commission shall send to the person who is the subject of the order a notice that does the following:

(1) States that the person is delinquent and is subject to an order placing the person on probationary status:

(2) Explains that unless the person contacts the bureau and:

- (A) pays the person's child support arrearage in full;
- (B) establishes a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; or
- (C) requests a hearing under IC 31-25-4-33;

within twenty (20) days after the date the notice is mailed; the commission shall place the person on probationary status with respect to any license issued to the person under this chapter.

(3) Explains that the person may contest the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status by making written application to the bureau within twenty (20) days after the date the notice is mailed.

(4) Explains that the only basis for contesting the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status is a mistake of fact.

(5) Explains the procedures to:

- (A) pay the person's child support arrearage in full;
- (B) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; and
- (C) request a hearing under IC 31-25-4-33.

(6) Explains that the probation will terminate ten (10) business days after the commission receives a notice from the bureau that the person has:

- (A) paid the person's child support arrearage in full; or
- (B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

place on probationary status any license issued under this article and held by the person who is the subject of the order. The commission shall send the person a notice that does the following:

(1) States that the person's license has been placed on probationary status.

(2) States that the person's license will be suspended if the commission has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice.

(3) Describes the amount of child support that the person is in arrears.

(4) Explains the procedures to:

(A) pay the person's child support arrearage in full; and

(B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(b) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-34(e), the commission shall send to the person who is the subject of the order a notice that states the following:

(1) That a license issued to the person under this article has been placed on probationary status, beginning five (5) business days after the date the notice is mailed; and that the probation will terminate ten (10) business days after the commission receives a notice from the bureau that the person has:

(A) paid the person's child support arrearage in full; or
(B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(2) That if the commission is advised by the bureau that the person whose license has been placed on probationary status has failed to:

(A) pay the person's child support arrearage in full; or
(B) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the date the notice is mailed; the commission shall suspend the person's license.

(c) If a person whose license has been placed on probationary status fails to:

(1) pay the person's child support arrearage in full; or
(2) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the notice required under subsection (b) is mailed; the commission shall suspend the person's license.

(b) If the commission has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice in subsection (a), the commission shall suspend the license issued to the person under this article.

(d) (c) The commission may not reinstate a license placed on probationary status or suspended under this section until the commission receives a notice from the bureau that the person has:

(1) paid the person's child support arrearage in full; or
(2) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; as required by IC 4-35-4-16.

under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has addressed the delinquency."

Delete pages 2 through 7.

Page 8, delete lines 1 through 40.

Page 9, delete lines 7 through 42, begin a new paragraph and insert:

"SECTION 5. IC 7.1-3-23-44, AS ADDED BY P.L.80-2010, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 44. (a) As used in this section, "bureau" refers to the child support bureau of the

department of child services established established by IC 31-25-3-1.

(b) As used in this section, "delinquent" has the meaning set forth in IC 4-35-2-3.5.

(c) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-32(k) or IC 31-25-4-34(f), the commission shall send to the person who is the subject of the order a notice that includes the following information:

(1) The person is delinquent and subject to an order placing the person on probationary status.

(2) That unless the person contacts the bureau and:

(A) pays the person's child support arrearage in full;
(B) establishes a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; or
(C) requests a hearing under IC 31-25-4-33;

within twenty (20) days after the date the notice is mailed; the commission shall place the person on probationary status with respect to a permit issued to the person under IC 7.1-3-18-9(a)(3).

(3) The person may contest the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status by making written application to the bureau within twenty (20) days after the date the notice is mailed.

(4) The only basis for contesting the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status is a mistake of fact.

(5) The procedures to:

(A) pay the person's child support arrearage in full;
(B) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; and
(C) request a hearing under IC 31-25-4-33.

(6) The probation will end ten (10) business days after the date that the commission receives a notice from the bureau that the person has:

(A) paid the person's child support arrearage in full; or
(B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

place on probationary status any permit issued under IC 7.1-3-18-9(a)(3) and held by the person who is the subject of the order. The commission shall send the person a notice that does the following:

(1) States that the person's permit has been placed on probationary status.

(2) States that the person's permit will be suspended if the commission has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice.

(3) Describes the amount of child support that the person is in arrears.

(4) Explains the procedures to:

(A) pay the person's child support arrearage in full; and
(B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(d) If the commission is advised by the bureau that the obligor either requested a hearing and failed to appear or appeared and was found to be delinquent; the commission shall send to the person who is the subject of the order a notice that states the following:

(1) That a permit issued to the person under IC 7.1-3-18-9(a)(3) has been placed on probationary status; beginning five (5) business days after the date the notice is mailed; and that the probation will end ten (10)

business days after the date that the commission receives a notice from the bureau that the person has:

- (A) paid the person's child support arrearage in full; or
- (B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(2) That if the commission is advised by the bureau that the person whose permit has been placed on probationary status has failed to:

- (A) pay the person's child support arrearage in full; or
- (B) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the date the notice is mailed; the commission shall suspend the person's permit.

(c) If a person whose permit has been placed on probationary status fails to:

- (1) pay the person's child support arrearage in full; or
- (2) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the notice required under subsection (c) is mailed; the commission shall suspend the person's permit.

(d) If the commission has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice in subsection (c), the commission shall suspend the permit issued to the person under IC 7.1-3-18-9(a)(3).

(f) (e) The commission may not reinstate a permit placed on probationary status or suspended under this section until the commission receives a notice from the bureau that the person has:

- (1) paid the person's child support arrearage in full; or
- (2) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has addressed the delinquency.

SECTION 6. IC 9-30-13-7, AS AMENDED BY P.L.217-2014, SECTION 151, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 7. (a) If the bureau is advised by the Title IV-D agency that the obligor (as defined in IC 31-25-4-4) either requested a hearing under IC 31-25-4-33 and failed to appear or appeared and was found to be delinquent; Upon receiving an order from the Title IV-D agency under IC 31-25-4-32(b) or IC 31-25-4-33, the bureau shall promptly mail a notice to the obligor (as defined in IC 31-25-4-4) stating the following:

(1) That the obligor's driving privileges are suspended, beginning eighteen (18) business days after the date the notice is mailed, and that the suspension will terminate after the bureau receives a notice from the Title IV-D agency that the obligor has:

- (A) paid the obligor's child support arrearage in full; or
- (B) established a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-0.5 or IC 31-16-15-2.5.

under IC 31-25-4-32(m) that the obligor has addressed the delinquency.

(2) That the obligor may be granted specialized driving privileges under IC 9-30-16.

(b) If the bureau has not received notice from the Title IV-D agency under IC 31-25-4-32(m) within eighteen (18) days after the date of the notice in subsection (a), the bureau shall suspend the obligor's driving privileges.

(b) (c) The bureau may not reinstate driving privileges suspended under this section until the bureau receives a notice from the Title IV-D agency that the obligor has:

- (1) paid the obligor's child support arrearage in full; or
- (2) established a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-0.5 or IC 31-16-15-2.5.

under IC 31-25-4-32(m) that the obligor has addressed the delinquency.

(c) (d) An obligor who operates a motor vehicle in violation of this section commits a Class A infraction, unless:

- (1) the obligor's driving privileges are suspended under this section; and
- (2) the obligor has been granted specialized driving privileges under IC 9-30-16 as a result of the suspension under this section.

SECTION 7. IC 14-11-3-4, AS AMENDED BY P.L.123-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 4. (a) Upon receiving an order from the bureau under IC 31-25-4-32(j) or IC 31-25-4-34(e), the director shall send to the person who is the subject of the order a notice that does the following:

(1) States that the person is delinquent and is subject to an order placing the person on probationary status.

(2) Explains that unless the person contacts the bureau and:

- (A) pays the person's child support arrearage in full; or
- (B) establishes a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the date the notice is mailed; the director shall place the person on probationary status with respect to any license issued to the person under IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17, IC 14-22-19, IC 14-24-7, or IC 14-31-3.

(3) Explains that the person may contest the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status by making written application to the bureau within twenty (20) days after the date the notice is mailed.

(4) Explains that the only basis for contesting the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status is a mistake of fact.

(5) Explains the procedures to:

- (A) pay the person's child support arrearage in full; or
- (B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(6) Explains that the probation will terminate ten (10) business days after the director receives a notice from the bureau that the person has:

- (A) paid the person's child support arrearage in full; or
- (B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

place on probationary status any license issued under IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17, IC 14-22-19, IC 14-24-7, or IC 14-31-3 and held by the person who is the subject of the order. The director shall send the person a notice that does the following:

(1) States that the person's license has been placed on probationary status.

(2) States that the person's license will be suspended if the director has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice.

(3) Describes the amount of child support that the person is in arrears.

(4) Explains the procedures to:

- (A) pay the person's child support arrearage in full; and
- (B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(b) Upon receiving an order from the bureau under IC 31-25-4-34(e), the director shall send to the person who is the subject of the order a notice that states the following:

(1) That a license issued to the person under IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17, IC 14-22-19, IC 14-24-7, or IC 14-31-3 has been placed on probationary status, beginning five (5) business days after the date the notice is mailed; and that the probation will terminate ten (10) business days after the director receives a notice from the bureau that the person has:

- (A) paid the person's child support arrearage in full; or
- (B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(2) That if the director is advised by the bureau that the person whose license has been placed on probationary status has failed to:

- (A) pay the person's child support arrearage in full; or
- (B) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the date the notice is mailed; the director shall suspend the person's license.

(c) If a person whose license has been placed on probationary status fails to:

- (1) pay the person's child support arrearage in full; or
- (2) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the notice required under subsection (b) is mailed; the director shall suspend the person's license.

(b) If the director has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice in subsection (a), the director shall suspend the license issued to the person under IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17, IC 14-22-19, IC 14-24-7, or IC 14-31-3.

(d) (c) The director may not reinstate a license placed on probationary status or suspended under this section until the director receives a notice from the bureau that the person has:

- (1) paid the person's child support arrearage in full; or
- (2) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has addressed the delinquency."

Delete pages 10 through 14.

Page 15, delete lines 1 through 13.

Page 15, delete lines 39 through 42, begin a new paragraph and insert:

"SECTION 10. IC 25-1-1.2-8, AS AMENDED BY P.L.103-2007, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 8. (a) The board shall, upon receiving an order from the bureau under IC 31-25-4-32(e) or IC 31-25-4-34(b), send a notice to the practitioner identified by the bureau that includes the following:

(1) Specifies that the practitioner is delinquent and is subject to an order placing the practitioner on probationary status.

(2) Describes the amount of child support that the practitioner is in arrears.

(3) Explains that unless the practitioner contacts the bureau and:

(A) pays the practitioner's child support arrearage in full;

(B) establishes a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; or

(C) requests a hearing under IC 31-25-4-33;

within twenty (20) days after the date the notice is mailed; the board shall place the practitioner on probationary status.

(4) Explains that the practitioner may contest the bureau's determination that the practitioner is delinquent and subject to an order placing the practitioner on probationary status by making written application to the bureau within twenty (20) days after the date the notice is mailed.

(5) Explains that the only basis for contesting the bureau's determination that the practitioner is delinquent and subject to an order placing the practitioner on probationary status is a mistake of fact.

(6) Explains the procedures to:

(A) pay the practitioner's child support arrearage in full;

(B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; and

(C) request a hearing under IC 31-25-4-33.

(7) Explains that the probation will terminate ten (10) business days after the board receives a notice from the bureau that the practitioner has:

(A) paid the practitioner's child support arrearage in full; or

(B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

place on probationary status any license issued by the board and held by the person who is the subject of the order. The board shall send the practitioner a notice that does the following:

(1) States that the person's license has been placed on probationary status.

(2) States that the person's license will be suspended if the board has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice.

(3) Describes the amount of child support that the person is in arrears.

(4) Explains the procedures to:

(A) pay the person's child support arrearage in full; and

(B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(b) If the board is advised by the bureau that the practitioner either requested a hearing and failed to appear or appeared and was found to be delinquent; the board shall promptly mail a notice to the practitioner who is the subject of the order stating the following:

(1) That the practitioner's license has been placed on probationary status, beginning five (5) business days after the date the notice is mailed; and that the probation will terminate ten (10) business days after the board receives a notice from the bureau that the person has:

(A) paid the person's child support arrearage in full; or

(B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(2) That if the board is advised by the bureau that the practitioner whose license has been placed on probationary status has failed to:

- (A) pay the person's child support arrearage in full; or
- (B) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the date the notice is mailed; the board shall suspend the practitioner's license.

(c) If the board is advised by the bureau that the practitioner whose license has been placed on probationary status has failed to:

- (1) pay the person's child support arrearage in full; or
- (2) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the date the notice is mailed; the board shall suspend the practitioner's license.

(b) If the board has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice in subsection (a), the board shall suspend the practitioner's license.

(d) (c) The board may not reinstate a license or permit placed on probationary status or suspended under this section until the board receives a notice from the bureau that the person has:

- (1) paid the person's child support arrearage in full; or
- (2) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the practitioner has addressed the delinquency.

SECTION 11. IC 27-1-15.6-29, AS AMENDED BY P.L.103-2007, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 29. (a) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-32(i) or IC 31-25-4-34(d), the commissioner shall send to the person who is the subject of the order a notice that does the following:

(1) States that the person is delinquent and is subject to an order placing the person on probationary status.

(2) Explains that unless the person contacts the bureau and:

- (A) pays the person's child support arrearage in full;
- (B) establishes a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; or
- (C) requests a hearing under IC 31-25-4-33;

within twenty (20) days after the date the notice is mailed; the commissioner shall place the person on probationary status with respect to a license issued to the person under this chapter.

(3) Explains that the person may contest the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status by making written application to the bureau within twenty (20) days after the date the notice is mailed.

(4) Explains that the only basis for contesting the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status is a mistake of fact.

(5) Explains the procedures to:

- (A) pay the person's child support arrearage in full;
- (B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; and
- (C) request a hearing under IC 31-25-4-33.

(6) Explains that the probation will terminate ten (10) business days after the commissioner receives a notice from the bureau that the person has:

- (A) paid the person's child support arrearage in full; or
- (B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

place on probationary status any license issued under this article and held by the person who is the subject of the order. The commissioner shall send the person a notice that does the following:

(1) States that the person's license has been placed on probationary status.

(2) States that the person's license will be suspended if the commissioner has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice.

(3) Describes the amount of child support that the person is in arrears.

(4) Explains the procedures to:

- (A) pay the person's child support arrearage in full; and
- (B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(b) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-34(d), the commissioner shall send a notice to the person who is the subject of the order stating the following:

(1) That a license issued to the person under this chapter has been placed on probationary status, beginning five (5) business days after the date the notice was mailed; and that the probation will terminate ten (10) business days after the commissioner receives a notice from the bureau that the person has:

- (A) paid the person's child support arrearage in full; or
- (B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(2) That if the commissioner is advised by the bureau that the person whose license has been placed on probationary status has failed to:

- (A) pay the person's child support arrearage in full; or
- (B) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the date the notice is mailed; the commissioner shall suspend the person's license.

(c) If the commissioner receives a notice by the bureau (Title IV-D agency) under IC 31-25-4-32(i) that the person whose license has been placed on probationary status has failed to:

- (1) pay the person's child support arrearage in full; or
- (2) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the notice required under subsection (b) is mailed; the commissioner shall suspend the person's license.

(b) If the commissioner has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice in subsection (a), the commissioner shall suspend the license issued to the person under this article.

(d) (c) The commissioner may not reinstate any license placed on probationary status or suspended under this section until the commissioner receives a notice from the bureau that the person has:

- (1) paid the person's child support arrearage in full; or

(2) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has addressed the delinquency.

SECTION 12. IC 27-10-3-20, AS AMENDED BY P.L.103-2007, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 20. (a) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-32(i) or IC 31-25-4-34(d), the commissioner shall send to the person who is the subject of the order a notice that does the following:

(1) States that the person is delinquent and is subject to an order placing the person on probationary status;

(2) Explains that unless the person contacts the bureau and:

- (A) pays the person's child support arrearage in full;
- (B) establishes a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; or
- (C) requests a hearing under IC 31-25-4-33;

within twenty (20) days after the date the notice is mailed; the commissioner shall place the person on probationary status with respect to any license issued to the person under this chapter.

(3) Explains that the person may contest the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status by making written application to the bureau within twenty (20) days after the date the notice is mailed.

(4) Explains that the only basis for contesting the bureau's determination that the person is delinquent and subject to an order placing the person on probationary status is a mistake of fact.

(5) Explains the procedures to:

- (A) pay the person's child support arrearage in full;
- (B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; and
- (C) request a hearing under IC 31-25-4-33.

(6) Explains that the probation will terminate ten (10) business days after the commissioner receives a notice from the bureau that the person has:

- (A) paid the person's child support arrearage in full; or
- (B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

place on probationary status any license issued under this chapter and held by the person who is the subject of the order. The commissioner shall send the person a notice that does the following:

(1) States that the person's license has been placed on probationary status.

(2) States that the person's license will be suspended if the commissioner has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice.

(3) Describes the amount of child support that the person is in arrears.

(4) Explains the procedures to:

- (A) pay the person's child support arrearage in full; and
- (B) establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(b) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-34(d), the commissioner shall send to the person who is the subject of the order a notice that states the following:

(1) That a license issued to the person under this chapter has been placed on probationary status, beginning five (5) business days after the date the notice is mailed; and that the probation will terminate ten (10) business days after the commissioner receives a notice from the bureau that the person has:

- (A) paid the person's child support arrearage in full; or
- (B) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(2) That if the commissioner is advised by the bureau that the person whose license has been placed on probationary status has failed to:

- (A) pay the person's child support arrearage in full; or
- (B) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the date the notice is mailed; the commissioner shall suspend the person's license.

(c) If the commissioner receives a notice from the bureau (Title IV-D agency) under IC 31-25-4-32(i) that the person whose license has been placed on probationary status has failed to:

- (1) pay the person's child support arrearage in full; or
- (2) establish a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5;

within twenty (20) days after the notice required under subsection (b) is mailed; the commissioner shall suspend the person's license.

(b) If the commissioner has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice in subsection (a), the commissioner shall suspend the license issued to the person under this chapter.

(d) (c) The commissioner may not reinstate any license placed on probationary status or suspended under this section until the commissioner receives a notice from the bureau that the person has:

- (1) paid the person's child support arrearage in full; or
- (2) established a payment plan with the bureau to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has addressed the delinquency."

Delete pages 16 through 22.

Page 23, delete lines 1 through 14.

Page 24, line 28, delete "payment" and insert "payment;"

Page 24, line 28, delete "from an employer;"

Page 26, line 3, delete "shall" and insert "may".

Page 30, line 31, strike "IC 25-1-1.2-8(b)." and insert "IC 25-1-1.2-8."

Page 31, line 27, after "(d)," insert "(e)."

Page 31, line 33, after "(d)," insert "(e)."

Renumber all SECTIONS consecutively.

(Reference is to HB 1406 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

STEUERWALD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1424, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 6, line 27, after "practice." insert "**An individual may separately apply for and simultaneously hold both a five (5) year license and a lifetime license.**"

(Reference is to HB 1424 as printed January 26, 2018.) and when so amended that said bill do pass.

Committee Vote: yeas 17, nays 1.

BROWN T, Chair

Report adopted.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 5:15 p.m. with the Speaker in the Chair.

Upon request of Representative Wesco, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 68: 67 present. The Speaker declared a quorum present.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1056, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 2.

Renumber all SECTIONS consecutively.

(Reference is to HB 1056 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 17, nays 0.

BROWN T, Chair

Report adopted.

HOUSE BILLS ON SECOND READING

House Bill 1050

Representative Ober called down House Bill 1050 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1050-1)

Mr. Speaker: I move that House Bill 1050 be amended to read as follows:

Replace the effective date in SECTION 1 with "[EFFECTIVE UPON PASSAGE]".

Page 1, line 4, delete "authority," and insert "authority to a communications service provider,".

Page 2, line 24, after "replacement" insert "**or improvement**".

Page 3, line 38, after "to" insert "**communications service providers and**".

Page 3, line 39, after "where" insert "**all**".

Page 3, after line 39, begin a new paragraph and insert: "**SECTION 2. An emergency is declared for this act.**". (Reference is to HB 1050 as printed January 26, 2018.)

OBER

Motion prevailed. The bill was ordered engrossed.

The Speaker yielded the gavel to the Deputy Speaker Pro Tempore, Representative Karickhoff.

House Bill 1104

Representative Leonard called down House Bill 1104 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1104-3)

Mr. Speaker: I move that House Bill 1104 be amended to read as follows:

Page 58, delete lines 25 through 26, begin a new line block indented and insert:

"(2) by the following deadline:

(A) for a waiver executed before July 1, 2015, before October 1, 2015; and

(B) for a waiver executed after June 30, 2015, not more than ninety (90) business days after the date the waiver is executed."

Page 64, delete lines 1 through 2, begin a new line block indented and insert:

"(2) by the following deadline:

(A) for a waiver executed before July 1, 2015, before October 1, 2015; and

(B) for a waiver executed after June 30, 2015, not more than ninety (90) business days after the date the waiver is executed."

Page 107, delete lines 34 through 35, begin a new line block indented and insert:

"(2) by the following deadline:

(A) for a waiver executed before July 1, 2015, before October 1, 2015; and

(B) for a waiver executed after June 30, 2015, not more than ninety (90) business days after the date the waiver is executed."

Page 110, delete line 42.

Page 111, delete line 1, begin a new line block indented and insert:

"(2) by the following deadline:

(A) for a waiver executed before July 1, 2015, before October 1, 2015; and

(B) for a waiver executed after June 30, 2015, not more than ninety (90) business days after the date the waiver is executed."

(Reference is to HB 1104 as printed January 26, 2018.)

NEGELE

Motion failed.

The Deputy Speaker Pro Tempore yielded the gavel to the Speaker.

HOUSE MOTION
(Amendment 1104-1)

Mr. Speaker: I move that House Bill 1104 be amended to read as follows:

Page 41, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 32. IC 6-1.1-20.3-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 16. (a) The following definitions apply throughout this section:

(1) "Eligible school corporation" is a school corporation that was a distressed political subdivision in 2017.

(2) "Fund" refers to the counter-cyclical revenue and economic stabilization fund.

(b) The emergency manager of an eligible school corporation may petition the department of local government finance for an increase in the eligible school corporation's tax rate and levy if the eligible school corporation experienced a property tax collection shortfall in 2014, 2015, or 2016 that was greater than fifteen percent (15%) of the eligible school corporation's expected property tax revenue for the year.

(c) If the emergency manager of an eligible school corporation has filed a petition with the department of local government finance under subsection (b), the emergency manager of an eligible school corporation may apply to the distressed unit appeal board before January 1, 2020, for a loan from the counter-cyclical revenue and economic stabilization fund in the manner prescribed by the board.

(d) The board may approve a loan from the fund to an eligible school corporation if the emergency manager of an eligible school corporation has filed a petition with the department of local government finance under subsection (b), regardless of the outcome of the petition.

(e) The board shall determine the amount of a loan approved under subsection (d) for an amount not to exceed ten million dollars (\$10,000,000).

(f) The board shall determine the interest rate, if any, to charge for a loan approved under subsection (d) at a simple interest rate not to exceed one percent (1%) per year.

(g) The term of a loan approved under subsection (d) is twenty-two (22) years.

(h) The first installment payment on a loan approved under subsection (d) is due on the second anniversary of the date on which the loan advance is made.

(i) An eligible school corporation may use the loan proceeds from a loan under this section for any public purpose, including repayment of debt incurred by the eligible school corporation before the loan is approved under subsection (d)."

Renumber all SECTIONS consecutively.

(Reference is to HB 1104 as printed January 26, 2018.)

PORTER

Motion filed.

HOUSE MOTION
(Amendment 1104-4)

Mr. Speaker: I move that House Bill 1104 be amended to read as follows:

Page 78, between lines 36 and 37, begin a new line block indented and insert:

"(5) In the case of an allocation area that is established after June 30, 2018, and that is located in a redevelopment project area described in section 25.1(c)(3)(C) of this chapter, an economic development area described in section 25.1(c)(3)(C) of this chapter, or an urban renewal project area described in section 25.1(c)(3)(C) of this chapter, for each year the allocation provision is in effect, if:

(A) the amount of excess assessed value determined by the commission is expected to generate more than two hundred percent (200%) of the amount of allocated tax proceeds necessary to make, when due,

principal and interest payments on bonds described in subdivision (3); plus

(B) the amount necessary for other purposes described in subdivision (3);

the redevelopment commission shall provide, from property tax proceeds allocated to the redevelopment district, revenue to each school corporation that has territory within the allocation area. The redevelopment commission and the governing body of the school corporation shall jointly determine the amount of revenue that will be provided to the school corporation."

(Reference is to HB 1104 as printed January 26, 2018.)

LEONARD

Motion prevailed. The bill was ordered engrossed.

House Bill 1143

Representative Schaibley called down House Bill 1143 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1143-2)

Mr. Speaker: I move that House Bill 1143 be amended to read as follows:

Page 1, between lines 14 and 15, begin a new paragraph and insert:

"(c) This chapter does not apply to a health plan that is offered by a local unit public employer under a program of group health insurance provided under IC 5-10-8-2.6."

Page 3, between lines 30 and 31, begin a new line blocked left and insert:

"However, a health plan is considered to have met the requirements of this subsection if the health plan conspicuously posts the disclosure on the health plan's Internet web site."

Page 5, delete lines 24 through 27, begin a new line block indented and insert:

"(2) that is rendered in accordance with:

(A) the prior authorization; and

(B) if the health care provider is a participating provider, all terms and conditions of the participating provider's agreement or contract with the health plan."

(Reference is to HB 1143 as printed January 26, 2018.)

SCHAIBLEY

Motion prevailed. The bill was ordered engrossed.

House Bill 1191

Representative Engleman called down House Bill 1191 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1220

Representative Kirchhofer called down House Bill 1220 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1220-1)

Mr. Speaker: I move that House Bill 1220 be amended to read as follows:

Page 2, line 35, delete "office:" and insert "office".

Page 2, delete line 36.

Page 2, line 37, delete "(2)".

Page 2, run in lines 35 through 37.

(Reference is to HB 1220 as printed January 26, 2018.)
DAVISSON

Motion prevailed. The bill was ordered engrossed.

House Bill 1233

Representative Wolkins called down House Bill 1233 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1233-1)

Mr. Speaker: I move that House Bill 1233 be amended to read as follows:

Page 5, line 24, delete "chapter," and insert "**chapter or IC 13-26-4-7(b),**".

(Reference is to HB 1233 as printed January 26, 2018.)
WOLKINS

Motion prevailed. The bill was ordered engrossed.

House Bill 1262

Representative Karickhoff called down House Bill 1262 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1262-1)

Mr. Speaker: I move that House Bill 1262 be amended to read as follows:

Page 2, line 6, after "pool" insert ".".

Page 2, line 6, delete "and periodically distribute the money to the".

Page 2, delete line 7, begin a new paragraph and insert:

"(f) Upon signed written request of the operator of the clearinghouse, the treasurer of state shall distribute the money in the operator's account established under subsection (e):

- (1) to the operator of the clearinghouse; or**
- (2) to specific investment pool accounts of political subdivisions represented by the clearinghouse, if the written request submitted under this subsection specifies:**
 - (A) the political subdivision to which the funds are to be disbursed;**
 - (B) the specific amount of the funds to be disbursed; and**
 - (C) the specific investment pool account the disbursement is owed.**

The clearinghouse shall assume any legal or administrative claims filed against a disbursement made by the treasurer of state that complies with this section.

(g) Any interest accrued by the investment pool on funds held in the operator's account shall be distributed to the political subdivisions at a rate equal to the percentage owed to that political subdivision based on the overall setoff paid by the department of state revenue. No interest shall accrue under this subsection on any fees owed to the clearinghouse under IC 6-8.1-9.5-10(b)."

Page 2, line 8, delete "(f)" and insert "(h)".

Page 2, line 12, delete "(g)" and insert "(i)".

Page 2, line 19, delete "(h)" and insert "(j)".

Page 3, line 11, delete "(i)" and insert "(k)".

(Reference is to HB 1262 as printed January 26, 2018.)
KARICKHOFF

Motion prevailed. The bill was ordered engrossed.

House Bill 1267

Representative Soliday called down House Bill 1267 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1267-3)

Mr. Speaker: I move that House Bill 1267 be amended to read as follows:

Page 1, line 8, delete "fourteen (14)" and insert "**fifteen (15)**".

Page 2, between lines 12 and 13, begin a new line block indented and insert:

"(7) The commissioner or chief of staff of the Indiana department of transportation."

Page 2, line 13, delete "(7)" and insert "**(8)**".

Page 2, line 16, delete "(8)" and insert "**(9)**".

Page 2, line 18, delete "(9)" and insert "**(10)**".

Page 2, line 20, delete "(10)" and insert "**(11)**".

Page 2, line 22, delete "(11)" and insert "**(12)**".

Page 2, line 24, delete "(12)" and insert "**(13)**".

Page 4, between lines 39 and 40, begin a new paragraph and insert:

"SECTION 2. [EFFECTIVE UPON PASSAGE] (a) The Indiana finance authority created by IC 4-4-11-4 shall contract with an entity selected by the Indiana finance authority to study the needs of:

- (1) the state;**
- (2) political subdivisions of the state; and**
- (3) other public and private entities in Indiana, including entities engaged in construction activity or industrial activity;**

arising from the National Pollutant Discharge Elimination System (NPDES) stormwater program.

(b) The Indiana finance authority may specify in the contract:

- (1) particular data that the contractor must compile; and**
- (2) particular matters and questions relating to the needs described in subsection (a) that the contractor must study or upon which the contractor must make findings or recommendations.**

(c) The Indiana finance authority shall require the contractor to:

- (1) complete the study;**
- (2) prepare a written report setting forth the results of the study; and**
- (3) submit the report to:**
 - (A) the legislative council;**
 - (B) the governor; and**
 - (C) the chairs of:**

(i) the ways and means committee of the house of representatives of the Indiana general assembly; and

(ii) the appropriations committee of the senate of the Indiana general assembly;

not later than December 1, 2019. The report to the legislative council must be in an electronic format under IC 5-14-6.

(d) The Indiana finance authority shall pay the amount necessary for the study out of any funds available for the purpose.

(e) This SECTION expires January 1, 2020."

Renumber all SECTIONS consecutively.
(Reference is to HB 1267 as printed January 26, 2018.)
SOLIDAY

Motion prevailed.

Representatives Goodin, M. Smith and VanNatter, who had been present, are all now excused.

Representatives Austin and Summers, who had been excused, are now present.

HOUSE MOTION
(Amendment 1267-1)

Mr. Speaker: I move that House Bill 1267 be amended to read as follows:

Page 4, line 17, delete "burden." and insert "**burden, taking into consideration the impact on affordability of water and wastewater rates.**".

(Reference is to HB 1267 as printed January 26, 2018.)
PIERCE

Upon request of Representatives Eberhart and Clere, the Speaker ordered the roll of the House to be called. Roll Call 69: yeas 93, nays 0. Motion prevailed.

HOUSE MOTION
(Amendment 1267-2)

Mr. Speaker: I move that House Bill 1267 be amended to read as follows:

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

"SECTION 1. IC 2-5-1.7-4, AS ADDED BY P.L.269-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 4. A charge permitted under IC 5-14-3-6, IC 5-14-3-8, or another law or rule to supply government information does not apply to supplying government information to **a member of the general assembly or the legislative services agency** under this chapter.

SECTION 2. IC 2-5-1.7-5, AS ADDED BY P.L.269-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 5. A governmental entity shall provide **a member of the general assembly or the legislative services agency** with information requested by **the member or the legislative services agency** not later than thirty (30) days after receiving the request. However, immediately before and during a session of the general assembly, a governmental entity shall work with **the member or the legislative services agency** to provide information as soon as practicable in less than thirty (30) days, as needed, to accommodate the legislative schedule."

Page 4, between lines 39 and 40, begin a new paragraph and insert:

"SECTION 4. IC 4-2-6-18 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 18. (a) A state officer, an employee, or a special state appointee may not knowingly or intentionally charge a member of the general assembly or the legislative services agency to supply government information in violation of IC 2-5-1.7-4.**

(b) An individual who violates this section is subject to action under section 12 of this chapter.".

Renumber all SECTIONS consecutively.
(Reference is to HB 1267 as printed January 26, 2018.)
PORTER

Motion withdrawn. The bill was ordered engrossed.

Representative J. Taylor, who had been present, is now excused.

House Bill 1278

Representative Eberhart called down House Bill 1278 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1278-1)

Mr. Speaker: I move that House Bill 1278 be amended to read as follows:

Page 1, line 9, delete "ninety (90)" and insert "**one hundred twenty (120)**".

Page 3, line 16, delete "sixty-six percent (66%)" and insert "**sixty percent (60%)**".

Page 3, line 19, delete "sixty-six percent (66%)" and insert "**sixty percent (60%)**".

(Reference is to HB 1278 as printed January 26, 2018.)
PELATH

Upon request of Representatives Mahan and Washburne, the Speaker ordered the roll of the House to be called. Roll Call 70: yeas 93, nays 0. Motion prevailed. The bill was ordered engrossed.

House Bill 1398

Representative Behning called down House Bill 1398 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1398-1)

Mr. Speaker: I move that House Bill 1398 be amended to read as follows:

Page 3, between lines 6 and 7, begin a new line blocked left and insert:

"If a plan submitted to the state board includes a request to suspend all or portions of IC 20-30 for a proposed coalition, the plan must include how the specific goal of the proposed coalition will be achieved by suspending all or portions of IC 20-30. The state board may approve a plan that proposes to suspend all or portions of IC 20-30 only if the suspension is related to a specific goal of the proposed coalition."

Page 4, line 11, after "(1)" insert "**Subject to section 1(c) of this chapter,**".

(Reference is to HB 1398 as printed January 23, 2018.)
THOMPSON

Motion prevailed.

HOUSE MOTION
(Amendment 1398-2)

Mr. Speaker: I move that House Bill 1398 be amended to read as follows:

Page 4, delete lines 9 through 10, begin a new paragraph and insert:

"Sec. 3. (a) Notwithstanding any other law, the following may be suspended for a coalition school in accordance with the coalition's plan:"

(Reference is to HB 1398 as printed January 23, 2018.)
V. SMITH

Upon request of Representatives Eberhart and Mahan, the Speaker ordered the roll of the House to be called. Roll Call 71: yeas 93, nays 0. Motion prevailed.

HOUSE MOTION
(Amendment 1398-5)

Mr. Speaker: I move that House Bill 1398 be amended to read as follows:

Page 5, between lines 20 and 21, begin a new paragraph and insert:

"Sec. 5. Not later than November 1, 2019, and not later than November 1 of each year thereafter, the department shall report to the legislative council annually regarding the following:

- (1) The fiscal impact on each coalition member of the member's participation in a coalition.**
- (2) The qualifications of each teacher who teaches in a coalition, as follows:**
 - (A) Whether the teacher holds a license under IC 20-28.**
 - (B) Whether the teacher is paid by:**
 - (i) a coalition member; or**
 - (ii) another employer.**
- (3) The type of future employment for which a student in a coalition is trained.**
- (4) The amount and terms of compensation for each student who receives compensation from a member of business or industry through a coalition's partnership with an entity described in section 1(c)(2)(A) of this chapter.**
- (5) The impact of a coalition member's participation in a coalition on the coalition member's graduation rates.**
- (6) Information regarding where a student in a coalition**

obtains full-time employment when the student graduates or leaves school."

(Reference is to HB 1398 as printed January 23, 2018.)

DELANEY

Upon request of Representatives Eberhart and Mahan, the Speaker ordered the roll of the House to be called. Roll Call 72: yeas 91, nays 0. Motion prevailed. The bill was ordered engrossed.

House Bill 1402

Representative Baird called down House Bill 1402 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1402-1)

Mr. Speaker: I move that House Bill 1402 be amended to read as follows:

Page 1, line 6, delete "perform an electronic query of the".

Page 1, delete lines 7 through 8.

Page 1, line 9, delete "basis to obtain arrestee information and" and insert **"establish a procedure to electronically receive criminal case information maintained in the court case management system developed and operated by the division of state court administration at least one (1) time each week, and the department shall"**.

Page 1, line 15, delete "Information" and insert **"Information, including personal identifiers,"**.

Page 2, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 2. IC 33-24-6-3, AS AMENDED BY P.L.252-2017, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 3. (a) The division of state court administration shall do the following:

- (1) Examine the administrative and business methods and systems employed in the offices of the clerks of court and other offices related to and serving the courts and make recommendations for necessary improvement.**
- (2) Collect and compile statistical data and other information on the judicial work of the courts in Indiana. All justices of the supreme court, judges of the court of**

appeals, judges of all trial courts, and any city or town courts, whether having general or special jurisdiction, court clerks, court reporters, and other officers and employees of the courts shall, upon notice by the executive director and in compliance with procedures prescribed by the executive director, furnish the executive director the information as is requested concerning the nature and volume of judicial business. The information must include the following:

- (A) The volume, condition, and type of business conducted by the courts.**
 - (B) The methods of procedure in the courts.**
 - (C) The work accomplished by the courts.**
 - (D) The receipt and expenditure of public money by and for the operation of the courts.**
 - (E) The methods of disposition or termination of cases.**
 - (3) Prepare and publish reports, not less than one (1) or more than two (2) times per year, on the nature and volume of judicial work performed by the courts as determined by the information required in subdivision (2).**
 - (4) Serve the judicial nominating commission and the judicial qualifications commission in the performance by the commissions of their statutory and constitutional functions.**
 - (5) Administer the civil legal aid fund as required by IC 33-24-12.**
 - (6) Administer the judicial technology and automation project fund established by section 12 of this chapter.**
 - (7) By December 31, 2013, develop and implement a standard protocol for sending and receiving court data:**
 - (A) between the protective order registry, established by IC 5-2-9-5.5, and county court case management systems;**
 - (B) at the option of the county prosecuting attorney, for:**
 - (i) a prosecuting attorney's case management system;**
 - (ii) a county court case management system; and**
 - (iii) a county court case management system developed and operated by the division of state court administration;**
 - to interface with the electronic traffic tickets, as defined by IC 9-30-3-2.5; and**
 - (C) between county court case management systems and the case management system developed and operated by the division of state court administration.**
- The standard protocol developed and implemented under this subdivision shall permit private sector vendors, including vendors providing service to a local system and vendors accessing the system for information, to send and receive court information on an equitable basis and at an equitable cost.
- (8) Establish and administer an electronic system for receiving information that relates to certain individuals who may be prohibited from possessing a firearm and transmitting this information to the Federal Bureau of Investigation for inclusion in the NICS.**
 - (9) Establish and administer an electronic system for receiving drug related felony conviction information from courts. The division shall notify NPLeX of each drug related felony entered after June 30, 2012, and do the following:**
 - (A) Provide NPLeX with the following information:**
 - (i) The convicted individual's full name.**
 - (ii) The convicted individual's date of birth.**

(iii) The convicted individual's driver's license number, state personal identification number, or other unique number, if available.

(iv) The date the individual was convicted of the felony.

Upon receipt of the information from the division, a stop sale alert must be generated through NPLEx for each individual reported under this clause.

(B) Notify NPLEx if the felony of an individual reported under clause (A) has been:

- (i) set aside;
- (ii) reversed;
- (iii) expunged; or
- (iv) vacated.

Upon receipt of information under this clause, NPLEx shall remove the stop sale alert issued under clause (A) for the individual.

(10) Staff the judicial technology oversight committee established by IC 33-23-17-2.

(11) After July 1, 2018, establish and administer an electronic system for receiving from courts felony conviction information for each felony described in IC 20-28-5-8(c). The division shall notify the department of education at least one (1) time each week of each felony described in IC 20-28-5-8(c) entered after July 1, 2018, and do the following:

(A) Provide the department of education with the following information:

- (i) The convicted individual's full name.
- (ii) The convicted individual's date of birth.
- (iii) The convicted individual's driver's license number, state personal identification number, or other unique number, if available.
- (iv) The date the individual was convicted of the felony.

(B) Notify the department of education if the felony of an individual reported under clause (A) has been:

- (i) set aside;
- (ii) reversed; or
- (iii) vacated.

(12) Establish and administer an electronic system to provide the Indiana department of veterans' affairs, in collaboration with the national guard (as defined in IC 10-16-1-13), with criminal case information maintained in the court case management system at least one (1) time each week as described in IC 10-17-1-12.

(b) All forms to be used in gathering data must be approved by the supreme court and shall be distributed to all judges and clerks before the start of each period for which reports are required.

(c) The division may adopt rules to implement this section.".

ReNUMBER all SECTIONS consecutively.
(Reference is to HB 1402 as printed January 26, 2018.)

BAIRD

Motion prevailed. The bill was ordered engrossed.

House Bill 1419

Representative Smaltz called down House Bill 1419 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1419-5)

Mr. Speaker: I move that House Bill 1419 be amended to read as follows:

Page 33, line 30, after "to" insert ":

(1) a grocery store that is generally known as a convenience store or food mart that is engaged in the retail sale of automotive fuels as described in IC 7.1-1-3-18.5(a)(2)(B); and (2)".

Page 33, line 30, delete "store." and insert "store. (b)".

Page 33, line 32, delete "(b)" and insert "(c)".

(Reference is to HB 1419 as printed January 26, 2018.)

LEHMAN

Motion prevailed.

HOUSE MOTION
(Amendment 1419-7)

Mr. Speaker: I move that House Bill 1419 be amended to read as follows:

Page 9, delete lines 36 through 42.

Page 15, delete lines 23 through 32.

Page 15, line 33, reset in roman "(b)".

Page 15, line 33, delete "(c)".

Page 15, line 39, reset in roman "(c)".

Page 15, line 39, delete "(d)".

Page 16, line 4, delete "(e)" and insert "(d)".

Page 16, line 5, delete "(e)." and insert "(d).".

Page 16, line 6, delete "(e)" and insert "(d)".

Page 16, line 12, delete "age" and insert "age."

Page 16, line 12, delete "and has successfully completed".

Page 16, delete line 13.

Page 16, line 14, delete "(f)" and insert "(e)".

Page 16, line 26, after "(a)" insert ".".

Page 16, line 26, delete "(before July 1, 2020) or subsection (b) (after June)".

Page 16, delete line 27.

Page 16, line 28, delete "(g)" and insert "(f)".

Page 16, line 34, delete "(h)" and insert "(g)".

Page 16, line 37, delete "(i)" and insert "(h)".

Page 17, line 4, delete "(j)" and insert "(i)".

Page 17, line 11, delete "(h);" and insert "(g);".

Page 17, line 13, delete "(h) or (i);" and insert "(g) or (h);".

Page 17, line 15, delete "(k)" and insert "(j)".

Page 22, delete lines 10 through 42.

Delete page 23.

Page 24, delete lines 1 through 7.

Page 28, delete lines 7 through 42.

Delete page 29.

Page 30, delete lines 1 through 27.

Page 33, delete lines 38 through 42.

Delete pages 34 through 38.

Page 39, delete lines 1 through 26.

ReNUMBER all SECTIONS consecutively.

(Reference is to HB 1419 as printed January 26, 2018.)

COOK

The Speaker ordered a division of the House and appointed Representatives Lehman and Moseley to count the yeas and nays. Yeas 39, nays 54. Motion failed.

HOUSE MOTION
(Amendment 1419-2)

Mr. Speaker: I move that House Bill 1419 be amended to read as follows:

Page 21, delete lines 6 through 18, begin a new paragraph and insert:

"SECTION 24. IC 7.1-3-20-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 17. **Service Bars.** (a) **An A retail** establishment which is licensed under the provisions of this article and which has a gross annual business

of at least one hundred thousand dollars (\$100,000), of which at least fifty percent (50%) is in the retail sale of food, may have, subject to the approval of the commission, a service bar ~~which is not in full, free and unobstructed view that can be viewed from a street or public highway.~~

(b) ~~An A~~ **A retail establishment shall qualify as to the gross annual business provision described in subsection (a), if the projection of the first ninety (90) days of business for the establishment for one (1) year equals, or is greater than, one hundred thousand dollars (\$100,000), in the proportions set forth in subsection (a), as shown by the books and records of the establishment.**

(c) An artisan distillery, a brewery described under IC 7.1-3-2-7(5), and a farm winery may operate a bar, as defined in 905 IAC 1-41-1, or a service bar, as defined in IC 7.1-1-3-42:

- (1) indoors or outdoors; and**
- (2) that may be viewed from a street or public highway."**

(Reference is to HB 1419 as printed January 26, 2018.)
GIAQUINTA

Motion prevailed.

HOUSE MOTION
(Amendment 1419-4)

Mr. Speaker: I move that House Bill 1419 be amended to read as follows:

Page 18, delete lines 4 through 6.
Page 18, line 7, reset in roman "(c)".
Page 18, line 7, delete "(d)".
Page 31, delete lines 26 through 42.
Page 32, delete lines 1 through 24.
Renumber all SECTIONS consecutively.
(Reference is to HB 1419 as printed January 26, 2018.)
MORRISON

Motion failed.

HOUSE MOTION
(Amendment 1419-1)

Mr. Speaker: I move that House Bill 1419 be amended to read as follows:

Page 13, between lines 38 and 39, begin a new paragraph and insert:

"SECTION 16. IC 7.1-3-6-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 12. ~~Boat Beer Permits: Application:~~ The commission may issue a boat beer permit to:

- (1) the proprietor of a boat; or**
 - (2) a concessionaire of the proprietor of a boat;**
- engaged in regular passenger service and which makes regular runs in seasonable weather between established termini.

SECTION 17. IC 7.1-3-11-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 9. ~~Boat Liquor Permits:~~ The commission may issue a boat liquor permit to a person who is:

- (1) the proprietor of a boat; or**
 - (2) a concessionaire of the proprietor of a boat;**
- and who is, and continues to be, the holder of a boat beer permit and boat wine permit. The commission may issue a boat liquor permit without publication of notice or having an investigation before a local board."

Page 14, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 19. IC 7.1-3-16-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 3. ~~Boat Wine Permits:~~ The commission may issue a boat wine permit to a person who is:

- (1) the proprietor of a boat; or**
 - (2) a concessionaire of the proprietor of a boat;**
- and who also is, and continues to be, the holder of a boat beer permit. The commission may issue a boat wine permit without publication of notice or having an investigation before a local board."

Renumber all SECTIONS consecutively.
(Reference is to HB 1419 as printed January 26, 2018.)
GIAQUINTA

The Speaker ordered a division of the House and appointed Representatives Lehman and Moseley to count the yeas and nays. Yeas 43, nays 50. Motion failed. The bill was ordered engrossed.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that House Bill 1165 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors and that Representative Bosma be added as coauthor of House Bill 1017.

GUTWEIN

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Lyness and C. Brown be added as coauthors of House Bill 1027.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Behning be added as coauthor of House Bill 1070.

MAYFIELD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors and that Representative Bauer be added as coauthor of House Bill 1119.

KIRCHHOFER

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Candelaria Reardon be added as coauthor of House Bill 1167.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Wright and Kirchhofer be added as coauthors of House Bill 1191.

ENGLEMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Moed be added as coauthor of House Bill 1194.

SPEEDY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative McNamara be added as coauthor of House Bill 1212.

BARTELS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative DeLaney be added as coauthor of House Bill 1250.

NEGELE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Saunders be added as coauthor of House Bill 1253.

RICHARDSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives T. Brown, Bacon and C. Brown be added as coauthors of House Bill 1276.

ZENT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Miller, Pelath and Borders be added as coauthors of House Bill 1278.

EBERHART

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives DeLaney, Washburne and Hatfield be added as coauthors of House Bill 1303.

STEUERWALD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Richardson be added as coauthor of House Bill 1309.

ENGLEMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative McNamara be added as coauthor of House Bill 1319.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives J. Young, Steuerwald and Bauer be added as coauthors of House Bill 1328.

PORTER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors and that Representatives Lindauer, Frye and Forestal be added as coauthors of House Bill 1341.

SOLIDAY

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Kirchhofer and Bacon be added as coauthors of House Bill 1380.

C. BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative J. Young be added as coauthor of House Bill 1406.

MAYFIELD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pierce be added as coauthor of House Bill 1412.

SAUNDERS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Klinker and Cook be added as coauthors of House Bill 1420.

BEHNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Austin be added as coauthor of House Bill 1426.

BEHNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Soliday be added as coauthor of House Resolution 8.

PRESSEL

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 12, 13, 15, 17, 22, 24, 25, 26 and 28 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 2, 14, 24, 60, 64, 75, 100, 126, 128, 134, 135, 139, 143, 152, 180, 184, 187, 197, 211, 221, 232, 233, 246, 332, 354, 360 and 392 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 20, 21, 22 and 23 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Macer, the House adjourned at 6:42 p.m., this twenty-ninth day of January, 2018, until Tuesday, January 30, 2018, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives