



# Journal of the House

State of Indiana

121st General Assembly

First Regular Session

Ninth Day

Thursday Morning

January 17, 2019

The invocation was offered by Pastor Tim Overton of Kingston Avenue Baptist Church in Anderson.

The House convened at 10:00 a.m. with Speaker Brian C. Bosma in the Chair.

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

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

Abbott	Huston
Austin	Jackson
Aylesworth	Jordan
Bacon	Judy
Baird	Karickhoff
Barrett	Kirchhofer
Bartels	Klinker
Bartlett	Lauer
Bauer <input type="checkbox"/>	Lehe
Beck	Lehman
Behning <input type="checkbox"/>	Leonard
Borders	Lindauer
Boy	Lucas
T. Brown	Lyness
Burton	Macer
Campbell	Mahan
Candelaria Reardon	Manning
Carbaugh	May
Cherry	Mayfield
Chyung	McNamara
Clere	Miller
Cook	Moed
Davisson	Morris
Deal	Morrison
DeLaney	Moseley
DeVon	Negele
Dvorak	Nisly
Eberhart	Pfaff
Ellington	Pierce
Engleman	Porter
Errington	Prescott
Fleming	Pressel
Forestal	Pryor
Frizzell	Saunders
Frye	Schaibley
GiaQuinta	Shackleford
Goodin	Smaltz
Goodrich	V. Smith
Gutwein	Soliday
Hamilton	Speedy
Harris	Steuerwald
Hatcher	Stutzman
Hatfield	Sullivan
Heaton	Summers
Heine	Thompson
Hostettler	Torr

VanNatter  
Wesco  
Wolkins  
Wright

J. Young  
Zent  
Ziemke  
Mr. Speaker

Roll Call 12: 98 present; 2 excused. The Speaker announced a quorum in attendance. [NOTE:  indicates those who were excused.]

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, January 22, 2019, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

## INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill Lists 14 and 15 were read a first time by title and referred to the respective committees:

### HB 1513 — Eberhart, Ellington

Committee on Natural Resources

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

### HB 1514 — Morris, Cook, Heine, Bartlett

Committee on Environmental Affairs

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

### HB 1515 — Morris, Judy, Carbaugh

Committee on Roads and Transportation

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

### HB 1516 — Kirchhofer, Hatfield

Committee on Judiciary

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

### HB 1517 — Smaltz

Committee on Public Policy

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

### HB 1518 — Smaltz

Committee on Public Policy

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

### HB 1519 — GiaQuinta

Committee on Ways and Means

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

### HB 1520 — GiaQuinta

Committee on Judiciary

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

**HB 1521** — GiaQuinta

Committee on Ways and Means

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

**HB 1522** — GiaQuinta

Committee on Family, Children and Human Affairs

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

**HB 1523** — GiaQuinta

Committee on Ways and Means

A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning taxation.

**HB 1524** — GiaQuinta

Committee on Ways and Means

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

**HB 1525** — Borders

Committee on Education

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

**HB 1526** — Austin, Clere

Committee on Education

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

**HB 1527** — Mayfield

Committee on Roads and Transportation

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

**HB 1528** — Mayfield

Committee on Ways and Means

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

**HB 1529** — Bartels

Committee on Education

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

**HB 1530** — Boy, Pressel

Committee on Roads and Transportation

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

**HB 1531** — Ellington

Committee on Local Government

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

**HB 1532** — Stutzman, Huston

Committee on Courts and Criminal Code

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

**HB 1533** — Hatcher

Committee on Local Government

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

**HB 1534** — Hatcher

Committee on Courts and Criminal Code

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

**HB 1535** — Hatcher

Committee on Public Health

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

**HB 1536** — Hatcher

Committee on Courts and Criminal Code

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

**HB 1537** — Hatcher

Committee on Education

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

**HB 1538** — Hatcher

Committee on Courts and Criminal Code

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

**HB 1539** — Hatcher

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**HB 1540** — Hatcher

Committee on Courts and Criminal Code

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

**HB 1541** — Hatcher, Clere

Committee on Courts and Criminal Code

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

**HB 1542** — Kirchhofer

Committee on Public Health

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

**HB 1543** — Kirchhofer

Committee on Public Health

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

**HB 1544** — Kirchhofer

Committee on Ways and Means

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

**HB 1545** — Kirchhofer

Committee on Public Health

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

**HB 1546** — Kirchhofer

Committee on Public Health

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

**HB 1547** — Kirchhofer

Committee on Public Health

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

**HB 1548** — Kirchhofer

Committee on Public Health

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

**HB 1549** — Miller D

Committee on Natural Resources

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

**HB 1551** — Aylesworth

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

**HB 1552** — Mayfield, Bartels, Mahan

Committee on Veterans Affairs and Public Safety

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

**HB 1553** — Bartels, Pressel

Committee on Natural Resources

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

**HB 1554** — May

Committee on Ways and Means

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

**HB 1555** — Pressel, Karickhoff, Gutwein, Macer

Committee on Public Health

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

**HB 1556** — Smith V

Committee on Ways and Means

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

**HB 1557** — Smith V

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

**HB 1558** — Smith V

Committee on Ways and Means

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

**HB 1559** — Smith V

Committee on Courts and Criminal Code

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

**HB 1560** — Smith V

Committee on Education

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

**HB 1561** — Smith V

Committee on Government and Regulatory Reform

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

**HB 1562** — Smith V

Committee on Ways and Means

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

**HB 1563** — Bauer

Committee on Courts and Criminal Code

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

**HB 1564** — Bauer

Committee on Education

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

**HB 1565** — Kirchhofer

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

**HB 1566** — Engleman, Clere, Fleming, Davisson

Committee on Ways and Means

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

**HB 1567** — DeVon

Committee on Utilities, Energy and Telecommunications

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

**HB 1568** — Bauer

Committee on Environmental Affairs

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

**HB 1569** — Zent

Committee on Employment, Labor and Pensions

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

**HB 1570** — Baird

Committee on Public Health

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

**HB 1571** — Carbaugh

Committee on Ways and Means

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

**HB 1572** — Lehman, Clere

Committee on Employment, Labor and Pensions

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

**HB 1573** — Candelaria Reardon

Committee on Government and Regulatory Reform

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

**HB 1574** — Candelaria Reardon

Committee on Courts and Criminal Code

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

**HB 1575** — Candelaria Reardon

Committee on Public Policy

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

**HB 1576** — Candelaria Reardon

Committee on Courts and Criminal Code

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

**HB 1577** — Candelaria Reardon

Committee on Judiciary

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

**HB 1578** — Candelaria Reardon  
Committee on Courts and Criminal Code

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

**HB 1579** — Candelaria Reardon  
Committee on Judiciary

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

**HB 1580** — Candelaria Reardon  
Committee on Insurance

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

**HB 1581** — Candelaria Reardon  
Committee on Judiciary

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

**HB 1582** — Candelaria Reardon  
Committee on Local Government

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

**HB 1583** — Schaibley  
Committee on Public Policy

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

**HB 1584** — Schaibley  
Committee on Courts and Criminal Code

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

## RESOLUTIONS ON FIRST READING

### House Resolution 2

Representative Porter introduced House Resolution 2:

A HOUSE RESOLUTION memorializing Karen Kay Leonard.

*Whereas, Karen Kay Ball Leonard was born February 18, 1943, to Irene (Nowka) and Wilson Oscar Ball near Hinton, Oklahoma;*

*Whereas, Karen Kay Leonard passed away November 21, 2018;*

*Whereas, Karen Kay Leonard graduated from Boston University with a bachelor's degree in secondary education;*

*Whereas, Karen Kay Leonard received a master's degree in English from Southern Methodist University;*

*Whereas, Karen Kay Leonard married Jack Edward Leonard of Ponca City, Oklahoma, in Cambridge, Massachusetts, on June 18, 1965;*

*Whereas, Karen Kay Leonard, Jack, and their three children moved to Indianapolis in August 1985;*

*Whereas, Karen Kay Leonard taught English at North Central High School;*

*Whereas, Karen Kay Leonard dedicated considerable attention and work at North United Methodist Church in Indianapolis;*

*Whereas, Karen Kay Leonard served as president of the League of Women Voters of Indiana;*

*Whereas, Karen Kay Leonard cofounded the Waza Alliance for Quality Education, which is dedicated to enhancing the lives of children in the Democratic Republic of the Congo by improving the quality of their education; and*

*Whereas, Karen Kay Leonard's life was marked by diligence, competence, and a deep concern for those around her, especially her husband, children, and grandchildren: Therefore,*

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

SECTION 1. That the Indiana House of Representatives expresses its deepest sympathy to the family of Karen Kay Leonard and recognizes her achievements and positive impact in the state of Indiana and around the world.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the family of Karen Kay Leonard.

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

### House Resolution 3

Representatives V. Smith, Shackelford, Bartlett, Harris, Hatcher, Jackson, Porter, Pryor, Summers and Nisly introduced House Resolution 3:

A HOUSE RESOLUTION commemorating Dr. Martin Luther King Jr. Day.

Whereas, Dr. Martin Luther King Jr. was one of our nation's truly great leaders;

Whereas, Dr. Martin Luther King Jr. changed our nation forever through his leadership, service, and clarity of vision;

Whereas, Dr. Martin Luther King Jr. had many dreams: of an America where "justice rolls down like waters and righteousness like a mighty stream"; where neighbors look "beyond the external accidents and discern those inner qualities that make all men human and, therefore, brothers"; and of a time when "this nation will rise up and live out the true meaning of its creed, 'we hold these truths to be self-evident: that all men are created equal'";

Whereas, Dr. Martin Luther King Jr. dreamt of a better society where "the sons of former slaves and the sons of former slave owners will be able to sit down together at the table of brotherhood";

Whereas, Dr. Martin Luther King Jr. believed that liberty, justice, and freedom were the "inalienable rights" to which all men, women, and children are entitled;

Whereas, Dr. Martin Luther King Jr. was a spiritual man who believed that all people are created equal in the sight of God and in the dignity and self-worth of every individual;

Whereas, Dr. Martin Luther King Jr. gave his life defending his beliefs;

Whereas, The visions of Dr. Martin Luther King Jr. continue to bring hope and inspiration to people of all nations;

Whereas, Dr. Martin Luther King Jr., a recipient of the Nobel Prize, is a national hero whose birthday is celebrated as a day of peace, love, and understanding by a grateful nation; and

Whereas, All Americans must continue to gather inspiration from the life of Dr. Martin Luther King Jr. and strive to realize his dreams: Therefore,

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

SECTION 1. That it is fitting and proper that Dr. Martin Luther King Jr. be remembered and recognized by future

generations of Americans and that all citizens of Indiana honor Dr. King by living out his teachings as we continue to work toward a day when the dignity and humanity of every person are respected.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the family of Dr. Martin Luther King Jr.

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

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1007, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1007 as introduced.)

Committee Vote: Yeas 13, Nays 0.

KIRCHHOFER, Chair

Report adopted.

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1056, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 10, line 1, delete "Except as provided in section 1.3".

Page 10, line 2, delete "of this chapter, a" and insert "A".

Page 10, line 11, delete ", except a homestead standard" and insert ".

Page 10, delete line 12.

Page 11, line 22, after "assessor." insert **"If a taxpayer files a written notice regarding a deduction described in subsection (a)(3) for real property or a mobile home assessed under IC 6-1.1-7, the township assessor, or the county assessor if the township is not served by a township assessor, upon receipt of the written notice shall notify the county auditor of the written notice and provide the county auditor with the date of the hearing before the county board."**

Page 11, delete lines 25 through 42.

Page 12, delete lines 1 through 14, begin a new paragraph and insert:

"SECTION 3. IC 6-1.1-15-1.2, AS ADDED BY P.L.232-2017, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020]: Sec. 1.2. (a) **This section does not apply to a deduction under section 1.1(a)(3) of this chapter for real property or a mobile home assessed under IC 6-1.1-7.** A county or township official who receives a written notice under section 1.1 of this chapter shall schedule, at a time during business hours that is convenient to the taxpayer, a preliminary informal meeting with the taxpayer in order to resolve the appeal. At the preliminary informal meeting, in order to facilitate understanding and the resolution of disputed issues, a county or township official and the taxpayer shall exchange the information that each party is relying on at the time of the preliminary informal meeting to support the party's respective position on each disputed issue concerning the assessment or deduction. If additional information is obtained by the county or township official or the taxpayer after the preliminary informal meeting and before the hearing held by the county board, the party obtaining the information shall provide the information to the other party. If the county or township official or the taxpayer obtains additional information and provides the information to the other party for the first time at the hearing held by the county board, the county board, unless waived by the receiving party, shall continue the hearing until a

future hearing date of the county board so that the receiving party has an opportunity to review all the information that the offering party is relying on to support the offering party's positions on the disputed issues concerning the assessment or deduction.

(b) The official shall report on a form prescribed by the department of local government finance the results of the informal meeting. If the taxpayer and the official agree on the resolution of all issues in the appeal, the report shall state the agreed resolution of the matter and be signed by the official and the taxpayer. If an informal meeting is not held, or the informal meeting is unsuccessful, the official shall report those facts on the form. The official shall forward the report on the informal meeting to the county board.

(c) If the county board receives a report on the informal meeting indicating an agreed resolution of the matter, the county board shall vote to accept or deny the agreed resolution. If the county board accepts the agreed resolution, the county board shall issue a notification of final assessment determination adopting the agreed resolution and vacating the hearing if scheduled.

(d) The county board, upon receipt of a written notice under section 1.1 of this chapter, shall hold a hearing on the appeal not later than one hundred eighty (180) days after the filing date of the written notice. The county board shall, by mail, give at least thirty (30) days notice of the date, time, and place fixed for the hearing to the taxpayer, the county or township official with whom the taxpayer filed the written notice, and the county auditor. If the county board has notice that the taxpayer is represented by a third person, any hearing notice shall be mailed to the representative.

(e) If good cause is shown, the county board shall grant a request for continuance filed in writing at least ten (10) days before the hearing, and reschedule the hearing under subsection (d).

(f) A taxpayer may withdraw an appeal by filing a written request at least ten (10) days before the hearing. The county board shall issue a notification of final assessment determination indicating the withdrawal and no change in the assessment. A withdrawal waives a taxpayer's right to appeal to the Indiana board of tax review.

(g) The county board shall determine an appeal without a hearing if requested by the taxpayer in writing at least twenty (20) days before the hearing.

(h) If a taxpayer appeals the assessment of tangible property under section 1.1 of this chapter, the taxpayer is not required to have an appraisal of the property in order to initiate the appeal or prosecute the appeal.

(i) At a hearing under subsection (d), the taxpayer shall have the opportunity to present testimony and evidence regarding the matters on appeal. If the matters on appeal are in the discretion of the county auditor, the county auditor or the county auditor's representative shall attend the hearing. A county or township official, or the county auditor or the county auditor's representative, shall have an opportunity to present testimony and evidence regarding the matters on appeal. The county board may adjourn and continue the hearing to a later date in order to make a physical inspection or consider the evidence presented.

(j) The county board shall determine the assessment by motion and majority vote. A county board may, based on the evidence before it, increase an assessment. The county board shall issue a written decision. Written notice of the decision shall be given to the township official, county official, county auditor, and the taxpayer.

(k) If more than one hundred eighty (180) days have passed since the date the notice of appeal was filed, and the county board has not issued a determination, a taxpayer may initiate any appeal with the Indiana board of tax review under section 3 of this chapter.

(l) The county assessor may assess a penalty of fifty dollars

(\$50) against the taxpayer if the taxpayer or representative fails to appear at a hearing under subsection (d) and, under subsection (e), the taxpayer's request for continuance is denied, or the taxpayer's request for continuance, request for the board to take action without a hearing, or withdrawal is not timely filed. A taxpayer may appeal the assessment of the penalty to the Indiana board or directly to the tax court. The penalty may not be added as an amount owed on the property tax statement under IC 6-1.1-22 or IC 6-1.1-22.5."

Page 12, line 18, delete "1.3" and insert "**1.1**".

Page 12, line 18, after "chapter" insert "**concerning a deduction**".

Page 14, line 22, delete "or 1.3".

Page 14, line 25, delete "an agreement" and insert "**a deduction**".

Page 14, line 26, delete "subdivision (1)" and insert "**section 1.1(a)(3) of this chapter concerning real property or a mobile home assessed under IC 6-1.1-7**".

Page 16, delete lines 11 through 42.

Page 17, delete lines 1 through 30, begin a new paragraph and insert:

"SECTION 6. IC 6-1.1-15-3, AS AMENDED BY P.L.196-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020]: Sec. 3. (a) A taxpayer may obtain a review by the Indiana board of a county board's action with respect to the following:

(1) The assessment of that taxpayer's tangible property if the county board's action requires the giving of notice to the taxpayer.

(2) The exemption of that taxpayer's tangible property if the taxpayer receives a notice of an exemption determination by the county board under IC 6-1.1-11-7.

**(3) A deduction under this article for that taxpayer's real property or mobile home assessed under IC 6-1.1-7 if the county board's action requires the giving of notice to the taxpayer.**

(b) The county assessor is the party to the review under this section to defend the determination of the county board **unless the determination concerns an appeal under section 1.1(a)(3) of this chapter for a deduction under this article for real property or a mobile home assessed under IC 6-1.1-7. The county auditor is the party to the review under this section to defend the determination of the county board if the determination concerns an appeal under section 1.1(a)(3) of this chapter for a deduction under this article for real property or a mobile home assessed under IC 6-1.1-7.** At the time the notice of that determination is given to the taxpayer, the taxpayer shall also be informed in writing of:

(1) the taxpayer's opportunity for review under this section; and

(2) the procedures the taxpayer must follow in order to obtain review under this section.

(c) A county assessor who dissents from the determination of an assessment or an exemption by the county board may obtain a review of the assessment or the exemption by the Indiana board. **A county auditor who dissents from the determination by the county board concerning a deduction under this article for real property or a mobile home assessed under IC 6-1.1-7 may obtain a review of the determination by the Indiana board.**

(d) In order to obtain a review by the Indiana board under this section, the party must, not later than forty-five (45) days after the date of the notice given to the party or parties of the determination of the county board:

(1) file a petition for review with the Indiana board; and

(2) mail a copy of the petition to the other party.

(e) The Indiana board shall prescribe the form of the petition for review of an assessment determination, ~~or~~ an exemption, **or a deduction under this article** by the county board. The Indiana board shall issue instructions for completion of the form.

The form and the instructions must be clear, simple, and understandable to the average individual. A petition for review of such a determination must be made on the form prescribed by the Indiana board. The form must require the petitioner to specify the reasons why the petitioner believes that the assessment determination, ~~or~~ the exemption determination, **or the determination of a deduction under this article** by the county board is erroneous.

(f) If the action for which a taxpayer seeks review under this section is the assessment of tangible property, the taxpayer is not required to have an appraisal of the property in order to do the following:

(1) Initiate the review.

(2) Prosecute the review.

(g) If an owner petitions the Indiana board under IC 6-1.1-11-7(d), the Indiana board is authorized to approve or disapprove an exemption application:

(1) previously submitted to a county board under IC 6-1.1-11-6; and

(2) that is not approved or disapproved by the county board within one hundred eighty (180) days after the owner filed the application for exemption under IC 6-1.1-11.

The county assessor is a party to a petition to the Indiana board under IC 6-1.1-11-7(d)."

Page 17, line 37, delete "homestead standard deduction" and insert "**deduction described in section 1.1(f) of this chapter**".

Page 18, line 2, delete "homestead".

Page 18, line 3, delete "standard deduction" and insert "**deduction described in section 1.1(f) of this chapter**".

Page 18, line 14, delete "homestead standard deduction" and insert "**deduction described in section 1.1(f) of this chapter**".

Page 18, line 26, delete "homestead standard deduction" and insert "**deduction described in section 1.1(f) of this chapter**".

Page 21, line 12, delete "homestead standard deduction" and insert "**deduction described in section 1.1(f) of this chapter**".

Page 21, line 16, delete "homestead".

Page 21, line 17, delete "standard deduction" and insert "**deduction described in section 1.1(f) of this chapter**".

Page 22, line 4, delete "homestead standard deduction" and insert "**deduction described in section 1.1(f) of this chapter**".

Page 22, line 7, delete "homestead standard deduction" and insert "**deduction described in section 1.1(f) of this chapter**".

Page 22, line 23, delete "homestead standard deduction" and insert "**deduction described in section 1.1(f) of this chapter**".

Page 22, line 25, delete "homestead standard deduction" and insert "**deduction described in section 1.1(f) of this chapter**".

Page 22, line 33, delete "homestead standard".

Page 22, line 34, after "deduction" insert "**described in section 1.1(f) of this chapter**".

Page 23, line 18, delete "homestead standard deduction" and insert "**deduction described in section 1.1(f) of this chapter**".

Page 23, line 28, delete "homestead standard".

Page 23, line 29, after "deduction" insert "**described in section 1.1(f) of this chapter**".

Page 23, line 30, delete "homestead standard".

Page 23, line 31, after "deduction" insert "**described in section 1.1(f) of this chapter**".

Page 23, line 34, delete "homestead standard deduction" and insert "**deduction described in section 1.1(f) of this chapter**".

Page 23, line 41, delete "homestead standard".

Page 23, line 42, after "deduction" insert "**described in section 1.1(f) of this chapter**".

Page 24, line 6, delete "homestead standard deduction" and insert "**deduction described in section 1.1(f) of this chapter**".

Page 24, line 13, delete "homestead standard".

Page 24, line 14, after "deduction" insert "**described in section 1.1(f) of this chapter**".

Page 25, line 25, delete "homestead standard deduction" and insert "**deduction described in section 1.1(f) of this chapter**".

Page 26, line 28, delete "or IC 6-1.1-15-1.3(a)".

Page 27, after line 26, begin a new paragraph and insert:

"SECTION 17. IC 6-1.1-36-17, AS AMENDED BY P.L.85-2017, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020]: Sec. 17. (a) As used in this section, "nonreverting fund" refers to a nonreverting fund established under subsection (d).

(b) If a county auditor makes a determination that property was not eligible for a standard deduction under IC 6-1.1-12-37 in a particular year within three (3) years after the date on which taxes for the particular year are first due, the county auditor may issue a notice of taxes, interest, and penalties due to the owner that improperly received the standard deduction and include a statement that the payment is to be made payable to the county auditor. The additional taxes and civil penalties that result from the removal of the deduction, if any, are imposed for property taxes first due and payable for an assessment date occurring before the earlier of the date of the notation made under subsection (c)(2)(A) or the date a notice of an ineligible homestead lien is recorded under subsection (e)(2) in the office of the county recorder. The notice must require full payment of the amount owed within:

(1) one (1) year with no penalties and interest, if:

- (A) the taxpayer did not comply with the requirement to return the homestead verification form under IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015); and
- (B) the county auditor allowed the taxpayer to receive the standard deduction in error; or

(2) thirty (30) days, if subdivision (1) does not apply.

With respect to property subject to a determination made under this subsection that is owned by a bona fide purchaser without knowledge of the determination, no lien attaches for any additional taxes and civil penalties that result from the removal of the deduction.

(c) If a county auditor issues a notice of taxes, interest, and penalties due to an owner under subsection (b), the county auditor shall:

- (1) notify the county treasurer of the determination; and
- (2) do one (1) or more of the following:

- (A) Make a notation on the tax duplicate that the property is ineligible for the standard deduction and indicate the date the notation is made.
- (B) Record a notice of an ineligible homestead lien under subsection (e)(2).

(d) Each county auditor shall establish a nonreverting fund. Upon collection of the adjustment in tax due (and any interest and penalties on that amount) after the termination of a deduction or credit as specified in subsection (b), the county treasurer shall deposit that amount:

- (1) in the nonreverting fund, if the county contains a consolidated city; or
- (2) if the county does not contain a consolidated city:

- (A) in the nonreverting fund, to the extent that the amount collected, after deducting the direct cost of any contract, including contract related expenses, under which the contractor is required to identify homestead deduction eligibility, does not cause the total amount deposited in the nonreverting fund under this subsection for the year during which the amount is collected to exceed one hundred thousand dollars (\$100,000); or
- (B) in the county general fund, to the extent that the amount collected exceeds the amount that may be deposited in the nonreverting fund under clause (A).

(e) Any part of the amount due under subsection (b) that is not collected by the due date is subject to collection under one (1) or more of the following:

- (1) After being placed on the tax duplicate for the affected property and collected in the same manner as other property taxes.
- (2) Through a notice of an ineligible homestead lien

recorded in the county recorder's office without charge. The adjustment in tax due (and any interest and penalties on that amount) after the termination of a deduction or credit as specified in subsection (b) shall be deposited as specified in subsection (d) only in the first year in which that amount is collected. Upon the collection of the amount due under subsection (b) or the release of a lien recorded under subdivision (2), the county auditor shall submit the appropriate documentation to the county recorder, who shall amend the information recorded under subdivision (2) without charge to indicate that the lien has been released or the amount has been paid in full.

(f) The amount to be deposited in the nonreverting fund or the county general fund under subsection (d) includes adjustments in the tax due as a result of the termination of deductions or credits available only for property that satisfies the eligibility for a standard deduction under IC 6-1.1-12-37, including the following:

- (1) Supplemental deductions under IC 6-1.1-12-37.5.
- (2) Homestead credits under IC 6-1.1-20.4, IC 6-3.6-5, IC 6-3.6-11-3, or any other law.
- (3) Credit for excessive property taxes under IC 6-1.1-20.6-7.5 or IC 6-1.1-20.6-8.5.

Any amount paid that exceeds the amount required to be deposited under subsection (d)(1) or (d)(2) shall be distributed as property taxes.

(g) Money deposited under subsection (d)(1) or (d)(2) shall be treated as miscellaneous revenue. Distributions shall be made from the nonreverting fund established under this section upon appropriation by the county fiscal body and shall be made only for the following purposes:

- (1) Fees and other costs incurred by the county auditor to discover property that is eligible for a standard deduction under IC 6-1.1-12-37.
- (2) Other expenses of the office of the county auditor, **including the defense of a deduction described in IC 6-1.1-15-1.1(f) in the manner set forth in IC 6-1.1-15.**

The amount of deposits in a reverting fund, the balance of a nonreverting fund, and expenditures from a reverting fund may not be considered in establishing the budget of the office of the county auditor or in setting property tax levies that will be used in any part to fund the office of the county auditor."

Renumber all SECTIONS consecutively.

(Reference is to HB 1056 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

ZENT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1059, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1059 as printed January 8, 2019.)

Committee Vote: Yeas 22, Nays 0.

HUSTON, Chair

Report adopted.

COMMITTEE REPORT

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

Page 3, line 1, after "jail." insert "**The term does not include a person convicted of a felony other than a Level 6 felony.**"

(Reference is to HB 1065 as introduced.)  
and when so amended that said bill do pass.

Committee Vote: yeas 7, nays 3.

MCNAMARA, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1172, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 10, after "an" insert "**annual**".

Page 2, between lines 36 and 37, begin a new paragraph and insert:

"SECTION 2. IC 20-24-2.2-1.2, AS ADDED BY P.L.221-2015, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1.2. (a) **Subject to IC 20-24-7-13(a)**, this section applies to an authorizer described in IC 20-24-1-2.5(1), IC 20-24-1-2.5(2), and IC 20-24-1-2.5(5) if the authorizer has not previously issued a charter for any charter school prior to July 1, 2015.

(b) A governing body of a school corporation may register with the state board for charter authority within the attendance area of the school corporation. The state board shall post on the state board's Internet web site an application received from an authorizer to register with the state board under this section within ten (10) days after receipt of the application. The state board may not charge an authorizer a fee to register with the state board under this section.

(c) A governing board of a nonprofit college or university described in IC 20-24-1-2.5(5) may apply to the state board for statewide, regional, or local chartering authority.

(d) The state board shall publicize to all governing bodies the opportunity to register with the state board for chartering authority within their school corporation. Not later than May 1 of each year, the state board shall provide information about the opportunity, including a registration deadline, to all governing bodies. To register as an authorizer, each interested governing body must submit the following information in a format prescribed by the state board:

- (1) A written notification of intent to serve as a charter authorizer in accordance with this article.
- (2) An explanation of the governing body's strategic vision for chartering.
- (3) An explanation of the governing body's budget and personnel capacity and commitment to execute the duties of quality charter authorizing in accordance with this article.
- (4) An explanation of how the governing body will solicit charter school applicants in accordance with IC 20-24-3.
- (5) A description or outline of the performance framework the governing body will use to guide the establishment of a charter contract and for the oversight and evaluation of charter schools, consistent with this article.
- (6) A draft of the governing body's renewal, revocation, and nonrenewal processes, consistent with this article.
- (7) A statement of assurance that the governing body commits to serving as a charter authorizer in fulfillment of the expectations, spirit, and intent of this article, and that the governing body will fully adopt standards of quality charter school authorizing in accordance with section 1.5 of this chapter.

(e) Within sixty (60) days of receipt of the information described in subsection (d), the state board shall register the governing body as a charter authorizer within the attendance area of the school corporation and shall provide the governing body a letter confirming the governing body's registration as a charter authorizer. A governing body may not engage in any charter authorizing functions without a current registration as a

charter authorizer with the state board.

(f) The state board shall establish an annual application and approval process, including cycles and deadlines during the state fiscal year, for registering an entity described in IC 20-24-1-2.5(5) for authorizer authority. Not later than May 1 of each year, the state board shall make available information and guidelines for an applicant described in IC 20-24-1-2.5(5) concerning the opportunity to apply for chartering authority under this article. The application process must require each applicant to submit an application that clearly explains or presents the following elements:

- (1) A written notification of intent to serve as a charter authorizer in accordance with this article.
- (2) The applicant's strategic vision for chartering.
- (3) A plan to support the applicant's strategic vision described in subdivision (2), including an explanation and evidence of the applicant's budget and personnel capacity and commitment to execute the duties of quality charter authorizing in accordance with this article.
- (4) A draft or preliminary outline of the request for proposals that the applicant would, if approved by the state board under this section, issue to solicit charter school applicants under IC 20-24-3.
- (5) A draft of the performance framework that the applicant would, if approved by the state board under this section, use to guide the establishment of a charter contract and for ongoing oversight and evaluation of charter schools consistent with this article.
- (6) A draft of the applicant's renewal, revocation, and nonrenewal processes.
- (7) A statement of assurance that the applicant commits to serving as a charter authorizer in fulfillment of the expectations, spirit, and intent of this article, and that the applicant will fully adopt standards of quality charter school authorizing in accordance with section 1.5 of this chapter.

(g) Not later than July 1 of each year, the state board shall grant or deny chartering authority to an applicant under subsection (f). The state board shall make its decision on the merits of each applicant's proposal and plans submitted under subsection (f).

(h) Within thirty (30) days of the state board's decision under subsection (g), the state board shall execute a renewable authorizing contract with an applicant that the state board has approved for chartering authority. The initial term of each authorizing contract is six (6) years. The authorizing contract must specify each approved applicant's agreement to serve as a charter authorizer in accordance with this article and shall specify additional performance terms based on the applicant's proposal and plan for chartering. An approved applicant may not commence charter authorizing without an authorizing contract in effect.

(i) The state board shall maintain on the state board's Internet web site the names of each authorizer approved by the state board under this section."

Page 2, line 40, delete "for newly" and insert "**as an annual prerequisite for enrollment in the virtual charter school. Upon completion of the annual onboarding process and orientation, the student shall be enrolled in the virtual charter school.**".

Page 2, delete line 41.

Page 3, line 2, delete "." and insert "**before enrollment.**".

Page 3, delete lines 3 through 5.

Page 3, line 14, delete "A" and insert "**After June 30, 2019,** a".

Page 3, line 14, after "may" insert "**only**".

Page 3, line 15, after "guidelines." insert "**After June 30, 2019, a virtual charter school that has a charter on June 30, 2019, may renew a charter only with a statewide authorizer. An authorizer described in IC 20-24-1-2.5(1) and**



**IC 20-24-1-2.5(3) is not considered a statewide authorizer."**

Page 3, line 36, after "board" delete ":".  
 Page 3, line 37, delete "(1)".  
 Page 3, line 38, delete "; and" and insert ".".  
 Page 3, run in lines 36 through 38.  
 Page 3, delete lines 39 through 42.  
 Page 4, delete lines 1 through 6.  
 Page 4, line 23, strike "of education".  
 Page 4, line 42, after "complies" insert "(1)".  
 Page 5, line 2, delete "." and insert ";".  
 Page 5, between lines 2 and 3, begin a new line block indented and insert:

**"(2) with minimum requirements for the mandatory onboarding process and orientation required under IC 20-24-5-4.5;**

**(3) with requirements established by the authorizer relating to tracking and monitoring student participation and attendance; and**

**(4) with employee policy requirements established by the authorizer, including professional development requirements."**

Renumber all SECTIONS consecutively.  
 (Reference is to HB 1172 as introduced.)  
 and when so amended that said bill do pass.

Committee Vote: yeas 8, nays 0.

Behning , Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1209, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 16, delete "referee" and insert "**sports official**".

Page 2, line 4, delete ":" and insert "**or sports official licensed by the association:**".

Page 2, line 8, delete "or".

Page 2, line 9, after "IC 20-28-5-7;" insert "**or**".

**(C) in the case of a sports official who is not an employee of the school corporation, committed acts that could be viewed as misconduct described in IC 20-28-5-7;"**

Page 2, line 10, delete "or referee licensed".

Page 2, line 12, delete "must" and insert "**shall**".

Page 2, line 12, delete "repository" and insert "**data base**".

Page 2, line 13, delete "department" and insert "**school corporation, charter high school, or nonpublic school with at least one (1) employee**".

Page 2, line 15, after "coach" delete "," and insert "**and in addition to meeting the requirements set forth in IC 20-26-5-10,**".

Page 2, line 18, delete "repository" and insert "**data base**".

Page 2, line 19, delete "must develop a policy to determine whether" and insert "**shall develop a rule to suspend or revoke**".

Page 2, line 20, delete "to rescind or negate".

Page 2, line 20, delete "referee license" and insert "**sports official license for misconduct under IC 20-28-5-7 or comparable misconduct for a sports official**".

Page 2, between lines 25 and 26, begin a new paragraph and insert:

**"(f) The association shall permanently revoke the accreditation of any coach or license of any sports official who has been convicted of an offense described in IC 20-28-5-8.**

**(g) Nothing in this section shall be construed to prohibit the association from revoking a coaching accreditation or sports official license or otherwise imposing any other form**

**of discipline for misconduct not described in IC 20-28-5-7 or IC 20-28-5-8."**

Page 2, line 26, delete "(f)" and insert "**(h)**".

(Reference is to HB 1209 as introduced.)  
 and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

Behning , Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1245, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 6-9-2-2, AS AMENDED BY P.L.137-2012, SECTION 110, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) The revenue received by the county treasurer under this chapter shall be allocated to the Lake County convention and visitor bureau, Indiana University-Northwest, Purdue University-Calamet ~~University Northwest~~, municipal public safety departments, municipal physical and economic development divisions, and the cities and towns in the county as provided in this section. Subsections (b) through (g) do not apply to the distribution of revenue received under section 1 of this chapter from hotels, motels, inns, tourist camps, tourist cabins, and other lodgings or accommodations built or refurbished after June 30, 1993, that are located in the city of Gary.

(b) The Lake County convention and visitor bureau shall establish a convention, tourism, and visitor promotion fund (referred to in this chapter as the "promotion fund"). The county treasurer shall transfer to the Lake County convention and visitor bureau for deposit in the promotion fund thirty-five percent (35%) of the first one million two hundred thousand dollars (\$1,200,000) of revenue received from the tax imposed under this chapter in each year. The promotion fund consists of:

- (1) money in the promotion fund on June 30, 2005;
- (2) revenue deposited in the promotion fund under this subsection after June 30, 2005; and
- (3) investment income earned on the promotion fund's assets.

Money in the funds established by the bureau may be expended to promote and encourage conventions, trade shows, special events, recreation, and visitors. Money may be paid from the funds established by the bureau, by claim in the same manner as municipalities may pay claims under IC 5-11-10-1.6.

(c) This subsection applies to the first one million two hundred thousand dollars (\$1,200,000) of revenue received from the tax imposed under this chapter in each year. During each year, the county treasurer shall transfer to Indiana University-Northwest forty-four and thirty-three hundredths percent (44.33%) of the revenue received under this chapter for that year to be used as follows:

- (1) Seventy-five percent (75%) of the revenue received under this subsection may be used only for the university's medical education programs.
- (2) Twenty-five percent (25%) of the revenue received under this subsection may be used only for the university's allied health education programs.

(d) This subsection applies to the first one million two hundred thousand dollars (\$1,200,000) of revenue received from the tax imposed under this chapter in each year. During each year, the county treasurer shall allocate among the cities and towns throughout the county nine percent (9%) of the revenue received under this chapter for that year as follows:

- (1) Ten percent (10%) of the revenue covered by this subsection shall be distributed to cities having a

population of more than eighty thousand (80,000) but less than eighty thousand four hundred (80,400).

(2) Ten percent (10%) of the revenue covered by this subsection shall be distributed to cities having a population of more than eighty thousand five hundred (80,500) but less than one hundred thousand (100,000).

(3) Ten percent (10%) of the revenue covered by this subsection shall be distributed to cities having a population of more than twenty-nine thousand six hundred (29,600) but less than twenty-nine thousand nine hundred (29,900).

(4) Seventy percent (70%) of the revenue covered by this subsection shall be distributed in equal amounts to each town and each city not receiving a distribution under subdivisions (1) through (3).

The money distributed under this subsection may be used only for tourism and economic development projects. The county treasurer shall make the distributions on or before December 1 of each year.

(e) This subsection applies to the first one million two hundred thousand dollars (\$1,200,000) of revenue received from the tax imposed under this chapter in each year. During each year, the county treasurer shall transfer to Purdue ~~University-Calumet~~ **University Northwest** nine percent (9%) of the revenue received under this chapter for that year. The money received by Purdue ~~University-Calumet~~ **University Northwest** may be used by the university only for nursing education programs.

(f) This subsection applies to the first one million two hundred thousand dollars (\$1,200,000) of revenue received from the tax imposed under this chapter in each year. During each year, the county treasurer shall transfer two and sixty-seven hundredths percent (2.67%) of the revenue received under this chapter for that year to the following cities:

(1) Fifty percent (50%) of the revenue covered by this subsection shall be transferred to cities having a population of more than eighty thousand (80,000) but less than eighty thousand four hundred (80,400).

(2) Fifty percent (50%) of the revenue covered by this subsection shall be transferred to cities having a population of more than eighty thousand five hundred (80,500) but less than one hundred thousand (100,000).

Money transferred under this subsection may be used only for convention facilities located within the city. In addition, the money may be used only for facility marketing, sales, and public relations programs. Money transferred under this subsection may not be used for salaries, facility operating costs, or capital expenditures related to the convention facilities. The county treasurer shall make the transfers on or before December 1 of each year.

(g) This subsection applies to the revenue received from the tax imposed under this chapter in each year that exceeds one million two hundred thousand dollars (\$1,200,000). During each year, the county treasurer shall distribute money in the promotion fund as follows:

(1) Eighty-five percent (85%) of the revenue covered by this subsection shall be deposited in the convention, tourism, and visitor promotion fund. The money deposited in the fund under this subdivision may be used only for the purposes for which other money in the fund may be used.

(2) Five percent (5%) of the revenue covered by this subsection shall be transferred to Purdue ~~University-Calumet~~ **University Northwest**. The money received by Purdue ~~University-Calumet~~ **University Northwest** under this subdivision may be used by the university only for nursing education programs.

(3) Five percent (5%) of the revenue covered by this subsection shall be transferred to Indiana University-Northwest. The money received by Indiana University-Northwest under this subdivision may be used only for the university's medical education programs.

(4) Five percent (5%) of the revenue covered by this subsection shall be transferred to Indiana University-Northwest. The money received by Indiana University-Northwest under this subdivision may be used only for the university's allied health education programs.

(h) This subsection applies only to the distribution of revenue received from the tax imposed under section 1 of this chapter from hotels, motels, inns, tourist camps, tourist cabins, and other lodgings or accommodations built or refurbished after June 30, 1993, that are located in the city of Gary. During each year, the county treasurer shall transfer:

(1) seventy-five percent (75%) of the revenues under this subsection to the department of public safety; and

(2) twenty-five percent (25%) of the revenues under this subsection to the division of physical and economic development;

of the city of Gary.

(i) The Lake County convention and visitor bureau shall assist the county treasurer, as needed, with the calculation of the amounts that must be deposited and transferred under this section."

Page 6, delete line 42.

Page 7, delete lines 1 through 16, begin a new paragraph and insert:

"SECTION 12. IC 21-22-3-6 IS REPEALED [EFFECTIVE JULY 1, 2019]. ~~Sec. 6: Not later than June 30, 2007, Ivy Tech Community College shall enter into a lease, after review by the budget committee and approval by the budget agency, with the owners of the Fort Wayne Regional Public Safety Center to be constructed after July 1, 2005, in the Southtown Community Revitalization Enhancement District to use the Fort Wayne Regional Public Safety Center to further its partnership with the Northeast Indiana Workforce Investment Board, the Regional Anthis Career Center, the Indiana National Guard, Indiana University-Purdue University at Fort Wayne, and other area institutions to allow the Fort Wayne Regional Public Safety Center to offer public safety related degree programs. The lease may not exceed a term that ends before July 1, 2022, or provide for a lease rental payment, excluding a reasonable allowance for maintenance and repair services, that exceeds one million dollars (\$1,000,000) in any state fiscal year covered by the lease."~~

Page 7, between lines 41 and 42, begin a new paragraph and insert:

"SECTION 14. IC 21-26-4 IS REPEALED [EFFECTIVE JULY 1, 2019]. (Fort Wayne School of Fine Arts)."

Renumber all SECTIONS consecutively.

(Reference is to HB 1245 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

BEHNING, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1246, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1246 as introduced.)

Committee Vote: Yeas 13, Nays 0.

KIRCHHOFER, Chair

Report adopted.

**HOUSE BILLS ON SECOND READING****House Bill 1019**

Representative Pressel called down House Bill 1019 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**House Bill 1084**

Representative Morrison called down House Bill 1084 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**House Bill 1086**

Representative Pressel called down House Bill 1086 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**House Bill 1170**

Representative Mahan called down House Bill 1170 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**House Bill 1187**

Representative Steuerwald called down House Bill 1187 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

The House recessed until the fall of the gavel.

**RECESS**

The House reconvened at 11:45 a.m. with the Speaker in the Chair.

Upon request of Representative Pierce, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 13: 69 present. The Speaker declared a quorum present.

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

Representatives Bartlett, Harris, Hatcher, Pryor, Shackelford, V. Smith, Summers and Wesco, who had been present, are now excused.

**HOUSE BILLS ON SECOND READING****House Bill 1006**

Representative Steuerwald called down House Bill 1006 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 1006-2)

Mr. Speaker: I move that House Bill 1006 be amended to read as follows:

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

"SECTION 1. IC 5-11-5.5-8, AS ADDED BY P.L.222-2005, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 8. (a) **As used in this section, the following apply:**

(1) **"Employee" refers to any employee, including a state employee.**

(2) **"Employer" refers to any employer, including the state of Indiana as an employer of a state employee.**

(~~a~~) (b) An employee who has been discharged, demoted, suspended, threatened, harassed, or otherwise discriminated against in the terms and conditions of employment by the employee's employer because the employee:

(1) objected to an act or omission described in section 2 of this chapter; or  
(2) initiated, testified, assisted, or participated in an investigation, an action, or a hearing under this chapter; is entitled to all relief necessary to make the employee whole.

(~~b~~) (c) Relief under this section may include:

(1) reinstatement with the same seniority status the employee would have had but for the act described in subsection (~~a~~); (b);

(2) two (2) times the amount of back pay owed the employee;

(3) interest on the back pay owed the employee; and

(4) compensation for any special damages sustained as a result of the act described in subsection (~~a~~); (b), including costs and expenses of litigation and reasonable attorney's fees.

(~~c~~) (d) An employee may bring an action for the relief provided in this section in any court with jurisdiction.

SECTION 2. IC 5-11-5.7-8, AS AMENDED BY P.L.109-2014, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 8. (a) **As used in this section, "employee" refers to any employee, including a state employee.**

(~~a~~) (b) An employee, contractor, or agent who has been discharged, demoted, suspended, threatened, harassed, or otherwise discriminated against in the terms and conditions of employment because of lawful acts done by the employee, contractor, agent, or associated others to:

(1) object to or otherwise stop an act or omission described in section 2 of this chapter;

(2) initiate, testify, assist, or participate in an investigation, an action, or a hearing; or

(3) perform any other lawful act in furtherance of other efforts to stop one (1) or more violations under this chapter;

is entitled to all relief necessary to make the employee, contractor, or agent whole.

(~~b~~) (c) Relief under this section must include:

(1) reinstatement with the same seniority status the employee, contractor, or agent would have had but for the act described in subsection (~~a~~); (b);

(2) two (2) times the amount of back pay;

(3) interest on the back pay; and

(4) compensation for any special damages sustained as a result of the act described in subsection (~~a~~); (b), including costs and expenses of litigation and reasonable attorney's fees.

(~~c~~) (d) An employee, contractor, or agent may bring an action for the relief provided in this section in any court with jurisdiction.

(~~d~~) (e) A civil action under this section may not be brought more than three (3) years after the date the retaliation occurred.

SECTION 3. IC 12-10-3-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 11. (a) **As used in this section, the following apply:**

(1) **"Employee" refers to any employee, including a state employee.**

(2) **"Employer" refers to any employer, including the state of Indiana as an employer of a state employee.**

(~~a~~) (b) A person, other than a person against whom a complaint concerning an endangered adult has been made, who in good faith:

(1) makes or causes to be made a report required to be made under this chapter;

(2) testifies or participates in any investigation or administrative or judicial proceeding on matters arising from the report;

(3) makes or causes to be made photographs or x-rays of an endangered adult; or

(4) discusses a report required to be made under this

chapter with the division, the adult protective services unit, a law enforcement agency, or other appropriate agency; is immune from both civil and criminal liability arising from those actions.

(b) (c) An individual may not be excused from testifying before a court or grand jury concerning a report made under this chapter on the basis that the testimony is privileged information, unless the individual is an attorney, a physician, a clergyman, a husband, or a wife who is not required to testify under IC 34-46-3-1.

(c) (d) An employer may not discharge, demote, transfer, prepare a negative work performance evaluation, or reduce benefits, pay, or work privileges, or take any other action to retaliate against an employee who in good faith files a report under this chapter."

Renumber all SECTIONS consecutively.

(Reference is to HB 1006 as printed January 15, 2019.)

DELANEY

Representative Leonard rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. The Speaker ruled the point was well taken and the motion was out of order.

#### HOUSE MOTION (Amendment 1006-1)

Mr. Speaker: I move that House Bill 1006 be amended to read as follows:

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

"SECTION 1. IC 2-5-36-9, AS AMENDED BY P.L.144-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 9. The commission shall do the following:

- (1) Study and evaluate the following:
  - (A) Access to services for vulnerable youth.
  - (B) Availability of services for vulnerable youth.
  - (C) Duplication of services for vulnerable youth.
  - (D) Funding of services available for vulnerable youth.
  - (E) Barriers to service for vulnerable youth.
  - (F) Communication and cooperation by agencies concerning vulnerable youth.
  - (G) Implementation of programs or laws concerning vulnerable youth.
  - (H) The consolidation of existing entities that serve vulnerable youth.
  - (I) Data from state agencies relevant to evaluating progress, targeting efforts, and demonstrating outcomes.
  - (J) Crimes of sexual violence against children.
  - (K) The impact of social networking web sites, cellular telephones and wireless communications devices, digital media, and new technology on crimes against children.
- (2) Review and make recommendations concerning pending legislation.
- (3) Promote information sharing concerning vulnerable youth across the state.
- (4) Promote best practices, policies, and programs.
- (5) Cooperate with:
  - (A) other child focused commissions;
  - (B) the judicial branch of government;
  - (C) the executive branch of government;
  - (D) stakeholders; and
  - (E) members of the community.
- (6) Submit a report not later than July 1 of each year regarding the commission's work during the previous year. The report shall be submitted to the legislative council, the governor, and the chief justice of Indiana. The report to the legislative council must be in an electronic format under IC 5-14-6.

(7) Annually review the report regarding caseloads of family case managers required by IC 31-25-2-4(a) and receive information from a presentation concerning the report by the department of child services at a commission meeting held not later than sixty (60) days after receipt of the report.

(7) (8) Study the topic of what specific authority a law enforcement officer has in order to take custody of or detain a child in certain situations where the officer believes a child may be a victim of human trafficking (as defined in IC 35-42-3.5-0.5) and who is potentially a child in need of services. This subdivision expires November 2, 2018."

Page 2, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 3. IC 31-25-2-4, AS AMENDED BY P.L.131-2009, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) ~~One (1)~~ time every twelve (12) months; **Not later than August 1 of each year**, the department shall submit a report to the:

- (1) budget committee; ~~and to the~~
- (2) legislative council; ~~and~~
- (3) **commission on improving the status of children in Indiana established by IC 2-5-36-3;**

that provides data and statistical information regarding caseloads of family case managers. The report made to the legislative council must be in an electronic format under IC 5-14-6.

(b) **The department shall make a presentation concerning the report to the commission on improving the status of children in Indiana established by IC 2-5-36-3 at a meeting held by the commission under IC 2-5-36-9(7).**"

Page 2, between lines 20 and 21, begin a new paragraph and insert:

"(c) **If the caseload of family case managers exceeds the caseload standards required by subsection (a), the director shall hire additional family case managers or reassign family case managers across local offices or regions as needed to comply with the caseload standards.**"

Renumber all SECTIONS consecutively.

(Reference is to HB 1006 as printed January 15, 2019.)

HATFIELD

Upon request of Representatives GiaQuinta and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 14: yeas 25, nays 65. Motion failed. The bill was ordered engrossed.

### ENGROSSED HOUSE BILLS ON THIRD READING

#### Engrossed House Bill 1087

Representative Pressel called down Engrossed House Bill 1087 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

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

Roll Call 15: yeas 90, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Bohacek.

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

#### Engrossed House Bill 1094

Representative Lindauer called down Engrossed House Bill 1094 for third reading:

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

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

Roll Call 16: yeas 88, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Zay.

**OTHER BUSINESS ON THE SPEAKER’S TABLE**

**Referrals to Ways and Means**

The Speaker announced, pursuant to House Rule 127, that House Bill 1065 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representative Wright be added as coauthor of House Bill 1004.

MCNAMARA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Engleman and V. Smith be added as coauthors of House Bill 1019.

PRESSEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as coauthor of House Bill 1021.

THOMPSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Moseley be added as coauthor of House Bill 1024.

AYLESWORTH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as coauthor of House Bill 1030.

HARRIS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Thompson be added as coauthor of House Bill 1032.

HARRIS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Burton and Moseley be added as coauthors of House Bill 1059.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Miller, Engleman and Boy be added as coauthors of House Bill 1086.

PRESSEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Saunders be added as coauthor of House Bill 1090.

JACKSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Goodin be added as coauthor of House Bill 1093.

STEUERWALD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Ellington, Austin and Carbaugh be added as coauthors of House Bill 1094.

LINDAUER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Stutzman be added as coauthor of House Bill 1109.

LUCAS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Kirchhofer, Clere and Shackleford be added as coauthors of House Bill 1117.

KARICKHOFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Fleming be added as coauthor of House Bill 1155.

GOODIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1169.

MAHAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives VanNatter, Prescott and Hatfield be added as coauthors of House Bill 1170.

MAHAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Thompson and Goodin be added as coauthors of House Bill 1209.

SCHAIBLEY

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representatives Porter and Shackleford be added as coauthors of House Bill 1240.

PRYOR

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Negele be added as coauthor of House Bill 1246.

DAVISSON

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Errington be added as coauthor of House Bill 1278.

WOLKINS

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as coauthor of House Bill 1279.

WOLKINS

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representatives Campbell and Candelaria Reardon be added as coauthors of House Bill 1282.

ERRINGTON

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Hatfield be added as coauthor of House Bill 1295.

ZENT

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representatives Wright and Austin be added as coauthors of House Bill 1312.

SAUNDERS

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1313.

JACKSON

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Nisly be added as coauthor of House Bill 1321.

JACKSON

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Davisson be added as coauthor of House Bill 1322.

MCNAMARA

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1355.

## SHACKLEFORD

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Fleming be added as coauthor of House Bill 1376.

ERRINGTON

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Shackleford be added as coauthor of House Bill 1380.

FLEMING

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Lindauer be added as coauthor of House Bill 1384.

LUCAS

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative V. Smith be added as coauthor of House Bill 1400.

COOK

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Bartels be added as coauthor of House Bill 1407.

LINDAUER

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Shackleford be added as coauthor of House Bill 1450.

MAYFIELD

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Jackson be added as coauthor of House Bill 1533.

HATCHER

Motion prevailed.

## HOUSE MOTION

Mr. Speaker: I move that Representative Behning be added as coauthor of House Concurrent Resolution 5.

SAUNDERS

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Gutwein, the House adjourned at 12:23 p.m., this seventeenth day of January, 2019, until Tuesday, January 22, 2019, at 1:30 p.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives