



Journal of the Senate

State of Indiana

120th General Assembly

First Regular Session

Thirteenth Meeting Day

Tuesday Afternoon

January 31, 2017

The Senate convened at 1:31 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Pastor Daniel Lepley from Our Shepherd Lutheran Church, Avon, Indiana.

The Pledge of Allegiance to the Flag was led by Senator John B. Crane.

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

Alting	Kruse
Bassler	Lanane
Becker	Leising
Bohacek	Long
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buck	Mrvan
Charbonneau	Niemeyer
Crane	Niezdowski
Crider	Perfect
Delph	Raatz
Doriot	Randolph, Lonnie M.
Eckerty	Ruckelshaus
Ford	Sandlin
Freeman	Smith, J.
Glick	Stoops
Grooms	Tallian
Head	Taylor, G.
Hershman	Tomes <input checked="" type="checkbox"/>
Holdman	Walker
Houchin	Young, M.
Kenley	Zakas
Koch	Zay

Roll Call 44: present 49; excused 1. [Note: A indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill 60, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning state offices and administration.

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

"SECTION 1. [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 the task of studying the salaries of the:

(1) governor;

(2) lieutenant governor;

(3) secretary of state;

(4) auditor of state;

(5) treasurer of state;

(6) attorney general; and

(7) state superintendent of public instruction.

(d) If an appropriate study committee is assigned the topics described under 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 state officer salaries, in an electronic format under IC 5-14-6, not later than November 1, 2017.

(e) This SECTION expires December 31, 2017.

SECTION 2. An emergency is declared for this act."

Delete pages 2 through 3.

(Reference is to SB 60 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 172, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 6-2.5-2-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. (a) As used in this section, "cargo trailer" has the meaning set forth in IC 6-2.5-5-39.

(b) As used in this section, "recreational vehicle" has the meaning set forth in IC 6-2.5-5-39.

(c) Notwithstanding section 2 of this chapter, in the case of a transaction that:

(1) is not exempt from taxation under IC 6-2.5-5-39; and

(2) involves a cargo trailer or recreational vehicle that:

(A) is purchased by a nonresident;

(B) the purchaser intends to:

(i) transport to a destination outside Indiana within thirty (30) days after delivery; and

(ii) title or register for use in another state or country; and

(C) will not be titled or registered for use in Indiana; the state gross retail tax rate on the cargo trailer or recreational vehicle is the rate of the other state or other country (excluding any locally imposed tax rates) in which the cargo trailer or recreational vehicle will be titled or registered, as certified by the seller and purchaser in an affidavit satisfying the requirements of subsection (d).

(d) The department shall prescribe the form of the affidavit required by subsection (c). In addition to the certification required by subsection (c), the affidavit must include the following:

(1) The name of the state or country in which the cargo trailer or recreational vehicle will be titled or registered.

(2) An affirmation by the purchaser under the penalties for perjury that the information contained in the affidavit is true.

(3) Any other information required by the department for the purpose of verifying the information contained in the affidavit.

(e) The department may audit affidavits submitted under this section and make a proposed assessment of the amount of unpaid tax due with respect to any incorrect information submitted in an affidavit required by this section.

(f) This section expires June 30, 2019.

SECTION 2. IC 6-2.5-10-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. The department, with the approval of the governor and the budget agency after the review of the state budget committee, may enter into an agreement with another state to provide that:

(1) Indiana residents who purchase a cargo trailer or recreational vehicle in the other state and will title or register the cargo trailer or recreational vehicle in Indiana will be exempt from sales, use, or similar taxes in the other state on the purchase of the cargo trailer or recreational vehicle; and

(2) the residents of the other state who purchase a cargo trailer or recreational vehicle in Indiana and will title or register the cargo trailer or recreational vehicle in the other state will be exempt from sales, use, or similar taxes in Indiana on the purchase of the cargo trailer or recreational vehicle."

Page 2, delete lines 1 through 32.

Page 2, line 33, delete "IC 6-2.5-5-39," and insert "IC

6-2.5-2-4,".

Page 2, line 34, delete "amended" and insert "added".

Page 2, line 35, after "2017" delete "." and insert ", and before July 1, 2019,".

Page 2, line 36, delete "subsection (c)," and insert "subsections (c) and (d),".

Page 2, line 37, after "2017," insert "and before July 1, 2019,".

Page 2, line 40, after "2017" delete "." and insert ", and before July 1, 2019,".

Page 3, between lines 5 and 6, begin a new paragraph and insert:

"(d) Notwithstanding the delivery of the property constituting selling at retail after June 30, 2019, a transaction is considered to have occurred before July 1, 2019, to the extent that:

(1) the agreement of the parties to the transaction is entered into before July 1, 2019; and

(2) payment for the property furnished in the transaction is made before July 1, 2019.".

Page 3, line 6, delete "(d)" and insert "(e)".

Page 3, line 6, delete "2018." and insert "2020.".

Page 3, after line 6, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE UPON PASSAGE] (a) The department of state revenue shall do the following:

(1) Attempt to enter into a reciprocity agreement under IC 6-2.5-10-6, as added by this act, with the appropriate officers of each state that does not allow an exemption from sales, use, or similar taxes on cargo trailers or recreational vehicles that are purchased in that state by Indiana residents and will be titled or registered in Indiana.

(2) Report to the interim study committee on fiscal policy before November 1, 2017, concerning:

(A) the efforts of the department of state revenue to enter into reciprocity agreements under IC 6-2.5-10-6, as added by this act;

(B) the reciprocity agreements that have been entered into by the department of state revenue; and

(C) if applicable, the reasons why the department of state revenue has been unable to enter into a reciprocity agreement with one (1) or more states.(b)

This SECTION expires July 1, 2018.

SECTION 5. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

(Reference is to SB 172 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 14, Nays 0.

HERSHMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs and The Military, to which was referred Senate Bill 307, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

DELPH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs and The Military, to which was referred Senate Bill 351, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

DELPH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 364, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 6-3.1-35 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]:

Chapter 35. Child Care Tax Credits for Individuals

Sec. 1. As used in this chapter, "adjusted gross income" has the meaning set forth in IC 6-3-1-3.5.

Sec. 2. (a) As used in this chapter, "employment related child care expenses" means amounts that are:

- (1) paid for the care of a qualifying child; and
- (2) incurred to enable an individual taxpayer, including an individual taxpayer's spouse in the case of a joint return, to be gainfully employed.

(b) The term does not include an amount paid for services outside the taxpayer's household at a camp where a qualifying child stays overnight.

(c) The term does not include amounts paid for services outside the taxpayer's household that are not provided in conformity with applicable state and local laws.

Sec. 3. As used in this chapter, "qualifying child" means an individual who:

- (1) is the child, including an adopted child, stepchild, or foster child, of the individual taxpayer;
- (2) resides in Indiana with the individual taxpayer, including the individual taxpayer's spouse in the case of a joint return, for more than one-half (1/2) of the taxable year;
- (3) is dependent on the individual taxpayer, including the individual taxpayer's spouse in the case of a joint return, for more than one-half (1/2) of the individual's support;
- (4) is less than thirteen (13) years of age on the last day of the taxable year; and
- (5) is not married as of the last day of the taxable year.

Sec. 4. As used in this chapter, "state income tax liability" means the total income tax liability incurred under IC 6-3, as computed after application of the credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter.

Sec. 5. An individual taxpayer, including an individual taxpayer's spouse in the case of a joint return, who has:

- (1) employment related child care expenses during the taxable year; and
- (2) adjusted gross income, or combined adjusted gross income with the taxpayer's spouse in the case of a joint return, of not more than thirty-seven thousand dollars (\$37,000) for the taxable year;

is entitled to a credit against the taxpayer's state income tax liability for the taxable year.

Sec. 6. The amount of a credit allowed under section 5 of this chapter for a taxable year is equal to the following:

(1) The lesser of:

- (A) the amount of employment related child care expenses incurred in the taxable year multiplied by twenty percent (20%); or
- (B) five hundred dollars (\$500);

if the taxpayer's adjusted gross income, or combined adjusted gross income with the taxpayer's spouse in the case of a joint return, is not more than twenty-eight thousand dollars (\$28,000).

(2) The lesser of:

- (A) the amount of employment related child care expenses incurred in the taxable year multiplied by twenty percent (20%); or
- (B) four hundred fifty dollars (\$450);

if the taxpayer's adjusted gross income, or combined adjusted gross income with the taxpayer's spouse in the case of a joint return, is more than twenty-eight thousand dollars (\$28,000) but not more than twenty-nine thousand dollars (\$29,000).

(3) The lesser of:

- (A) the amount of employment related child care expenses incurred in the taxable year multiplied by twenty percent (20%); or
- (B) four hundred dollars (\$400);

if the taxpayer's adjusted gross income, or combined adjusted gross income with the taxpayer's spouse in the case of a joint return, is more than twenty-nine thousand dollars (\$29,000) but not more than thirty thousand dollars (\$30,000).

(4) The lesser of:

- (A) the amount of employment related child care expenses incurred in the taxable year multiplied by twenty percent (20%); or
- (B) three hundred fifty dollars (\$350);

if the taxpayer's adjusted gross income, or combined adjusted gross income with the taxpayer's spouse in the case of a joint return, is more than thirty thousand dollars (\$30,000) but not more than thirty-one thousand dollars (\$31,000).

(5) The lesser of:

- (A) the amount of employment related child care expenses incurred in the taxable year multiplied by twenty percent (20%); or
 (B) three hundred dollars (\$300);

if the taxpayer's adjusted gross income, or combined adjusted gross income with the taxpayer's spouse in the case of a joint return, is more than thirty-one thousand dollars (\$31,000) but not more than thirty-two thousand dollars (\$32,000).

(6) The lesser of:

- (A) the amount of employment related child care expenses incurred in the taxable year multiplied by twenty percent (20%); or
 (B) two hundred fifty dollars (\$250);

if the taxpayer's adjusted gross income, or combined adjusted gross income with the taxpayer's spouse in the case of a joint return, is more than thirty-two thousand dollars (\$32,000) but not more than thirty-three thousand dollars (\$33,000).

(7) The lesser of:

- (A) the amount of employment related child care expenses incurred in the taxable year multiplied by twenty percent (20%); or
 (B) two hundred dollars (\$200);

if the taxpayer's adjusted gross income, or combined adjusted gross income with the taxpayer's spouse in the case of a joint return, is more than thirty-three thousand dollars (\$33,000) but not more than thirty-four thousand dollars (\$34,000).

(8) The lesser of:

- (A) the amount of employment related child care expenses incurred in the taxable year multiplied by twenty percent (20%); or
 (B) one hundred fifty dollars (\$150);

if the taxpayer's adjusted gross income, or combined adjusted gross income with the taxpayer's spouse in the case of a joint return, is more than thirty-four thousand dollars (\$34,000) but not more than thirty-five thousand dollars (\$35,000).

(9) The lesser of:

- (A) the amount of employment related child care expenses incurred in the taxable year multiplied by twenty percent (20%); or
 (B) one hundred dollars (\$100);

if the taxpayer's adjusted gross income, or combined adjusted gross income with the taxpayer's spouse in the case of a joint return, is more than thirty-five thousand dollars (\$35,000) but not more than thirty-six thousand dollars (\$36,000).

(10) The lesser of:

- (A) the amount of employment related child care expenses incurred in the taxable year multiplied by twenty percent (20%); or
 (B) fifty dollars (\$50);

if the taxpayer's adjusted gross income, or combined adjusted gross income with the taxpayer's spouse in the case of a joint return, is more than thirty-six thousand dollars (\$36,000) but not more than thirty-seven

thousand dollars (\$37,000).

Sec. 7. If both spouses reside in the same household, the total amount of the credit computed under section 6 of this chapter may be claimed only once.

Sec. 8. (a) If the credit provided under this chapter exceeds the state income tax liability due from the taxpayer for the taxable year, the excess may be used as a credit against the taxpayer's tax liability in subsequent taxable years. The amount of the credit carryover from a taxable year shall be reduced to the extent that the carryover is used by the taxpayer to obtain a credit under this chapter for any subsequent taxable year.

(b) A taxpayer is not entitled to a carryback or refund of an unused credit.

(c) A taxpayer is entitled to the credit under this chapter in addition to any other credits to which the taxpayer is entitled.

Sec. 9. (a) The department may adopt rules under IC 4-22-2 to implement this chapter.

(b) The department may require that a taxpayer apply for a credit or a refund under this chapter on a form designated by the department.

SECTION 2. [EFFECTIVE JANUARY 1, 2018] (a) IC 6-3.1-35, as added by this act, applies only to taxable years beginning after December 31, 2017.

(b) This SECTION expires January 1, 2021.

(Reference is to SB 364 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Tax and Fiscal Policy.

LONG, CHAIR

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred Senate Bill 417, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 15, after "affidavit" insert "**under subsection (e)**".

Page 2, line 18, delete "If the county election board has".

Page 2, delete lines 19 through 22.

Page 2, between lines 32 and 33, begin a new paragraph and insert:

"(e) The county election board may:

- (1) prescribe an affidavit that includes a unique identifier; or
- (2) establish a procedure to produce a document, label, or electronic record that is associated with each voter and includes a unique identifier;

to comply with section 26.2(c)(3) of this chapter. After the county election board approves an affidavit or procedure described in this subsection and before the affidavit or procedure is used in an election, the county election board shall file a copy of the affidavit or a brief description of the procedure with the election division to assist the state recount commission in conducting proceedings under

IC 3-12-11."

Page 2, line 33, strike "(e)" and insert "(f)".
Page 2, line 39, strike "(f)" and insert "(g)".
Page 3, line 10, strike "(g)" and insert "(h)".
Page 3, line 14, strike "(h)" and insert "(i)".
Page 3, line 14, strike "(g)," and insert "(h),".
Page 3, line 20, strike "(i)" and insert "(j)".
Page 3, line 32, strike "(j)" and insert "(k)".
Page 3, line 38, strike "(k)" and insert "(l)".
Page 4, line 4, strike "(l)" and insert "(m)".
(Reference is to SB 417 as introduced.)

and when so amended that said bill do pass.
Committee Vote: Yeas 6, Nays 0.

WALKER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 449, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 14, Nays 0.

HERSHMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill 558, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, delete lines 2 through 12.
Renumber all SECTIONS consecutively.
(Reference is to SB 558 as introduced.)

and when so amended that said bill do pass.
Committee Vote: Yeas 5, Nays 2.

HEAD, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 10

Senate Concurrent Resolution 10, introduced by Senator Lanane:

A CONCURRENT RESOLUTION congratulating the Liberty Christian Lions on winning the Indiana Class 1A 2016 Basketball Championship.

Whereas, The City of Anderson, Indiana has a long and proud history of achievement in high school basketball, including past state high school basketball championships;

Whereas, The Liberty Christian Lions won the first state basketball championship for an Anderson-based school in 70 years;

Whereas, The Lions have returned championship basketball to the City of Anderson by virtue of winning the 2016 Class 1A basketball championship through its victory in the championship game at Bankers Life Fieldhouse, defeating the Bloomfield High School Cardinals by a score of 64 - 45;

Whereas, The Lions, with a student enrollment of 159, became the smallest school to win a boys basketball championship in Indiana in over 100 years;

Whereas, The Lions had a phenomenal season having been ranked number one in Class 1A throughout the entire season except for two weeks; and

Whereas, We would like to express our congratulations to Head Coach Jason Chappell, Assistant Coach Mike Carey, Assistant Coach Ryan Jackson, Assistant Coach Dennis Jimenez, Principal Stacy Scott, Superintendent Dr. Lynn Staley, Trainer Rob Craig, Photographer Marty Carey, and team members: Ronny Williams Jr., Trajan Dixon, Greg Dixon, Franklin Nunn, Caleb Hardy, Evan Packard, Joshua Tufts, Benjamin Cotton, Daniel Burko, Dallas Burko, Jared Baker, Isiah Palmer-Ferron, Isaiah Brees, Ben Truitt, Peyton Quinn, and Dawson Evans for their magnificent accomplishment and to express the pride of the entire community in their achievements: Therefore,

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

SECTION 1. That the Indiana State Senate congratulates the Liberty Christian Lions Basketball team for their 2016 Class 1A Championship.

SECTION 2. That the Secretary of the Senate is hereby directed to submit 24 copies of this Resolution to Coach Jason Chappell and the team members of the Liberty Christian Lions.

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

**REPORT OF THE PRESIDENT
PRO TEMPORE**

Madam President: I hereby report that Senator J. Smith has been excused from voting on Engrossed Senate Bill 545 pursuant to the Report of the Committee on Ethics adopted on January 26, 2017.

LONG

Report adopted.

SENATE BILLS ON SECOND READING

Senate Bill 9

Senator Merritt called up Senate Bill 9 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 156

Senator Merritt called up Senate Bill 156 for second reading. The bill was re-read a second time by title.

SENATE MOTION (Amendment 156-2)

Madam President: I move that Senate Bill 156 be amended to read as follows:

Page 2, between lines 39 and 40, begin a new line block indented and insert:

"(19) The number of admissions and discharges of patients at the opioid treatment program.

(20) The number of pregnant women being treated.

(21) Whether an individual is employed at the time of admission and whether the patient obtains employment during treatment.

(22) The number of patients who are eligible for the Medicaid program.

(23) A description of programs offered by the opioid treatment program.

(24) A description of any community outreach or education to the public offered by the opioid treatment program.

(25) The number of patients who have eliminated the use of an illegal substance after the first year of treatment at the opioid treatment program."

(Reference is to SB 156 as printed January 27, 2017.)

MERRITT

Motion prevailed. The bill was ordered engrossed.

Senate Bill 170

Senator M. Young called up Senate Bill 170 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 175

Senator Leising called up Senate Bill 175 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 175-1)

Madam President: I move that Senate Bill 175 be amended to read as follows:

Page 2, line 28, delete "." and insert "**after reasonable efforts are made by the health care provider to determine whether the minor has a parent or an individual in loco parentis who is able to consent to the treatment of the minor.**".

Page 2, line 35, delete "." and insert "**after reasonable efforts are made by the health care provider to determine whether the minor has a parent, an individual in loco parentis, or an adult sibling who is able to consent to the treatment of the minor.**".

(Reference is to SB 175 as printed January 25, 2017.)

KOCH

Motion prevailed.

SENATE MOTION (Amendment 175-2)

Madam President: I move that Senate Bill 175 be amended to read as follows:

Page 1, line 11, after "child," insert "**an adult grandchild.**".
(Reference is to SB 175 as printed January 25, 2017.)

LEISING

Motion prevailed. The bill was ordered engrossed.

Senate Bill 275

Senator Holdman called up Senate Bill 275 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 275-1)

Madam President: I move that Senate Bill 275 be amended to read as follows:

Page 1, line 10, delete "The" and insert "**After December 31, 2017, the**".

Page 1, line 11, delete "who" and insert "**who:**

(1) submits a proper application under this article; and

(2) meets the requirements of 49 CFR 383.71(f)."

Page 1, delete line 12.

Page 1, delete lines 15 through 17.

Page 2, delete lines 1 through 8.

Page 2, line 9, delete "(e)" and insert "**(d)**".

Page 2, line 12, delete "(f)" and insert "**(e)**".

Page 2, line 15, delete "(g)" and insert "**(f)**".

(Reference is to SB 275 as printed January 25, 2017.)

HOLDMAN

Motion prevailed.

SENATE MOTION (Amendment 275-2)

Madam President: I move that Senate Bill 275 be amended to read as follows:

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

"SECTION 1. IC 9-13-2-39.7, AS ADDED BY P.L.198-2016, SECTION 101, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 39.7. "Credential" means the following forms of documentation issued by the bureau under IC 9-24:

- (1) A driver's license.
- (2) A learner's permit.
- (3) An identification card.
- (4) A photo exempt identification card.
- (5) A driving authority permit.**

(6) A driving authority learner's permit.

SECTION 2. IC 9-13-2-41 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 41. **(a)** "Current driving license" means every class and kind of license or permit that evidences the privilege to operate a motor vehicle upon the highways of Indiana. The term includes a privilege granted by the license.

(b) The term does not include a driving authority permit or a driving authority learner's permit.

SECTION 3. IC 9-13-2-48, AS AMENDED BY P.L.198-2016, SECTION 104, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 48. **(a)** "Driver's license" means any type of license issued by the state authorizing an individual to operate the type of vehicle for which the license was issued, in the manner for which the license was issued, on a highway. The term includes any endorsements added to the license under IC 9-24-8.5.

(b) The term does not include a driving authority permit or a driving authority learner's permit.

SECTION 4. IC 9-13-2-123.5, AS AMENDED BY P.L.198-2016, SECTION 144, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 123.5. "Permit" means a permit issued by the state authorizing an individual to operate the type of vehicle for which the permit was issued on public streets, roads, or highways with certain restrictions. The term includes the following:

- (1) A learner's permit.
- (2) A motorcycle permit.
- (3) A commercial learner's permit.
- (4) A driving authority permit.**
- (5) A driving authority learner's permit.**

SECTION 5. IC 9-21-11-12, AS AMENDED BY P.L.198-2016, SECTION 366, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. A Class B motor driven cycle may not be operated under any of the following conditions:

- (1) By an individual less than fifteen (15) years of age.
- (2) By an individual who does not have:
 - (A) an unexpired identification card with a Class B motor driven cycle endorsement issued to the individual by the bureau under IC 9-24-16;
 - (B) a valid driver's license **or driving authority permit; or**
 - (C) a valid learner's permit **or driving authority learner's permit.**
- (3) On an interstate highway or a sidewalk.
- (4) At a speed greater than thirty-five (35) miles per hour.

SECTION 6. IC 9-24-1-1, AS AMENDED BY P.L.198-2016, SECTION 417, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) Except as

provided in section 7 of this chapter, an individual must have a valid:

- (1) driver's license; or
- (2) permit;

including any necessary endorsements, issued to the individual by the bureau to operate upon a highway the type of motor vehicle for which the driver's license, endorsement, or permit was issued.

(b) An individual must have:

- (1) an unexpired identification card with a Class B motor driven cycle endorsement issued to the individual by the bureau under IC 9-24-16;
- (2) a valid driver's license **or driving authority permit; or**
- (3) a valid learner's permit **or driving authority learner's permit;**

to operate a Class B motor driven cycle upon a highway.

(c) An individual who violates this section commits a Class C infraction.

SECTION 7. IC 9-24-2-1, AS AMENDED BY P.L.125-2012, SECTION 166, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) The bureau shall suspend the driving privileges or invalidate the learner's permit **or driving authority learner's permit** of an individual less than eighteen (18) years of age who meets any of the following conditions:

- (1) Is a habitual truant under IC 20-33-2-11.
- (2) Is under at least a second suspension from school for the school year under IC 20-33-8-14 or IC 20-33-8-15.
- (3) Is under an expulsion from school under IC 20-33-8-14, IC 20-33-8-15, or IC 20-33-8-16.
- (4) Is considered a dropout under IC 20-33-2-28.5.

(b) At least five (5) days before holding an exit interview under IC 20-33-2-28.5, the school corporation shall give notice by certified mail or personal delivery to the student, the student's parent, or the student's guardian that the student's failure to attend an exit interview under IC 20-33-2-28.5 or return to school if the student does not meet the requirements to withdraw from school under IC 20-33-2-28.5 will result in the revocation or denial of the student's:

- (1) driver's license, ~~or~~ learner's permit, **driving authority permit, or driving authority learner's permit; and**
- (2) employment certificate.

SECTION 8. IC 9-24-2-2, AS AMENDED BY P.L.125-2012, SECTION 167, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. The bureau shall suspend the driving privileges or invalidate the learner's permit **or driving authority learner's permit** of an individual less than eighteen (18) years of age who is under an order entered by a juvenile court under IC 31-37-19-13 through IC 31-37-19-17 (or IC 31-6-4-15.9(d), IC 31-6-4-15.9(e), or IC 31-6-4-15.9(f) before their repeal).

SECTION 9. IC 9-24-2-2.5, AS AMENDED BY P.L.76-2016, SECTION 3, AND AS AMENDED BY

P.L.198-2016, SECTION 423, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2.5. (a) The bureau shall suspend the driving privileges or invalidate the learner's permit **or driving authority learner's permit** of an individual who is under an order entered by a court under ~~IC 35-43-1-2(e)~~. IC 35-43-1-2(d).

(b) The bureau shall suspend the driving privileges or invalidate the learner's permit **or driving authority learner's permit** of ~~a person an individual~~ who is the subject of an order issued under IC 31-37-19-17 (or IC 31-6-4-15.9(f) before its repeal) or ~~IC 35-43-1-2(e)~~. IC 35-43-1-2(d).

SECTION 10. IC 9-24-2-3, AS AMENDED BY P.L.198-2016, SECTION 424, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) The bureau may not issue a driver's license, **driving authority permit, or learner's permit, or driving authority learner's permit** or grant driving privileges to the following individuals:

(1) An individual whose driving privileges have been suspended, during the period for which the driving privileges are suspended, or to an individual whose driver's license **or driving authority permit** has been revoked, until the time the bureau is authorized under Indiana law to issue the individual a new driver's license **or driving authority permit**.

(2) An individual whose learner's permit **or driving authority learner's permit** has been suspended or revoked until the time the bureau is authorized under Indiana law to issue the individual a new learner's permit **or driving authority learner's permit**.

(3) An individual who, in the opinion of the bureau, is afflicted with or suffering from a physical or mental disability or disease that prevents the individual from exercising reasonable and ordinary control over a motor vehicle while operating the motor vehicle on a highway.

(4) An individual who is unable to understand highway warnings or direction signs written in the English language.

(5) An individual who is required under this article to take an examination unless:

(A) the individual successfully passes the examination; or

(B) the bureau waives the examination requirement.

(6) An individual who is required under IC 9-25 or any other statute to deposit or provide proof of financial responsibility and who has not deposited or provided that proof.

(7) An individual when the bureau has good cause to believe that the operation of a motor vehicle on a highway by the individual would be inimical to public safety or welfare.

(8) An individual who is the subject of an order issued by:

(A) a court under IC 31-16-12-7 (or IC 31-1-11.5-13, IC 31-6-6.1-16, or IC 31-14-12-4 before their repeal); or

(B) the Title IV-D agency;

ordering that a driver's license or permit not be issued to the individual.

(9) An individual who has not presented valid documentary evidence to the bureau of the individual's legal status in the United States, as required by IC 9-24-9-2.5.

(10) An individual who does not otherwise satisfy the requirements of this article.

(b) An individual subject to epileptic seizures may not be denied a driver's license, **or driving authority permit, learner's permit, or driving authority learner's permit** under this section if the individual presents a statement from a licensed physician, on a form prescribed by the bureau, that the individual is under medication and is free from seizures while under medication.

SECTION 11. IC 9-24-3-1, AS AMENDED BY P.L.198-2016, SECTION 429, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) Except as otherwise provided in this article, the bureau shall issue an operator's license to an individual who meets the following conditions:

(1) Satisfies the age requirements set forth in section 2.5 of this chapter.

(2) Makes proper application to the bureau under IC 9-24-9 upon a form prescribed by the bureau. The form must include an attestation concerning the number of hours of supervised driving practice that the individual has completed if the individual is required under section 2.5 of this chapter to complete a certain number of hours of supervised driving practice in order to receive an operator's license. The:

(A) parent or guardian of an applicant less than eighteen (18) years of age; or

(B) applicant, if the applicant is at least eighteen (18) years of age;

shall attest in writing under penalty of perjury to the time logged in practice driving.

(3) Satisfactorily passes the examination and tests required for issuance of an operator's license under IC 9-24-10.

(4) Pays the following applicable fee:

(A) For an individual who is less than seventy-five (75) years of age, seventeen dollars and fifty cents (\$17.50).

(B) For an individual who is at least seventy-five (75) years of age but less than eighty-five (85) years of age, eleven dollars (\$11).

(C) For an individual who is at least eighty-five (85) years of age, seven dollars (\$7).

(b) A fee described in subsection (a)(4)(A) shall be distributed as follows:

(1) Fifty cents (\$0.50) to the state motor vehicle technology fund.

- (2) Two dollars (\$2) to the crossroads 2000 fund.
- (3) Four dollars and fifty cents (\$4.50) to the motor vehicle highway account.
- (4) For an operator's license issued before July 1, 2019, as follows:
 - (A) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
 - (B) Nine dollars and twenty-five cents (\$9.25) to the commission fund.
- (5) For an operator's license issued after June 30, 2019, ten dollars and fifty cents (\$10.50) to the commission fund.

(c) A fee described in subsection (a)(4)(B) shall be distributed as follows:

- (1) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (2) One dollar and fifty cents (\$1.50) to the crossroads 2000 fund.
- (3) Three dollars (\$3) to the motor vehicle highway account.
- (4) For an operator's license issued before July 1, 2019, as follows:
 - (A) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
 - (B) Four dollars and seventy-five cents (\$4.75) to the commission fund.
- (5) For an operator's license issued after June 30, 2019, six dollars (\$6) to the commission fund.

(d) A fee described in subsection (a)(4)(C) shall be distributed as follows:

- (1) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (2) One dollar (\$1) to the crossroads 2000 fund.
- (3) Two dollars (\$2) to the motor vehicle highway account.
- (4) For an operator's license issued before July 1, 2019, as follows:
 - (A) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
 - (B) Two dollars and twenty-five cents (\$2.25) to the commission fund.
- (5) For an operator's license issued after June 30, 2019, three dollars and fifty cents (\$3.50) to the commission fund.

(e) The bureau shall issue a driving authority permit to an individual who:

- (1) meets the criteria described in IC 9-24-3.5; and**
- (2) pays the applicable fee set forth in subsection (a)(4).**

SECTION 12. IC 9-24-3.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 3.5. Driving Authority Permit

Sec. 1. An individual who is unable to present the valid documentary evidence required by IC 9-24-9-2.5 may apply

to the bureau for a driving authority permit.

Sec. 2. The bureau shall issue a driving authority permit to an individual who meets the following conditions:

- (1) Satisfies the age requirements set forth in section 3 of this chapter.**
 - (2) Makes proper application to the bureau under IC 9-24-9 upon a form prescribed by the bureau. The form must include an attestation concerning the number of hours of supervised driving practice that the individual has completed if the individual is required under section 3 of this chapter to complete a certain number of hours of supervised driving practice in order to receive a driving authority permit. The:**
 - (A) parent or guardian of an applicant less than eighteen (18) years of age; or**
 - (B) applicant, if the applicant is at least eighteen (18) years of age;**
- shall attest in writing under penalty of perjury to the time logged in practice driving.**
- (3) Satisfactorily passes the examination and tests required for issuance of a driving authority permit.**
 - (4) Pays the fee prescribed by IC 9-24-3-1.**

Sec. 3. (a) An individual must satisfy the requirements set forth in one (1) of the following to receive a driving authority permit:

- (1) The individual meets the following conditions:**
 - (A) Is at least sixteen (16) years and one hundred eighty (180) days of age.**
 - (B) Has held a valid driving authority learner's permit for at least one hundred eighty (180) days.**
 - (C) Obtains an instructor's certification that the individual has satisfactorily completed an approved driver's education course.**
 - (D) Passes the required examination.**
 - (E) Completes at least fifty (50) hours of supervised driving practice, of which not less than ten (10) hours are nighttime driving with:**
 - (i) a licensed instructor or a licensed driver who is at least twenty-five (25) years of age; or**
 - (ii) the spouse of the individual who is at least twenty-one (21) years of age.**
- (2) The individual meets the following conditions:**
 - (A) Is at least sixteen (16) years and two hundred seventy (270) days of age.**
 - (B) Has held a valid driving authority learner's permit for at least one hundred eighty (180) days.**
 - (C) Passes the required examination.**
 - (D) Completes at least fifty (50) hours of supervised driving practice, of which at least ten (10) hours are nighttime driving, with:**
 - (i) a licensed instructor or a licensed driver who is at least twenty-five (25) years of age; or**

(ii) the spouse of an individual who is at least twenty-one (21) years of age.

(3) The individual meets the following conditions:

(A) Is at least eighteen (18) years of age.

(B) Has previously been a nonresident of Indiana but, at the time of application, qualifies as an Indiana resident.

(C) Held a valid driver's license, excluding a learner's permit or the equivalent, from the state of prior residence.

(D) Passes the required examination.

(b) An applicant who is required to complete at least fifty (50) hours of supervised driving under subsection (a)(1)(E) or (a)(2)(D) must submit to the bureau evidence of the time logged in practice driving.

Sec. 4. A driving authority permit must include a statement on the face of the permit that indicates that the driving authority permit may not be accepted by any federal agency for federal identification or any other federal purpose.

Sec. 5. A driving authority permit allows the holder to operate a passenger motor vehicle or a truck with a declared gross weight equal to or less than eleven thousand (11,000) pounds.

Sec. 6. An individual who holds a driving authority permit and operates a motor vehicle shall verify that financial responsibility on any motor vehicle that the holder operates is continuously maintained in the amounts required by IC 9-25-4.

Sec. 7. The bureau shall adopt rules under IC 4-22-2 to implement this chapter."

Page 2, after line 16, begin new paragraph and insert:

"SECTION 13. IC 9-24-7-1, AS AMENDED BY P.L.198-2016, SECTION 454, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) The bureau shall issue a learner's permit **or driving authority learner's permit** to an individual who satisfies the following conditions:

(1) Makes a proper application in the form and manner prescribed by the bureau.

(2) Pays a fee under subsection ~~(b)~~ or (c) or (d), as applicable.

(3) If less than eighteen (18) years of age, is not ineligible under IC 9-24-2-1.

(4) Has passed a written examination as required under IC 9-24-10.

(5) Either:

(A) is at least sixteen (16) years of age; or

(B) if at least fifteen (15) years of age but less than sixteen (16) years of age, is enrolled in an approved driver education course.

(b) An individual who is unable to present the valid, documentary evidence required by IC 9-24-9-2.5 may apply for a driving authority learner's permit. A driving authority learner's permit may be used only as the basis to acquire a

driving authority permit under IC 9-24-3.5. A driving authority learner's permit must include a statement on the face of the permit that indicates that the driving authority learner's permit may not be accepted by any federal agency for federal identification or any other federal purpose. A driving authority learner's permit allows the holder to operate a passenger motor vehicle or a truck with a declared gross weight equal to or less than eleven thousand (11,000) pounds. An individual who holds a driving authority learner's permit and operates a motor vehicle shall verify that financial responsibility on any motor vehicle that the holder operates is continuously maintained in the amounts required by IC 9-25-4.

~~(b)~~ (c) The fee for a learner's permit issued before January 1, 2017, is nine dollars and fifty cents (\$9.50). The fee shall be distributed as follows:

(1) Fifty cents (\$0.50) to the motor vehicle highway account.

(2) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(3) Two dollars (\$2) to the crossroads 2000 fund.

(4) One dollar and seventy-five cents (\$1.75) to the integrated public safety communications fund.

(5) Four dollars and seventy-five cents (\$4.75) to the commission fund.

~~(c)~~ (d) The fee for a learner's permit issued after December 31, 2016, **or for a driving authority learner's permit issued after June 30, 2017**, is nine dollars (\$9). The fee shall be distributed as follows:

(1) Twenty-five cents (\$0.25) to the motor vehicle highway account.

(2) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(3) Two dollars (\$2) to the crossroads 2000 fund.

(4) For a learner's permit **or driving authority learner's permit** issued before July 1, 2019, as follows:

(A) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(B) Five dollars (\$5) to the commission fund.

(5) For a learner's permit **or driving authority learner's permit** issued after June 30, 2019, six dollars and twenty-five cents (\$6.25) to the commission fund.

SECTION 14. IC 9-24-7-4, AS AMENDED BY P.L.198-2016, SECTION 456, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. **Except as provided in IC 9-24-7-1(b)**, a learner's permit **or driving authority learner's permit** authorizes the holder to operate a motor vehicle, except a motorcycle, a Class A motor driven cycle, or a commercial motor vehicle, upon a highway under the following conditions:

(1) While the holder is participating in practice driving in an approved driver education course and is accompanied in the front seat of the motor vehicle by an individual with valid driving privileges who:

(A) is licensed as a driver education instructor under IC 9-27-6-8 and is working under the direction of a driver training school described in IC 9-27-6-3(a)(2); or

(B) is a certified driver rehabilitation specialist recognized by the bureau who is employed through a driver rehabilitation program.

(2) While the holder is participating in practice driving after having commenced an approved driver education course and is accompanied in the front seat of the motor vehicle by an individual with valid driving privileges who is at least:

(A) twenty-five (25) years of age and related to the applicant by blood, marriage, or legal status; or

(B) if the licensed individual is the holder's spouse, twenty-one (21) years of age.

(3) If the holder is not participating in an approved driver education course, and is less than eighteen (18) years of age, the holder may participate in practice driving if accompanied in the front seat of the motor vehicle by an individual who is:

(A) a licensed driver, with valid driving privileges, who is:

(i) at least twenty-five (25) years of age; and

(ii) related to the applicant by blood, marriage, or legal status;

(B) the spouse of the applicant who is:

(i) a licensed driver with valid driving privileges; and

(ii) at least twenty-one (21) years of age; or

(C) an individual with valid driving privileges who:

(i) is licensed as a driver education instructor under IC 9-27-6-8 and is working under the direction of a driver training school described in IC 9-27-6-3(a)(2); or

(ii) is a certified driver rehabilitation specialist recognized by the bureau who is employed through a driver rehabilitation program.

(4) If the holder is not participating in an approved driver education course, and is at least eighteen (18) years of age, the holder may participate in practice driving if accompanied in the front seat of the motor vehicle by an individual who is:

(A) a licensed driver, with valid driving privileges, who is at least twenty-five (25) years of age; or

(B) the spouse of the applicant who is:

(i) a licensed driver with valid driving privileges; and

(ii) at least twenty-one (21) years of age.

SECTION 15. IC 9-24-7-5, AS AMENDED BY P.L.125-2012, SECTION 200, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) A holder of a learner's permit may take the skills examination for an operator's license not later than the expiration date of the

learner's permit.

(b) A holder of a driving authority learner's permit may take the skills examination for a driving authority permit not later than the expiration date of the driving authority learner's permit.

(c) A holder who does not pass the skills examination for:

(1) an operator's license; or

(2) a driving authority permit;

after a third attempt is not eligible to take the examination until two (2) months after the date of the last failed examination.

SECTION 16. IC 9-24-7-7, AS AMENDED BY P.L.85-2013, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. The bureau shall publish the following:

(1) An online driving guide that may be used by the holder of a learner's permit **or a driving authority learner's permit** and the parent of the holder of a learner's permit **or a driving authority learner's permit**, if applicable.

(2) An online log that must be completed to show evidence of the completion of the hours of supervised practice driving required under IC 9-24-3-2.5(a)(1)(E) or IC 9-24-3-2.5(a)(2)(D), **or IC 9-24-3.5-3(a)(1)(E) or IC 9-24-3.5-3(a)(2)(D), as applicable.**

SECTION 17. IC 9-24-9-2, AS AMENDED BY P.L.198-2016, SECTION 463, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) Except as provided in subsection (b), each application for a driver's license or permit under this chapter must require the following information:

(1) The full legal name of the applicant.

(2) The applicant's date of birth.

(3) The gender of the applicant.

(4) The applicant's height, weight, hair color, and eye color.

(5) The principal address and mailing address of the applicant.

(6) A:

(A) valid Social Security number; or

(B) verification of an applicant's:

(i) ineligibility to be issued a Social Security number; and

(ii) identity and lawful status;

unless the applicant is applying for a driving authority permit under IC 9-24-3.5 or a driving authority learner's permit under IC 9-24-7-1(b). An applicant for a driving authority permit or driving authority learner's permit must submit a valid individual taxpayer identification number for the applicant.

(7) Whether the applicant has been subject to fainting spells or seizures.

(8) Whether the applicant has been issued a driver's license or has been the holder of a permit, and if so, when and by what jurisdiction.

(9) Whether the applicant's driver's license or permit has ever been suspended or revoked, and if so, the date of and the reason for the suspension or revocation.

(10) Whether the applicant has been convicted of:

(A) a crime punishable as a felony under Indiana motor vehicle law; or

(B) any other felony in the commission of which a motor vehicle was used;

that has not been expunged by a court.

(11) Whether the applicant has a physical or mental disability, and if so, the nature of the disability.

(12) The signature of the applicant showing the applicant's legal name as it appears or will appear on the driver's license or permit.

(13) A digital photograph of the applicant.

(14) Any other information the bureau requires.

(b) For purposes of subsection (a), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the individual's principal address and mailing address, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the individual's principal address and mailing address.

(c) In addition to the information required by subsection (a), an applicant who is required to complete at least fifty (50) hours of supervised practice driving under IC 9-24-3-2.5(a)(1)(E), ~~or IC 9-24-3-2.5(a)(2)(D)~~, **IC 9-24-3.5-3(a)(1)(E), or IC 9-24-3.5-3(a)(2)(D)** must submit to the bureau evidence of the time logged in practice driving.

SECTION 18. IC 9-24-9-2.5, AS AMENDED BY P.L.198-2016, SECTION 465, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2.5. **(a) Except as provided in subsection (b)**, in addition to the information required from the applicant for a driver's license or permit under sections 1 and 2 of this chapter, the bureau shall require an applicant to present to the bureau valid documentary evidence that the applicant:

(1) is a citizen or national of the United States;

(2) is an alien lawfully admitted for permanent residence in the United States;

(3) has conditional permanent resident status in the United States;

(4) has an approved application for asylum in the United States or has entered into the United States in refugee status;

(5) is an alien lawfully admitted for temporary residence in the United States;

(6) has a valid unexpired nonimmigrant visa or nonimmigrant visa status for entry into the United States;

(7) has a pending application for asylum in the United States;

(8) has a pending or approved application for temporary protected status in the United States;

(9) has approved deferred action status; or

(10) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States.

(b) An applicant for a driving authority permit under IC 9-24-3.5 or a driving authority learner's permit under IC 9-24-7-1(b) who is unable to provide the documentation required under subsection (a) must provide the bureau with documentation of residence in Indiana as required by rules adopted by the bureau under IC 4-22-2 or emergency rules adopted in the manner provided under IC 4-22-2-37.1. The rules must provide that the supporting documentation may be shown by official documentation from a foreign consulate.

SECTION 19. IC 9-24-10-4, AS AMENDED BY P.L.198-2016, SECTION 474, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. (a) Except as provided in subsection (c), an examination for a learner's permit, ~~or driver's license~~, **driving authority learner's permit, or driving authority permit** must include the following:

(1) A test of the following of the applicant:

(A) Eyesight.

(B) Ability to read and understand highway signs regulating, warning, and directing traffic.

(C) Knowledge of Indiana traffic laws, including IC 9-26-1-1.5.

(2) An actual demonstration of the applicant's skill in exercising ordinary and reasonable control in the operation of a motor vehicle under the type of permit or driver's license applied for.

(b) The examination may include further physical and mental examination that the bureau finds necessary to determine the applicant's fitness to operate a motor vehicle safely upon a highway. The applicant must provide the motor vehicle used in the examination. An autocycle may not be used as the motor vehicle provided for the examination.

(c) The bureau:

(1) may waive the actual demonstration required under subsection (a)(2) for an individual who has passed:

(A) a driver's education class and a skills test given by a driver training school; or

(B) a driver education program given by an entity licensed under IC 9-27; and

(2) may waive the testing, other than eyesight testing under subsection (a)(1)(A), of an applicant who has passed:

(A) an examination concerning:

(i) subsection (a)(1)(B); and

(ii) subsection (a)(1)(C); and

(B) a skills test;

given by a driver training school or an entity licensed under IC 9-27.

(d) An instructor having a license, under IC 9-27-6-8 who did not instruct the applicant for the driver's license, or **driving authority permit, learner's permit, or driving authority learner's permit** in driver education is not civilly or criminally

liable for a report made in good faith to the:

- (1) bureau;
- (2) commission; or
- (3) driver licensing medical advisory board;

concerning the fitness of the applicant to operate a motor vehicle in a manner that does not jeopardize the safety of individuals or property.

SECTION 20. IC 9-24-11-4, AS AMENDED BY P.L.198-2016, SECTION 483, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. (a) **Except as provided in subsection (e)**, an individual may not hold or possess more than one (1) credential at a time.

(b) An individual may not hold or possess:

- (1) a credential; and
- (2) a driver's license or identification card issued by a government authority that issues driver's licenses and identification cards from another state, territory, federal district, commonwealth, or possession of the United States.

(c) An individual shall destroy or surrender to the bureau any and all credentials, driver's licenses, or identification cards that would cause the individual to violate subsection (a) or (b).

(d) An individual who violates this section commits a Class C infraction.

(e) This section does not apply to the possession of a driving authority permit or a driving authority learner's permit.

SECTION 21. IC 9-24-11-5, AS AMENDED BY P.L.198-2016, SECTION 484, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) Except as provided in subsection (b); (d), a learner's permit, **or** driver's license, **driving authority learner's permit, or driving authority permit** issued under this article must contain the following information:

- (1) The full legal name of the permittee or licensee.
- (2) The date of birth of the permittee or licensee.
- (3) The address of the principal residence of the permittee or licensee.
- (4) The hair color and eye color of the permittee or licensee.
- (5) The date of issue and expiration date of the permit or license.
- (6) The gender of the permittee or licensee.
- (7) The unique identifying number of the permit or license.
- (8) The weight of the permittee or licensee.
- (9) The height of the permittee or licensee.
- (10) A reproduction of the signature of the permittee or licensee.
- (11) If the permittee or licensee is less than eighteen (18) years of age at the time of issuance, the dates, printed prominently, on which the permittee or licensee will become:

(A) eighteen (18) years of age; and

(B) twenty-one (21) years of age.

(12) If the permittee or licensee is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date, printed prominently, on which the permittee or licensee will become twenty-one (21) years of age.

(13) Except as provided in subsection (b), a digital photograph of the permittee or licensee.

(b) The bureau may provide for the omission of a photograph or computerized image from any driver's license, **or** learner's permit, **driving authority learner's permit, or driving authority permit** if there is good cause for the omission. However, a driver's license, **or** learner's permit, **driving authority learner's permit, or driving authority permit** issued without a digital photograph must include a statement that indicates that the driver's license, **or** learner's permit, **driving authority learner's permit, or driving authority permit** may not be accepted by a federal agency for federal identification or any other federal purpose.

(c) A driver's license or learner's permit issued to an individual who:

- (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant visa status for entry in the United States;
- (2) has a pending application for asylum in the United States;
- (3) has a pending or approved application for temporary protected status in the United States;
- (4) has approved deferred action status; or
- (5) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent residence status in the United States;

must be clearly identified as a temporary driver's license or learner's permit. A temporary driver's license or learner's permit issued under this subsection may not be renewed without the presentation of valid documentary evidence proving that the licensee's or permittee's temporary status has been extended.

(d) For purposes of subsection (a), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the address of the individual's principal residence, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the address of the individual's principal residence.

SECTION 22. IC 9-24-11-5.5, AS AMENDED BY P.L.198-2016, SECTION 485, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5.5. (a) If an individual has:

- (1) indicated on the application for a driver's license or learner's permit that the individual is a veteran and wishes to have an indication of the individual's veteran status appear on the driver's license or learner's permit; and
- (2) provided proof at the time of application of the individual's veteran status;

an indication of the individual's veteran status shall be shown on the driver's license or learner's permit.

(b) If an individual submits information concerning the individual's medical condition in conjunction with the individual's application for a driver's license, ~~or learner's permit,~~ **driving authority permit, or driving authority learner's permit,** the bureau shall place an identifying symbol on the face of the driver's license or learner's permit to indicate that the individual has a medical condition of note. The bureau shall include information on the individual's driver's license or ~~learner's permit~~ that briefly describes the individual's medical condition. The information must be printed in a manner that alerts an individual reading the driver's license or ~~learner's permit~~ to the existence of the medical condition. The individual submitting the information concerning the medical condition is responsible for its accuracy.

SECTION 23. IC 9-24-12-0.5, AS AMENDED BY P.L.198-2016, SECTION 489, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 0.5. (a) A learner's permit **or driving authority learner's permit** expires two (2) years after the date of issuance.

(b) A motorcycle permit expires one (1) year after the date of issuance. A motorcycle permit may be renewed one (1) time for a period of one (1) year. An individual who does not obtain a motorcycle endorsement under IC 9-24-8.5 before the expiration of the renewed motorcycle permit may not reapply for a new motorcycle permit for a period of one (1) year after the date of expiration of the renewed motorcycle permit.

(c) A commercial learner's permit expires one hundred eighty (180) days after the date of issuance. The bureau may issue not more than three (3) commercial learner's permits to an individual within a twenty-four (24) month period.

(d) The fee to renew a permit that expires under this section is the applicable fee to issue the permit under this article.

SECTION 24. IC 9-24-12-1, AS AMENDED BY P.L.198-2016, SECTION 490, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) Notwithstanding subsection (c) and except as provided in subsection (b) and sections 10 and 11 of this chapter, the expiration date of an operator's license that is the renewal license for an operator's license that contains a 2012 expiration date is as follows:

- (1) If the operator's license was previously issued or renewed after May 14, 2007, and before January 1, 2008, the renewal operator's license expires at midnight on the birthday of the holder that occurs in 2017.
- (2) If the operator's license was previously issued or renewed after December 31, 2007, and before January 1, 2009, the renewal operator's license expires at midnight on the birthday of the holder that occurs in 2018.
- (3) If the operator's license was previously issued or renewed after December 31, 2005, and before January 1, 2007, the renewal operator's license expires at midnight on the birthday of the holder that occurs in 2016.

This subsection expires January 1, 2019.

(b) Except as provided in sections 10 and 11 of this chapter, an operator's license issued to an applicant who is at least seventy-five (75) years of age expires at midnight of the birthday of the holder that occurs three (3) years following the date of issuance.

(c) Except as provided in subsections (a), (b), and (d) and sections 10 and 11 of this chapter, an operator's license issued under this article expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance.

(d) An operator's license issued to an individual who is less than twenty-one (21) years of age expires at midnight of the date thirty (30) days after the twenty-first birthday of the holder. However, if the individual complies with ~~IC 9-24-9-2.5(5)~~ **IC 9-24-9-2.5(a)(5)** through ~~IC 9-24-9-2.5(9);~~ **IC 9-24-9-2.5(a)(9)**, the operator's license expires:

- (1) at midnight one (1) year after issuance if there is no expiration date on the authorization granted to the individual to remain in the United States; or
- (2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following:

(A) At midnight of the date the authorization to remain in the United States expires.

(B) At midnight of the date thirty (30) days after the twenty-first birthday of the holder.

SECTION 25. IC 9-24-12-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2.5. Except as provided in sections 10 and 11 of this chapter, a driving authority permit issued under this article expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance.**

SECTION 26. IC 9-24-12-4, AS AMENDED BY P.L.198-2016, SECTION 493, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. (a) Except as provided in subsections (b), ~~and~~ (c), **and (d)**, the application for renewal of:

- (1) an operator's license;
- (2) a chauffeur's license (before the expiration of IC 9-24-4 on July 1, 2024);
- (3) a public passenger chauffeur's license (before the expiration of IC 9-24-5 on July 1, 2022);
- (4) an identification card; ~~or~~
- (5) a photo exempt identification card; ~~or~~
- (6) a driving authority permit;**

under this article may be filed not more than twelve (12) months before the expiration date of the license, identification card, ~~or~~ photo exempt identification card, **or driving authority permit** held by the applicant.

(b) When the applicant complies with ~~IC 9-24-9-2.5(5)~~ **IC 9-24-9-2.5(a)(5)** through ~~IC 9-24-9-2.5(10);~~ **IC 9-24-9-2.5(a)(10)**, an application for renewal of a driver's license in subsection (a)(1), (a)(2), or (a)(3) may be filed not

more than one (1) month before the expiration date of the license held by the applicant.

(c) When the applicant complies with IC 9-24-16-3.5(1)(E) through IC 9-24-16-3.5(1)(J), an application for renewal of an identification card under subsection (a)(4) may be filed not more than one (1) month before the expiration date of the identification card held by the applicant.

(d) When the applicant complies with IC 9-24-9-2.5(b), an application for renewal of a driving authority permit in subsection (a)(6) may be filed not more than one (1) month before the expiration date of the permit held by the applicant.

SECTION 27. IC 9-24-12-5, AS AMENDED BY P.L.198-2016, SECTION 494, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) Except as provided in subsection (b), and subject to subsection (d), an individual applying for renewal of an operator's, a chauffeur's, or a public passenger chauffeur's license **or a driving authority permit**, including any endorsements in effect with respect to the license **or permit**, must apply in person at a license branch and do the following:

- (1) Pass an eyesight examination.
- (2) Pass a written examination if:
 - (A) the applicant has at least six (6) active points on the applicant's driving record maintained by the bureau;
 - (B) the applicant has not reached the applicant's twenty-first birthday and has active points on the applicant's driving record maintained by the bureau; or
 - (C) the applicant is in possession of a driver's license that is expired beyond one hundred eighty (180) days.

(b) The bureau may adopt rules under IC 4-22-2 concerning the ability of a holder of an operator's, a chauffeur's, or a public passenger chauffeur's license to renew the license, including any endorsements in effect with respect to the license by mail or by electronic service. If rules are adopted under this subsection, the rules must provide that an individual's renewal by mail or by electronic service is subject to the following conditions:

- (1) A valid computerized image of the individual must exist within the records of the bureau.
- (2) The previous renewal of the individual's operator's, chauffeur's, or public passenger chauffeur's license must not have been by mail or by electronic service.
- (3) The application for or previous renewal of the individual's license must have included a test of the individual's eyesight approved by the bureau.
- (4) If the individual were applying for the license renewal in person at a license branch, the individual would not be required under subsection (a)(2) to submit to a written examination.
- (5) The individual must be a citizen of the United States, as shown in the records of the bureau.

(6) There must not have been any change in the:

- (A) address; or
- (B) name;

of the individual since the issuance or previous renewal of the individual's operator's, chauffeur's, or public passenger chauffeur's license.

(7) The operator's, chauffeur's, or public passenger chauffeur's license of the individual must not be:

- (A) suspended; or
- (B) expired more than one hundred eighty (180) days;

at the time of the application for renewal.

(8) The individual must be less than seventy-five (75) years of age at the time of the application for renewal.

(c) An individual applying for the renewal of an operator's **license**, a chauffeur's **license**, ~~or~~ a public passenger chauffeur's license, **or a driving authority permit**, including any endorsements in effect with respect to the license **or permit**, must apply in person at a license branch under subsection (a) if the individual is not entitled to apply by mail or by electronic service under rules adopted under subsection (b).

(d) The bureau may not issue or renew a chauffeur's or a public passenger chauffeur's license after December 31, 2016. If a holder of a chauffeur's or a public passenger chauffeur's license applies after December 31, 2016, for renewal of the chauffeur's or public passenger chauffeur's license, the bureau shall issue to the holder an operator's license with a for-hire endorsement if the holder:

- (1) applies in a form and manner prescribed by the bureau; and
- (2) satisfies the requirements for renewal of an operator's license, including the fee and examination requirements under this section.

(e) An individual applying for the renewal of an operator's license **or driving authority permit** shall pay the following applicable fee:

(1) If the individual is less than seventy-five (75) years of age, seventeen dollars and fifty cents (\$17.50). The fee shall be distributed as follows:

- (A) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (B) Two dollars (\$2) to the crossroads 2000 fund.
- (C) Four dollars and fifty cents (\$4.50) to the motor vehicle highway account.
- (D) For an operator's license renewed before July 1, 2019, as follows:

- (i) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (ii) Nine dollars and twenty-five cents (\$9.25) to the commission fund.

(E) For an operator's license **or driving authority permit** renewed after June 30, 2019, ten dollars and fifty cents (\$10.50) to the commission fund.

(2) If the individual is at least seventy-five (75) years of age and less than eighty-five (85) years of age, eleven dollars (\$11). The fee shall be distributed as follows:

(A) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(B) One dollar and fifty cents (\$1.50) to the crossroads 2000 fund.

(C) Three dollars (\$3) to the motor vehicle highway account.

(D) For an operator's license renewed before July 1, 2019, as follows:

(i) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(ii) Four dollars and seventy-five cents (\$4.75) to the commission fund.

(E) For an operator's license **or driving authority permit** renewed after June 30, 2019, six dollars (\$6) to the commission fund.

(3) If the individual is at least eighty-five (85) years of age, seven dollars (\$7). The fee shall be distributed as follows:

(A) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(B) One dollar (\$1) to the crossroads 2000 fund.

(C) Two dollars (\$2) to the motor vehicle highway account.

(D) For an operator's license renewed before July 1, 2019, as follows:

(i) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(ii) Two dollars and twenty-five cents (\$2.25) to the commission fund.

(E) For an operator's license **or driving authority permit** renewed after June 30, 2019, three dollars and fifty cents (\$3.50) to the commission fund.

A fee paid under this subsection after December 31, 2016, includes the renewal of any endorsements that are in effect with respect to the operator's license at the time of renewal.

(f) An individual applying for the renewal of a chauffeur's license shall pay the following applicable fee:

(1) For an individual who is less than seventy-five (75) years of age, twenty-two dollars and fifty cents (\$22.50).

The fee shall be distributed as follows:

(A) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(B) Four dollars (\$4) to the crossroads 2000 fund.

(C) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(D) Seven dollars and seventy-five cents (\$7.75) to the commission fund.

(E) Nine dollars (\$9) to the motor vehicle highway account.

(2) For an individual who is at least seventy-five (75) years of age, eighteen dollars and fifty cents (\$18.50). The fee shall be distributed as follows:

(A) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(B) Four dollars (\$4) to the crossroads 2000 fund.

(C) Six dollars (\$6) to the motor vehicle highway account.

(D) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(E) Six dollars and seventy-five cents (\$6.75) to the commission fund.

This subsection expires December 31, 2016.

(g) An individual applying for the renewal of a public passenger chauffeur's license shall pay a fee of eighteen dollars and fifty cents (\$18.50). The fee shall be distributed as follows:

(1) Fifty cents (\$0.50) to the state motor vehicle technology fund.

(2) Four dollars (\$4) to the crossroads 2000 fund.

(3) Six dollars (\$6) to the motor vehicle highway account.

(4) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.

(5) Six dollars and seventy-five cents (\$6.75) to the commission fund.

This subsection expires December 31, 2016.

SECTION 28. IC 9-24-12-10, AS AMENDED BY P.L.198-2016, SECTION 496, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. (a) Except as provided in section 11 of this chapter, a driver's license issued to or renewed by a driver who is at least eighty-five (85) years of age expires at midnight of the birthday of the holder that occurs two (2) years following the date of issuance.

(b) Except as provided in section 11 of this chapter, a driving authority permit issued under this article to an applicant who is at least seventy-five (75) years of age expires at midnight of the birthday of the holder that occurs three (3) years following the date of issuance.

SECTION 29. IC 9-24-12-11, AS AMENDED BY P.L.198-2016, SECTION 497, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. (a) This section applies to:

(1) a driver's license other than a commercial driver's license; and

(2) a driving authority permit issued under IC 9-24-3.5.

(b) If the birthday of a holder on which the holder's driver's license **or driving authority permit** would otherwise expire falls on:

(1) Sunday;

(2) a legal holiday (as set forth in IC 1-1-9-1); or

(3) a weekday when all license branches in the county of residence of the holder are closed;

the driver's license **or driving authority permit** of the holder does not expire until midnight of the first day after the birthday

on which a license branch is open for business in the county of residence of the holder.

(c) A driver's license issued to an applicant who complies with ~~IC 9-24-9-2.5(5)~~ **IC 9-24-9-2.5(a)(5)** through ~~IC 9-24-9-2.5(10)~~ **IC 9-24-9-2.5(a)(10)** expires:

(1) at midnight one (1) year after issuance if there is no expiration date on the authorization granted to the individual to remain in the United States; or

(2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following:

(A) At midnight of the date the authorization of the holder to be a legal permanent resident or conditional resident alien of the United States expires.

(B) At midnight of the birthday of the holder that occurs six (6) years after the date of issuance.

SECTION 30. IC 9-24-14-3.5, AS AMENDED BY P.L.198-2016, SECTION 505, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3.5. (a) The bureau may adopt rules under IC 4-22-2 concerning the ability of an individual to apply for a replacement of a driver's license or learner's permit by electronic service. If rules are adopted under this subsection, the rules must provide that issuance of a replacement driver's license or learner's permit by electronic service is subject to the following conditions:

(1) A valid computerized image or digital photograph of the individual must exist within the records of the bureau.

(2) The individual must be a citizen of the United States, as shown in the records of the bureau.

(b) An individual applying for a replacement of a driver's license, or a learner's permit, **driving authority permit, or driving authority learner's permit** must apply in person at a license branch if the individual is not entitled to apply by mail or by electronic service under rules adopted under subsection (a).

SECTION 31. IC 9-26-1-1.5, AS AMENDED BY P.L.188-2015, SECTION 100, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1.5. (a) If:

(1) the operator of a motor vehicle is physically incapable of determining the need for or rendering assistance to any injured or entrapped person as required under section 1.1(a)(3) of this chapter;

(2) there is another occupant in the motor vehicle at the time of the accident who is:

(A) at least:

(i) fifteen (15) years of age and holds a learner's permit issued under IC 9-24-7-1, or a driver's license issued under IC 9-24-11, or a **driving authority permit issued under IC 9-24-3.5, or a driving authority learner's permit issued under IC 9-24-7-1(b);** or

(ii) eighteen (18) years of age; and

(B) capable of determining the need for and rendering reasonable assistance to injured or

entrapped persons as provided in section 1.1(a)(3) of this chapter; and

(3) the other occupant in the motor vehicle knows that the operator of the motor vehicle is physically incapable of determining the need for or rendering assistance to any injured or entrapped person;

the motor vehicle occupant referred to in subdivisions (2) and (3) shall immediately determine the need for and render reasonable assistance to each person injured or entrapped in the accident as provided in section 1.1(a)(3) of this chapter.

(b) If there is more than one (1) motor vehicle occupant to whom subsection (a) applies, it is a defense to a prosecution of one (1) motor vehicle occupant under subsection (a) that the defendant reasonably believed that another occupant of the motor vehicle determined the need for and rendered reasonable assistance as required under subsection (a).

(c) A person who knowingly or intentionally violates this section commits a Class C misdemeanor.

SECTION 32. [EFFECTIVE UPON PASSAGE] (a) **The bureau of motor vehicles shall adopt rules under IC 4-22-2, including emergency rules in the manner provided under IC 4-22-2-37.1, necessary to implement issuance and administration of the driving authority permit under IC 9-24-3.5, as added by this act, and the driving authority learner's permit under IC 9-24-7-1, as amended by this act.**

(b) **This SECTION expires July 1, 2018.**

SECTION 33. **An emergency is declared for this act."**

Renumber all SECTIONS consecutively.

(Reference is to SB 275 as printed January 25, 2017.)

LANANE

Motion failed. The bill was ordered engrossed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 15

House Concurrent Resolution 15, sponsored by Senator Eckerty:

A CONCURRENT RESOLUTION congratulating the Yorktown High School volleyball team on an outstanding season.

Whereas, The Yorktown High School volleyball team had an outstanding 2016 season that culminated with a Class 3A state volleyball championship;

Whereas, The Yorktown Tigers finished the season with a 37-1 record, including 27 consecutive victories;

Whereas, No strangers to the championship game, the Tigers have been Class 3A state champions in 2000 and 2011; runner-up in 2009, 2012, and 2015; and have appeared in the championship game in 2000, 2009, 2011, 2012, and 2015;

Whereas, Yorktown finished the regular season ranked No. 1 in Class 3A, No. 1 in the state, seventh in MaxPreps Xcellent 25, and 19th in the MaxPreps national rankings;

Whereas, In addition to their championship appearances, the Yorktown Tigers have won three consecutive Delaware County titles and eight consecutive conference titles; and

Whereas, It is fitting that we give special recognition to the young ladies and coaches of the Yorktown volleyball team: Therefore,

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

SECTION 1. That the Indiana General Assembly, on behalf of the people of Indiana, congratulates the Yorktown High School volleyball team on winning the 2016 Indiana High School Athletic Association Class 3A Volleyball State Championship and wishes team members continued success in all their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to team members Kenzie Knuckles, Kylie Murr, Kendall Murr, Rhyen Neal, Courtney Watkins, Olivia Reed, Carlee Matthews, Bella Rosenthal, Tegan Seyring, Kate Vinson, Caitlin Shunneson, Ellie Miller, Hannah Avila, and Chloe Rogers; manager Hunter Slaven; head coach Stephanie Bloom; assistant coaches Rhonda Wilson and Jeri Owens; athletic director Paul Heidenreich; and principal Stacey Brewer.

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

SENATE BILLS ON SECOND READING

Senate Bill 513

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

SENATE MOTION (Amendment 513-2)

Madam President: I move that Senate Bill 513 be amended to read as follows:

Page 1, between lines 10 and 11, begin a new paragraph and insert:

"Sec. 0.5. This chapter does not apply to a home health employee licensed under IC 25 who is employed by a home health agency owned by a hospital licensed under IC 16-21-2."

Page 2, line 29, after "test," insert **"and the employee does not have a valid prescription for the substance for which the employee tested positive on the drug test,"**.

Page 2, line 31, after "test." insert **"The employee shall pay for the confirmation test."**

Page 2, line 34, after "result." insert **"An employee who has a valid prescription for the substance for which the employee tested positive on a drug test may not be terminated or suspended under this subsection."**

Page 2, between lines 40 and 41, begin a new paragraph and insert:

"Sec. 5. (a) A home health agency, when acting in good faith, is immune from civil liability for:

(1) conducting employee drug testing in compliance with this chapter; or

(2) taking an employee disciplinary action or discharging an employee in compliance with this chapter as a result of the employee drug testing.

(b) Subsection (a) does not apply to actions that constitute gross negligence or willful or wanton misconduct."

Page 6, after line 27, begin a new paragraph and insert:

"SECTION 4. IC 34-30-2-66.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 66.7. IC 16-27-2.5-5 (Concerning drug testing of home health employees by home health agencies)."

Renumber all SECTIONS consecutively.

(Reference is to SB 513 as printed January 27, 2017.)

HERSHMAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 545

Senator Kenley called up Senate Bill 545 for second reading. The bill was re-read a second time by title.

SENATE MOTION (Amendment 545-2)

Madam President: I move that Senate Bill 545 be amended to read as follows:

Replace the effective dates in SECTIONS 1 through 4 with "[EFFECTIVE JULY 1, 2017]".

Page 1, line 10, delete "This subsection and the obligations of a retail merchant".

Page 1, delete lines 11 through 17.

Page 2, line 1, delete "subject to appeal. Notwithstanding any other law, a" and insert "A".

Page 3, line 14, delete "as provided in".

Page 3, line 15, delete "IC 6-2.5-2-1(c)".

Page 3, line 25, delete "." and insert **"before the effective date of that subsection on July 1, 2017."**

Page 3, line 33, after "voluntarily" insert ".".

Page 3, delete lines 34 through 36.

Page 5, line 6, delete ", and permitting the most expeditious" and insert ".".

Page 5, delete line 7.

Page 5, delete lines 13 through 23.

Page 5, line 24, delete "(11)" and insert **"(10)"**.

Page 5, delete line 31.
 Renumber all SECTIONS consecutively.
 (Reference is to SB 545 as reprinted January 27, 2017.)

KENLEY

Motion prevailed. The bill was ordered engrossed.

**ENGROSSED SENATE BILLS
 ON THIRD READING**

Engrossed Senate Bill 120

Senator Koch called up Engrossed Senate Bill 120 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 45: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Steuerwald.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure reports that pursuant to Senate Rule 35(c), the following technical corrections are to be made to Engrossed Senate Bill 121.

Page 1, line 13, after "Code" delete ";".
 (Reference is to ESB 121 as reprinted January 31, 2017.)

LONG, Chair

Report adopted.

**ENGROSSED SENATE BILLS
 ON THIRD READING**

Engrossed Senate Bill 121

Senator Koch called up Engrossed Senate Bill 121 for third reading:

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

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

Roll Call 46: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Steuerwald.

Engrossed Senate Bill 153

Senator Merritt called up Engrossed Senate Bill 153 for third reading:

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

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

Roll Call 47: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Kirchhofer.

Engrossed Senate Bill 300

Senator Koch called up Engrossed Senate Bill 300 for third reading:

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

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

Roll Call 48: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative May.

Engrossed Senate Bill 316

Senator Bray called up Engrossed Senate Bill 316 for third reading:

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

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

Roll Call 49: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Washburne.

Engrossed Senate Bill 396

Senator Koch called up Engrossed Senate Bill 396 for third reading:

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

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

Roll Call 50: yeas 46, nays 3. The bill was declared passed.

The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Frizzell.

Engrossed Senate Bill 409

Senator Houchin called up Engrossed Senate Bill 409 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 51: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Torr.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 9.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as coauthor of Senate Bill 73.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as third author of Senate Bill 86.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J. Smith be added as coauthor of Senate Bill 86.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as coauthor of Senate Bill 114.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as second author of Senate Bill 116.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 117.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 153.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 156.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 156.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 175.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bassler be added as coauthor of Senate Bill 182.

HOUCHIN

Motion prevailed.

SENATE MOTION

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

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 300.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Delph be added as second author, Senator Mrvan be added as third author, and Senators Melton and Niezgodski be added as coauthors of Senate Bill 307.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 310.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator G. Taylor be added as coauthor of Senate Bill 316.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as coauthor of Senate Bill 346.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be removed as author of Senate Bill 364 and Senator Stoops be substituted therefor.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator G. Taylor be added as coauthor of Senate Bill 457.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as coauthor of Senate Bill 463.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator L. Brown be added as coauthor of Senate Bill 511.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator L. Brown be added as second author of Senate Bill 539.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Thursday, February 2, 2017.

LONG

Motion prevailed.

The Senate adjourned at 2:35 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate