



Journal of the Senate

State of Indiana

120th General Assembly

Second Regular Session

Thirteenth Meeting Day

Monday Afternoon

January 29, 2018

The Senate convened at 1:32 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Pastor Dan Willis of Free Life Community Church, Terre Haute.

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

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

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

Roll Call 73: present 49; excused 0. [Note: A indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

RESOLUTIONS ON FIRST READING

Senate Resolution 14

Senate Resolution 14, introduced by Senator Melton:

A SENATE RESOLUTION urging the legislative council to establish a study committee to study issues related to the Department of Child Services.

Whereas, Hoosier children have the right to be protected from violence, exploitation, and abuse;

Whereas, Poverty, crime, substance abuse, and other factors have resulted in children entering the children's services system at a much younger age, in record numbers, and staying in the system for longer periods of time;

Whereas, One of our highest priorities must be to protect our children; and

Whereas, In order to do our due diligence to protect children in Indiana, the members of the Indiana General Assembly must have current and thorough information on the operations of the Department of Child Services: Therefore,

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

SECTION 1. That the legislative council is urged to establish a study committee to study issues related to the Department of Child Services.

SECTION 2. That the study committee, if established, should be comprised of the members of the standing committees on Family and Children Services and Family, Children and Human Affairs and shall meet for the next two interims.

The resolution was read in full and referred to the Committee on Family and Children Services.

Senate Resolution 15

Senate Resolution 15, introduced by Senator Lanane:

A SENATE RESOLUTION remembering Mike Jenkins, victim of CTE, on CTE Awareness Day, January 30, 2018.

Whereas, Chronic Traumatic Encephalopathy, or CTE, is a progressive, degenerative brain disease that appears in persons with a history of repetitive brain trauma sustained over a period of years;

Whereas, CTE was first described in 1928 by Dr. Harrison Martland in a study published in the Journal of the American Medical Association linking brain injury and boxing;

Whereas, It was not until 2002 that Dr. Bennet Omalu discovered the first pathological evidence of CTE in a professional football player, and together with his colleagues at the University of Pittsburgh, published the details of his groundbreaking findings in 2005;

Whereas, CTE is caused by a buildup of an abnormal protein called Tau in the brain leading to brain cell death;

Whereas, The risk of developing CTE is greatest with athletes, military veterans, and domestic violence survivors, who frequently endure repeated sub-concussive blows to the head from playing contact sports, traumatic injury from military training or blasting, or hits sustained by partners or caretakers;

Whereas, While symptoms associated with CTE, such as sleep disturbances, memory loss, tremors, addictions, progressive dementia, depression, suicidal thoughts, impaired judgement, and paranoia, most often present themselves years or decades after the brain trauma or blows cease, symptoms associated with CTE have been found in a patient as young as eighteen years old;

Whereas, Currently, CTE can only be definitively diagnosed after death through postmortem neuropathological analysis;

Whereas, Advocacy organizations, health care providers, and institutional researchers are dedicated to studying the cause and symptoms of CTE in order to enable parents and families to make informed decisions regarding the best interests of their children in youth sports and to develop an earlier diagnostic tool so patients may address these symptoms as early as possible;

Whereas, One such advocacy organization is the Faces of CTE, founded by the California families of the following athletes: Junior Seau and Grant Feasel, who suffered from CTE after playing youth, high school, college, and NFL football; Tyler Cornell, who played youth and high school football; Paul Bright Jr., who played football from the ages of seven to fifteen;

Whereas, The mission of the Faces of CTE is to put a face to the mind robbing disease, Chronic Traumatic Encephalopathy, and educate the public that CTE does not only impact professional athletes, but children and non-athletes as well;

Whereas, Mike Jenkins, a lifelong resident of Indiana, who began playing football starting at the age of seven and played as a tight end for Warren Central High School, is one of those faces;

Whereas, Mike suffered from effects of CTE later in his life;

Whereas, Upon his death on May 11, 2011 Mike's brain was donated to the Boston University concussion study where it was found he had stage two CTE;

Whereas, Since Mike's family became aware of CTE, they have become very involved in CTE awareness working with Save Your Brain Organization and Faces of CTE; and

Whereas, The Faces of CTE founded CTE Awareness Day on January 30, 2017, and now, along with other organizations, celebrates CTE Awareness Day across the United States in order

to reflect on those lost to CTE, how to help those suffering with the disease, and most importantly, how to stop the disease. Therefore,

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

SECTION 1. That the Indiana General Assembly expresses its gratitude to the family of Mike Jenkins and their contributions to science and The Faces of CTE.

SECTION 2. That the Secretary of Senate is hereby directed to transmit copies of this Resolution to Marcia Jenkins and Debra Jenkins.

The resolution was read in full and referred to the Committee on Health and Provider Services.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred Senate Concurrent Resolution 30, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.

Committee Vote: Yeas 6, Nays 0.

WALKER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 36, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 27, after "IC 5-17-1" insert "**and IC 5-22**".

(Reference is to SB 36 as printed January 19, 2018.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

LONG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill 207, 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 4, Nays 3.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill 240, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 4, delete "Service" and insert "**Emotional Support**".

Page 2, line 1, after "psychiatrist" insert "**or physician**".

Page 2, line 1, delete "as a physician".

Page 2, line 5, after "individual." insert "**This definition excludes an individual described in subdivision (1), (2), or (3) whose sole service to the individual is to provide a verification letter for a fee.**".

Page 2, line 15, delete "'service" and insert "'**emotional support**".

Page 2, line 15, delete "has the" and insert "**means a companion animal that a health service provider has determined provides a benefit for an individual with a disability, which may include improving at least one (1) symptom of the disability.**".

Page 2, delete line 16.

Page 2, line 19, delete "Except as provided in subsection (b), a person who".

Page 2, delete lines 20 through 22 and insert "**Emotional support animals may be used by individuals with a range of physical, psychiatric, or intellectual disabilities.**".

(b) To be prescribed an emotional support animal, the individual seeking an emotional support animal must have a verifiable disability. An animal does not need specific training to become an emotional support animal.".

Page 2, line 23, delete "(b)" and insert "**Sec. 8.**".

Page 2, line 24, after "not" insert "**readily**".

Page 2, line 25, delete "a service" and insert "**an emotional support**".

Page 2, line 26, delete "certify in writing" and insert "**provide written verification**".

Page 2, line 29, delete "medical" and insert "**disability related**".

Page 2, line 29, delete "service" and insert "**emotional support**".

Page 2, line 31, delete "service" and insert "**emotional support**".

Page 2, line 33, delete "8." and insert "**9.**".

Page 2, line 33, delete "7(b)" and insert "**8**".

Page 2, line 37, delete "medical" and insert "**disability related**".

Page 2, line 37, delete "for a".

Page 2, line 38, delete "service" and insert "**for an emotional support**".

Page 2, line 39, delete "9." and insert "**10.**".

Page 2, line 40, delete "7(b)" and insert "**8**".

Page 2, line 40, after "not" insert "**readily**".

Page 2, line 40, delete "apparent." and insert "**apparent, and**

the health service provider that verifies the individual's disability status and need for an emotional support animal.".

Page 2, line 41, delete "a service" and insert "**an emotional support**".

Page 2, line 42, delete "dwelling" and insert "**dwelling, or a health service provider who verifies the individual's need for an emotional support animal,**".

Page 3, line 3, delete "medical" and insert "**disability related**".

Page 3, line 4, delete "a service" and insert "**an emotional support**".

Page 3, line 7, delete "a service" and insert "**an emotional support**".

Page 3, line 11, delete "a service" and insert "**an emotional support**".

Page 3, line 11, delete "or".

Page 3, line 12, delete "a service" and insert "**an emotional support**".

Page 3, line 14, delete "a service" and insert "**an emotional support**".

Page 3, line 14, after "animal;" insert "**or**".

Page 3 between lines 14 and 15, begin a new line block indented and insert:

(5) in the case of a health service provider:

(A) verifies an individual's disability status and need for an emotional support animal without adequate professional knowledge of the individual's condition to provide a reliable verification; or

(B) charges a fee for providing a written verification for an individual's disability status and need for an emotional support animal, and provides no other service to the individual.".

Page 3, line 16, delete "10." and insert "**11.**".

Page 3, line 18, delete "the service" and insert "**an emotional support**".

Page 3, line 19, delete "11." and insert "**12.**".

Page 3, line 21, delete "a service" and insert "**an emotional support**".

Page 3, line 24, delete "or".

Page 3, line 26, delete "the service" and insert "**an emotional support**".

Page 3, line 28, delete "a service" and insert "**an emotional support**".

Page 3, line 28, delete "dwelling." and insert "**dwelling; or**".

Page 3, between lines 28 and 29, begin a new line block indented and insert:

(3) signing an addendum or other agreement that sets forth the responsibilities of the owner of the emotional support animal.".

Page 3, line 29, delete "12." and insert "**13.**".

Page 3, line 31, delete "a service" and insert "**an emotional support**".

Page 4, line 1, delete "service" and insert "**emotional support**".

Page 4, line 6, delete "a service" and insert "**an emotional support**".

(Reference is to SB 240 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 6, Nays 3.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred Senate Bill 327, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

- Page 1, line 4, delete "after".
- Page 1, line 5, delete "December 31, 2011,".
- Page 1, line 12, delete "from the fund established by section 5.5 of".
- Page 1, line 13, delete "this chapter".
- Page 1, delete lines 15 through 17.
- Page 2, delete lines 1 through 17.
- Page 2, line 24, delete "in an envelope with".
- Page 2, line 25, delete "envelope".
- Page 2, delete lines 26 through 28.
- Page 2, line 29, delete "(3)", begin a new line blocked left and insert:
"**must**".
- Page 2, run in lines 25 through 29.
- Page 3, delete lines 29 through 40.
- Page 12, delete lines 37 through 42.
- Page 13, delete lines 1 through 11.
- Page 13, line 14, delete "As used in this section,".
- Page 13, delete lines 15 through 18.
- Page 13, line 19, delete "(c)".
- Page 13, delete lines 29 through 40.
- Page 13, line 41, delete "(f)" and insert "**(b)**".
- Page 14, line 3, delete "VSTOP." and insert "**voting system technical oversight program (VSTOP) (established by IC 3-11-16-2)**".
- Page 14, line 14, after "jurisdiction;" insert "**or**".
- Page 14, line 16, after "election at" insert "**(A)**".
- Page 14, line 17, after "IC 3-8-4-1" insert "**;** **or (B) a town convention conducted under IC 3-8-5;**".
- Page 14, line 17, beginning with "for" begin a new line block indented.
- Page 14, line 18, delete "candidates;" and insert "**candidates**".
- Page 14, delete lines 19 through 23.
- Renumber all SECTIONS consecutively.
- (Reference is to SB 327 as printed January 24, 2018.)
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 Agriculture, to which was referred Senate Bill 330, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 4, delete "Subject to subsection (d), adopt" and insert "Adopt".

Page 3, delete lines 35 through 36, begin a new paragraph and insert:

"(d) Except as provided in subsection (e), the seed commissioner shall adopt rules to add the following Amaranthus seeds to the list of restricted noxious weed seeds:

- (1) Palmer amaranth.**
 - (2) Waterhemp.**
 - (3) Any pigweed seed.**
 - (4) Any Amaranthus seed (Amaranthus sp.).**
 - (e) An Amaranthus seed that is sold as:**
 - (1) a vegetable seed;**
 - (2) an edible grain for human consumption; or**
 - (3) an ornamental landscape plant;**
- is excluded from the rulemaking described in subsection (d)."**

(Reference is to SB 330 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

LEISING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Agriculture, to which was referred Senate Bill 331, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 10, delete "an entity that" and insert "**a person who:**

- (1) grows, harvests, packs, or holds covered produce (as defined by 21 CFR 112) that is intended for human consumption and;**
- (2) is subject to 21 CFR 112.**

The term does not include a person who is exempt or eligible for a qualified exemption under 21 CFR 112."

Page 1, delete lines 11 through 17.

Page 2, delete lines 20 through 35, begin a new paragraph and insert:

"SECTION 4. IC 16-42-1-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 6. (a) This section does not apply to a farm that is exempt or eligible for a qualified exemption under 21 CFR 112.

(b) A manufacturer, processor, repackager, or wholesale distributor of food, drugs, or cosmetics who maintains a place of business in Indiana shall file with the state department, upon forms to be furnished by the state department, a written statement of the name and address of the owner, the character of the business, and the business address of each place of business in Indiana.

(b) (c) A new place of business for the manufacture, processing, repacking, or wholesale distribution of food, drugs, or cosmetics may not be established in Indiana until the place of business has been registered as provided in this chapter.

(c) (d) If ownership of a registered place of business changes, the new owner shall reregister the place of business before operating the same."

Page 3, line 11, delete "do the" and insert "**comply with the requirements in 21 CFR 112.**"

Page 3, delete lines 12 through 17.

Page 3, line 18, delete "requirement" and insert "**requirements**".

Page 3, line 19, delete "(a)(3)" and insert "**(a)**".

Page 3, line 24, delete "requirement" and insert "**requirements**".

Page 3, line 25, delete "(a)(3)." and insert "**(a)**".

Renumber all SECTIONS consecutively.

(Reference is to SB 331 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

LEISING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill 339, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 7, line 9, delete "drug is sold or dispensed" and insert "**pharmacist offers to dispense the drug to the patient or patient's representative**".

(Reference is to SB 339 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 5, Nays 1.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill 372, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 8 through 61 with "[EFFECTIVE JULY 1, 2019]".

Page 8, line 19, delete "2018." and insert "**2019.**".

Page 8, line 21, delete "2018." and insert "**2019.**".

Page 13, delete lines 11 through 25, begin a new paragraph and insert:

"SECTION 30. IC 33-42-0.5-23 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 23. (a)**

"Principal" means an individual:

(1) whose signature is reflected on a document that is notarized;

(2) who has taken an oath or affirmation administered by a notarial officer; or

(3) whose signature is reflected on a document that is notarized after the individual has taken an oath or affirmation administered by a notarial officer.

(b) Except as provided in subsection (c), for purposes of a remote notarial act, "principal" means an individual:

(1) whose electronic signature is reflected on a document that is notarized and contained in an electronic record;

(2) who has taken an oath or affirmation administered by a remote notary public; or

(3) whose electronic signature is reflected on a document that is notarized and contained in an electronic record after an individual has taken an oath or affirmation administered by a remote notary public.

(c) A principal, for purposes of a remote notarial act, does not include an individual who has taken an oath or affirmation administered by a remote notary public in the capacity of a witness for a remote notarial act."

Page 14, delete lines 9 through 16, begin a new paragraph and insert:

"SECTION 34. IC 33-42-0.5-27 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 27. "Remote notary public" means a notary public who is authorized by the secretary of state to perform a remote notarial act under IC 33-42-17.**"

Page 23, delete lines 14 through 28.

Page 29, line 40, delete "JULY 1, 2018:]" and insert "UPON PASSAGE]:".

Page 30, between lines 36 and 37, begin a new paragraph and insert:

"(c) The administrative rules for remote notarial acts must be in effect before the secretary of state approves vendors of technology under IC 33-42-17-6.

(d) Remote notary public applications will not be accepted for processing until the administrative rules are in effect and vendors of technology are approved by the secretary of state."

Page 30, line 39, delete "JULY 1, 2018:]" and insert "JULY 1, 2019]:".

Page 31, line 2, delete "1, 2018]." and insert "1, 2019]:".

Page 31, line 6, delete "JULY 1, 2018:]" and insert "JULY 1, 2019]:".

Page 31, line 20, delete "IC 33-42-12-2;" and insert "**IC 33-42-12-2, and prescribed under IC 33-42-16-2;**".

Page 33, line 15, delete "regarding" and insert "**explaining**".

Page 33, line 16, delete "If" and insert "**That**".

Page 33, line 18, delete "identity, the duration, nature, and origin of" and insert "**identity**".

Page 33, delete lines 19 through 20.

Page 33, line 21, delete "If" and insert "**That**".

Page 33, line 22, delete "witness, the duration, nature, and origin of the" and insert "**witness**".

Page 33, delete lines 23 through 25.

Page 34, between lines 1 and 2, begin a new line block indented and insert:

"(2) A credible witness's knowledge of the principal's identity."

Page 34, line 2, delete "(2)" and insert "**(3)**".

Page 34, line 5, delete "analysis, or" and insert "**analysis and**".

Page 34, line 6, delete "public," and insert "**public**".

Page 34, line 10, delete "(3)" and insert "**(4)**".

Page 35, line 3, delete "communication".

Page 36, line 19, delete "Prevent" and insert "**Use commercially reasonable means to prevent**".

Page 36, line 36, after "description of" insert "**the electronic record for**".

Page 37, line 2, after "every" insert "**type of**".

Page 37, line 40, delete "is" and insert "**are**".

Page 38, after line 38, begin a new paragraph and insert: "**SECTION 68. An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 372 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill 381, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

GROOMS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill 428, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 6, Nays 2.

GROOMS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill 431, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

Page 1, line 3, after "in" insert "**subsection (b) and**".

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

"(b) Subsection (a) does not apply to an action brought against a qualified health care provider for medical malpractice under IC 34-18-8.

SECTION 2. IC 31-33-6-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2. Immunity does not attach for a person ~~who has acted maliciously or in bad faith.~~ **who has acted with:**

(1) gross negligence; or

(2) willful or wanton misconduct."

Renumber all SECTIONS consecutively.

(Reference is to SB 431 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

HEAD, Chair

Report adopted.

SENATE MOTION

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

SCR 21 Senator Zakas

Congratulating Dr. Jerry Thacker.

SCR 22 Senator Zakas

Congratulating the Penn High School girls soccer team on their Class 3A state championship title.

SCR 23 Senator Zakas

Congratulating Glenn Northern.

SCR 31 Senator Boots

Urging Governor Holcomb to recognize August 3 as Indiana Ernie Pyle Day.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 21

Senate Concurrent Resolution 21, introduced by Senator Zakas:

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

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

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

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

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

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

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

SECTION 1. That the Indiana General Assembly congratulates Dr. Jerry Thacker on being named the 2017 Outstanding Educator by the Indiana Association of Public School Superintendents.

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

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives DeVon, Wesco, J. Taylor and Dvorak.

Senate Concurrent Resolution 22

Senate Concurrent Resolution 22, introduced by Senators Zakas, Mishler and Niezgodski:

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

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

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

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

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

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

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

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

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

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

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

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives DeVon, Wesco, J. Taylor and Dvorak.

Senate Concurrent Resolution 23

Senate Concurrent Resolution 23, introduced by Senators Zakas, Mishler and Niezgodski:

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

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

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

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

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

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

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

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

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

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

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

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives DeVon, Wesco, J. Taylor and Dvorak.

Senate Concurrent Resolution 31

Senate Concurrent Resolution 31, introduced by Senator Boots:

A CONCURRENT RESOLUTION urging Governor Eric Holcomb to recognize August 3 as Indiana Ernie Pyle Day.

Whereas, Born in a farmhouse near Dana, Indiana, Ernie Pyle went on to attend Indiana University, where he studied journalism and served as an editor for the Indiana Daily Student. He embarked on a professional journalism career prior to graduation by working for the LaPorte Herald in 1923;

Whereas, Pyle covered the nascent aviation industry in the 1920s and 1930s - rubbing elbows with pioneer aviators including Jimmy Doolittle and Amelia Earhart - but became a

national icon as a World War II Correspondent;

Whereas, Eschewing stories about generals and grand strategy, Pyle focused on the G.I. He became the voice of the rank-and-file soldiers called upon out of civilian life to fight the biggest war in history. Newspaper readers in the United States used his column to get a feel for what husbands, sons, brothers, and uncles were doing in North Africa, Italy, France and Germany before he moved to the Pacific Theatre to cover the island-hopping campaign;

Whereas, Pyle's excellent reporting allowed those in the States to almost breathe the choking dust, feel the concussions of artillery, and see the brutality of war and the numbing amount of death;

Whereas, In 1944, the same year he earned a Pulitzer Prize for his work depicting the life of ordinary soldiers, Pyle suggested combat soldiers be given "fight pay" and Congress acted, giving soldiers fifty percent extra pay for combat service in what became known as the "Ernie Pyle Bill";

Whereas, After a visit home from the European Theatre, Pyle felt compelled to return to the combat zone, this time in the Pacific Theatre, despite premonitions of death because he felt he owed it to the soldiers to continue to tell their stories;

Whereas, On April 18, 1945, Ernie Pyle lost his life while serving as a war correspondent on Ie Shima, a small island just west of Okinawa in the Pacific Theatre;

Whereas, At the time of his death, Pyle's columns appeared in 400 daily and 300 weekly newspapers delivered to 14 million homes, offering Americans a unique view of World War II and the Greatest Generation;

Whereas, The role Pyle played as a bridge between the front line and the home front was so significant and strong that Secretary of the Navy James Forrestal announced his death and President Harry Truman offered his condolences to a nation that avidly read his columns; and

Whereas, Pyle's legacy is preserved at the Ernie Pyle World War II Museum, which includes his birth home in Dana, located in Vermillion County and is operated by the Friends of Ernie Pyle. In Bloomington, one can find a statue of Pyle at work outside of Indiana University's Franklin Hall, where the Indiana Media School is housed and inside Franklin Hall, one can still see the desk Pyle used as editor for the student newspaper: Therefore,

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

SECTION 1. That the Indiana General Assembly urges Governor Holcomb to recognize August 3 as Indiana Ernie Pyle Day in conjunction with the U.S. Senate designation of that day as National Ernie Pyle Day as introduced by Indiana Senators Todd Young and Joe Donnelly.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Governor Eric Holcomb.

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 Morrison.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1024, 1116 and 1341 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Engrossed Senate Bill 377, which is eligible for third reading, be returned to second reading for purposes of amendment.

PERFECT

Motion prevailed.

RESOLUTIONS ON SECOND READING

Senate Concurrent Resolution 4

Senator Niezgodski called up Senate Concurrent Resolution 4 for second reading. The resolution was read a second time and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Macer, Zent and Baird.

SENATE BILLS ON SECOND READING

Senate Bill 11

Senator Bohacek called up Senate Bill 11 for second reading. The bill was re-read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 62

Senator Becker called up Senate Bill 62 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 65

Senator Kruse called up Senate Bill 65 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 65-1)

Madam President: I move that Senate Bill 65 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning education.

Delete everything after the enacting clause and insert the following:

SECTION 1. [EFFECTIVE UPON PASSAGE] **(a) The legislative council is urged to assign to an appropriate interim study committee for the 2018 interim the task of studying the topic of instruction on human sexuality.**

(b) This SECTION expires January 1, 2019.

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

(Reference is to SB 65 as printed January 26, 2018.)

TALLIAN

Upon request of Senator Tallian the President ordered the roll of the Senate to be called. Roll Call 74: yeas 8, nays 41.

Motion failed.

SENATE MOTION (Amendment 65-2)

Madam President: I move that Senate Bill 65 be amended to read as follows:

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

"SECTION 1. IC 20-30-5-13, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 13. **(a)** Throughout instruction on human sexuality or sexually transmitted diseases, an accredited school shall:

- (1) require a teacher to teach abstinence from sexual activity outside of marriage as the expected standard for all school age children;
- (2) include in the instruction that abstinence from sexual activity is the only certain way to avoid out-of-wedlock pregnancy, sexually transmitted diseases, and other associated health problems; and
- (3) include in the instruction that the best way to avoid sexually transmitted diseases and other associated health problems is to establish a mutually faithful monogamous relationship in the context of marriage.

(b) A school may provide a student with instruction on human sexuality, including sexual activity, sexual orientation, or gender identity, unless the parent of the student or the student, if the student is an adult or an emancipated minor, has objected to the instruction in writing. A student is excused from receiving instruction on human sexuality if the student's parent or the student, if the student is an adult or an emancipated minor, has provided a written objection to the school."

Page 2, delete lines 22 through 29.

Page 2, line 30, reset in roman "(c)".

Page 2, line 30, delete "(d)".
 Page 2, line 32, reset in roman "(d)".
 Page 2, line 32, delete "(e)".
 Renumber all SECTIONS consecutively.
 (Reference is to SB 65 as printed January 26, 2018.)

BREAUX

Upon request of Senator Breaux the President ordered the roll of the Senate to be called. Roll Call 75: yeas 9, nays 40.

Motion failed. The bill was ordered engrossed.

Senate Bill 99

Senator Bray called up Senate Bill 99 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 164

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

Senate Bill 171

Senator Buck called up Senate Bill 171 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 172

Senator Raatz called up Senate Bill 172 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 173

Senator Buck called up Senate Bill 173 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 182

Senator Grooms called up Senate Bill 182 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 195

Senator Niemeyer called up Senate Bill 195 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 203

Senator Freeman called up Senate Bill 203 for second reading. The bill was read a second time by title.

SENATE MOTION
 (Amendment 203-1)

Madam President: I move that Senate Bill 203 be amended to read as follows:

Page 1, delete lines 1 through 17.
 Delete page 2.
 Page 3, delete line 1.
 Page 5, delete lines 4 through 33, begin a new paragraph and insert:

"SECTION 7. IC 35-50-2-16, AS ADDED BY P.L.40-2009, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 16. **(a) This section does not apply to:**

- (1) a pregnant woman who terminates or causes the termination of her own pregnancy; or**
- (2) an abortion performed in compliance with IC 16-34.**

~~(a)~~ **(b)** The state may seek, on a page separate from the rest of the charging instrument, to have a person who allegedly committed or attempted to commit ~~murder under IC 35-42-1-1(1) or IC 35-42-1-1(2)~~ **a felony or Class A misdemeanor** sentenced to an additional fixed term of imprisonment if the state can show beyond a reasonable doubt that the person, while committing or attempting to commit ~~murder under IC 35-42-1-1(1) or IC 35-42-1-1(2)~~; **the felony or Class A misdemeanor**, caused the termination of a human pregnancy.

~~(b)~~ **(c)** If the person is convicted of the ~~murder or attempted murder felony or Class A misdemeanor~~ in a jury trial, the jury shall reconvene to hear evidence in the enhancement hearing. If the trial was to the court, or the judgment was entered on a guilty plea, the court alone shall hear evidence in the enhancement hearing.

~~(c)~~ **(d)** If the jury (if the hearing is by jury) or the court (if the hearing is to the court alone) finds that the state has proved beyond a reasonable doubt that the person, while committing or attempting to commit ~~murder under IC 35-42-1-1(1) or IC 35-42-1-1(2)~~; **a felony or Class A misdemeanor**, caused the termination of a human pregnancy, the court shall sentence the person to an additional fixed term of imprisonment of not less than six (6) or more than twenty (20) years.

~~(d)~~ **(e)** A sentence imposed under this section runs consecutively to the underlying sentence.

~~(e)~~ **(f)** For purposes of this section, prosecution of the ~~murder or attempted murder under IC 35-42-1-1(1) or IC 35-42-1-1(2)~~ **felony or Class A misdemeanor** and the enhancement of the penalty for that crime does not require proof that:

- (1) the person committing or attempting to commit the ~~murder offense~~ had knowledge or should have had knowledge that the victim was pregnant; or
- (2) the defendant intended to cause the termination of a human pregnancy."

Renumber all SECTIONS consecutively.
 (Reference is to SB 203 as printed January 26, 2018.)

FREEMAN

After discussion, Senator Freeman withdrew the motion to amend.

After discussion, Senator Freeman withdrew the call.

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

Senate Bill 210

Senator L. Brown called up Senate Bill 210 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 237

Senator Bray called up Senate Bill 237 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 265

Senator Crider called up Senate Bill 265 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 266

Senator Crider called up Senate Bill 266 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 268

Senator Buck called up Senate Bill 268 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 268-1)

Madam President: I move that Senate Bill 268 be amended to read as follows:

Page 3, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 3. IC 36-4-3-3.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 3.5. (a) An annexation ordinance adopted under this chapter must contain the following information:

- (1) A description of the boundaries of the territory to be annexed, including any public highway or right-of-way.
- (2) The approximate number of acres in the territory to be annexed.
- (3) A description of any special terms and conditions adopted under section 8 of this chapter.
- (4) **This subdivision applies only to an annexation ordinance adopted after June 30, 2018. The total gross assessed value of all taxable property of:**
 - (A) the annexing municipality; and
 - (B) the territory to be annexed;**for the assessment date in the calendar year preceding the calendar year in which the annexation ordinance is adopted.**

(b) An ordinance adopted under section 3 or 4 of this chapter must also contain a description of any property tax abatements adopted under section 8.5 of this chapter.

SECTION 4. IC 36-4-3-3.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS

[EFFECTIVE JULY 1, 2018]: **Sec. 3.6. (a) This section applies only to an annexation for which the annexation ordinance is adopted after June 30, 2018.**

(b) Unless the county executive approves an annexation under section 11.9 of this chapter, a municipality may not annex territory during a calendar year that has a total gross assessed value that exceeds the amount set forth in this subsection. All annexation ordinances that are adopted by a municipality during a calendar year are void if, for the assessment date in the calendar year preceding the calendar year in which the annexation ordinance or ordinances are adopted, the total gross assessed value of all taxable property of the territory that is annexed in all ordinances adopted during the calendar year by the annexing municipality is more than fifteen percent (15%) of the total gross assessed value of all taxable property in the annexing municipality (without considering the territory to be annexed in the ordinance or ordinances)."

Page 3, delete lines 29 through 42, begin a new paragraph and insert:

"(c) This subsection does not apply to an annexation under section 5 or 5.1 of this chapter. If the total gross assessed value of all taxable property of the territory that is annexed makes the annexation eligible for review and approval by the county executive under section 11.9 of this chapter, the municipality must file the annexation ordinance and fiscal plan with the county executive before the annexation may proceed under subsection (d)."

Page 4, delete lines 1 through 35.

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

"SECTION 6. IC 36-4-3-11.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **(a) This section applies only to an annexation ordinance adopted after June 30, 2018. This section does not apply to an annexation under section 5 or 5.1 of this chapter.**

(b) If for the assessment date in the calendar year preceding the calendar year in which the annexation ordinance is adopted, the total gross assessed value of all taxable property of the territory that is annexed in all annexation ordinances adopted on the same date by the municipality is more than five percent (5%) of the total gross assessed value of all taxable property in the annexing municipality (without considering the territory to be annexed in the ordinance or ordinances), the municipality must file the annexation ordinance or ordinances adopted and the fiscal plan or plans with the county executive of each county in which the annexation territory is located.

(c) If for the assessment date in the calendar year preceding the calendar year in which the annexation ordinance or ordinances are adopted, the total gross assessed value of all taxable property of the territory that is annexed in all annexation ordinances adopted during the calendar year is more than fifteen percent (15%) of the total gross

assessed value of all taxable property in the annexing municipality (without considering the territory to be annexed in the ordinance or ordinances) the municipality must file the annexation ordinance or ordinances and the fiscal plan or fiscal plans with the county executive.

(d) If subsection (b) applies, the county executive may review the annexation if at least one (1) member of the county executive files a written request for review:

- (1) with the county executive; and
- (2) not later than fifteen (15) days after the date the ordinance and fiscal plan are filed.

(e) If subsection (c) applies, the county executive shall review the annexation under this section. Notwithstanding section 3.6 of this chapter, if the county executive votes to approve the annexation or the annexation is considered approved under subsection (g), the annexation ordinance or ordinances are not voided under section 3.6 of this chapter and the annexation may proceed under section 11.1(d) of this chapter.

(f) The county executive must vote by a majority of the members of the county executive to approve or deny an annexation reviewed under this section not later than ninety (90) days after the annexation ordinance and fiscal plan are filed with the county executive or the annexation is considered approved under subsection (g).

(g) If:

- (1) the county executive does not approve or deny the annexation within ninety (90) days after the annexation ordinance and fiscal plan are filed with the county executive; or
- (2) a member of the county executive does not file a written request within the fifteen (15) day period as set forth in subsection (d);

the annexation is considered approved. If the annexation is approved or considered approved in each county in which the annexation territory is located, the annexation may proceed as provided in section 11.1(d) of this chapter. However, if the county executive of any county in which the territory is located votes to deny the annexation under this subsection, the annexation proceedings are terminated and the annexation may not proceed.

(h) The county executive shall provide notice of the following:

- (1) The county executive has received an annexation ordinance and fiscal plan described in subsection (b) that the county executive is required by law to:
 - (A) review; and
 - (B) vote to approve or deny the proposed annexation at a public meeting not later than ninety (90) days after the annexation ordinance and fiscal plan are filed.
- (2) The county executive has received an annexation ordinance and fiscal plan described in subsection (c) that the county executive is required to review because a member of the county executive has filed a written

request for review of the annexation with the county clerk, and the county executive is required by law to:

- (A) review the annexation proposal; and
- (B) vote to approve or deny the proposed annexation at a public meeting not later than ninety (90) days after the annexation ordinance and fiscal plan are filed.
- (3) The county executive has approved or denied the annexation proposal, or the annexation is considered approved because the county executive has failed to approve or deny the annexation proposal within ninety (90) days after the annexation ordinance and fiscal plan are filed.

The county executive shall provide the notice by publication in accordance with IC 5-3-1 and to owners of real property described in section 2.2 of this chapter and taxing units and political subdivisions described in section 1.3 of this chapter. The municipality shall provide the county executive with the names and addresses of owners of real property under section 2.2 of this chapter and the fiscal officers of the taxing units and political subdivisions under section 1.3 of this chapter."

Page 8, line 24, strike "subdivision" and insert "subdivisions".
Page 8, line 24, delete "(2)." and insert "(2) and (3)."

Page 9, between lines 33 and 34, begin a new line block indented and insert:

"(3) This subdivision applies only to an annexation for which the annexation ordinance was adopted after June 30, 2018. Order a proposed annexation not to take place if the court finds that the annexation ordinance is void under section 3.6 of this chapter."

Renumber all SECTIONS consecutively.
(Reference is to SB 268 as printed January 26, 2018.)

BOHACEK

Motion prevailed. The bill was ordered engrossed.

Senate Bill 326

Senator Walker called up Senate Bill 326 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 326-3)

Madam President: I move that Senate Bill 326 be amended to read as follows:

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

"SECTION 1. IC 2-1.5 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]:

ARTICLE 1.5. REDISTRICTING OF GENERAL ASSEMBLY AND CONGRESSIONAL DISTRICTS

Chapter 1. Definitions

Sec. 1. The definitions in this chapter apply throughout this article.

Sec. 2. "Agency" refers to the legislative services agency established by IC 2-5-1.1-7.

Sec. 3. "Appointing authority" refers to any of the following:

- (1) The speaker of the house of representatives.
- (2) The minority leader of the house of representatives.
- (3) The president pro tempore of the senate.
- (4) The minority leader of the senate.

Sec. 4. "Bureau" refers to the United States Department of Commerce, Bureau of the Census.

Sec. 5. "Census data" means the population data that the bureau is required to provide to the state under 13 U.S.C. 141.

Sec. 6. "Census year" refers to the year in which a federal decennial census is conducted.

Sec. 7. "Commission" refers to the redistricting commission established by IC 2-1.5-2-1.

Sec. 8. "Federal decennial census" refers to a federal decennial census conducted under 13 U.S.C. 141.

Sec. 9. "House of representatives" refers to the house of representatives of the general assembly.

Sec. 10. "Ideal district population" for a plan refers to the number equal to the quotient of the following, rounded to the nearest whole number:

- (1) The numerator is the population of Indiana as reported by the most recent federal decennial census.
- (2) The denominator is the number of districts required by this article for the plan.

Sec. 11. "Nominating authority" refers to any of the following:

- (1) The chief justice of the supreme court.
- (2) The president of Ball State University.
- (3) The president of Indiana University.
- (4) The president of Purdue University.

Sec. 12. (a) "Plan" refers to any of the following:

- (1) A plan for districts for the house of representatives.
- (2) A plan for districts for the senate.
- (3) A plan for congressional districts.

(b) A plan includes maps and written descriptions of the maps that define all the districts that a plan is required to have under this article.

Sec. 13. "Political subdivision" means a city, county, town, or township.

Sec. 14. "Redistricting year" refers to the year immediately following a census year.

Sec. 15. "Senate" refers to the senate of the general assembly.

Chapter 2. Redistricting Commission

Sec. 1. As provided in this chapter, a redistricting commission consisting of nine (9) members is established.

Sec. 2. (a) Not later than January 15 of a redistricting year, four (4) members of the commission shall be selected by each of the appointing authorities:

- (1) appointing one (1) individual to be a commission member; and

(2) certifying to the executive director of the agency the appointment of the individual to the commission.

(b) Four (4) members of the commission shall be selected as follows:

(1) Not later than January 15 of a redistricting year, a pool of twelve (12) candidates for appointment to the commission shall be established. The pool is created by each of the nominating authorities:

(A) selecting three (3) individuals as candidates for membership on the commission; and

(B) certifying the following to the executive director of the agency:

(i) The name and contact information for each of the three (3) individuals selected by that nominating authority as candidates for membership on the commission.

(ii) That each of the individuals identified in item (i) has agreed to serve if the individual is appointed as a member of the commission.

(iii) That the nominating authority believes that each of the individuals identified in item (i) will, if appointed as a member of the commission, faithfully comply with this article, including specifically IC 2-1.5-4-10(b).

(2) Not later than February 1 of a redistricting year, each of the four (4) members of the commission appointed under subsection (a) shall:

(A) appoint one (1) of the candidates from the pool established under subsection (b)(1) as a member of the commission; and

(B) certify to the executive director of the agency the appointment of the individual as a member of the commission.

(c) Not later than February 15 of a redistricting year, the members appointed under subsections (a) and (b) shall meet and appoint the commission's chair. The member appointed by the speaker of the house of representatives shall call and preside during the meeting. The chair may be a member appointed to the commission under subsection (b)(2) or another individual chosen by the commission, but may not be a member appointed to the commission under subsection (a)(1). If the commission selects as the chair a member appointed to the commission under subsection (b)(2), the commission shall appoint by majority vote another candidate from the pool established under subsection (b)(1) as a member of the commission. The commission shall certify to the executive director of the agency the appointment of the commission's chair and the commission member, if any, selected under this subsection.

(d) In selecting candidates for appointment under subsection (b)(1) and in making the appointments under subsections (a), (b), and (c), the nominating authorities, the appointing authorities, and the members of the commission shall seek to optimize the geographic, minority, and gender diversity of the commission.

Sec. 3. To serve on the commission, an individual must be a resident of Indiana.

Sec. 4. (a) The definitions in IC 3-5-2 apply throughout this section.

(b) An individual may not serve on the commission if the individual has been any of the following at any time less than six (6) years before the individual's appointment to the commission:

- (1) A member of the general assembly or the Congress of the United States.
- (2) A candidate for election to the general assembly or the Congress of the United States.
- (3) The holder of a state office (as defined in IC 3-5-2-48).
- (4) An appointed public official.
- (5) An employee of any of the following:
 - (A) The general assembly.
 - (B) A member of the Congress of the United States from Indiana.
 - (C) A United States senator representing Indiana.
- (6) The chairman or treasurer of a candidate's committee of a candidate for election to the general assembly or the Congress of the United States as required by IC 3-9-1 or federal law.
- (7) A precinct committeeman or a precinct vice committeeman.
- (8) A member of a candidate's committee.
- (9) A member of a central committee.
- (10) A member of a national committee of a political party.
- (11) An employee or an agent of a political party or of an entity described in any of subdivisions (8) through (10).
- (12) An individual who is either of the following:
 - (A) A paid consultant of an entity described in any of subdivisions (8) through (11).
 - (B) An employee of a paid consultant of an entity described in any of subdivisions (8) through (11).

(13) An individual registered as a lobbyist under IC 2-7.

Sec. 5. (a) Before undertaking duties as a commission member, an individual appointed under section 2 or 8 of this chapter must do each of the following:

- (1) Take an oath of office.
- (2) Make an affirmation that the individual will:
 - (A) apply the provisions of this article in an honest and independent manner; and
 - (B) uphold public confidence in the integrity of the redistricting process.
- (3) Make a written pledge that the individual will not be a candidate for:
 - (A) election to the general assembly; or
 - (B) selection to fill a vacancy in the general assembly;

at any time before the second election for members of the general assembly after the individual's appointment

to the commission.

(4) Make a written pledge that the individual will not do any of the following until plans are adopted as provided in this article:

- (A) Make a contribution (as defined in IC 3-5-2-15).
- (B) Attend any function relating to the election of a candidate.
- (C) Serve in any capacity described in section 4 of this chapter.

(b) A member's oath, affirmation, and pledge shall be filed with the agency.

Sec. 6. An individual serves as a commission member until the earliest of the following:

- (1) The individual resigns the individual's membership on the commission.
- (2) The individual is removed as a member of the commission under section 7 of this chapter.
- (3) The appointment of a new commission under this chapter following a federal decennial census.

Sec. 7. (a) A commission member may be removed from office for any of the following:

- (1) Substantial neglect of duty.
- (2) Gross misconduct in office.
- (3) Inability to discharge the duties of a member of the commission.
- (4) Becoming a candidate in violation of the commission member's pledge under section 5(a)(3) of this chapter.
- (5) Taking an action in violation of the commission member's pledge under section 5(a)(4) of this chapter.
- (6) Ceasing to be a resident of Indiana as required by section 3 of this chapter.
- (7) Being convicted of an action that would result in the removal of a public officer under IC 5-8-1-38 or IC 5-8-3-1.

(b) The supreme court has original and exclusive jurisdiction to remove a commission member. Any resident of Indiana may seek to remove a commission member by filing a verified complaint with the clerk of the supreme court and serving the agency with a copy. The agency shall immediately transmit a copy of the complaint to all members of the commission by electronic mail or by a faster method, if available.

(c) The supreme court may decide the matter by summary disposition, or after a hearing, if necessary, under such procedures as the supreme court establishes by rule or order to resolve the matter. The supreme court shall decide the matter as expeditiously as possible, but not later than seven (7) days after the date the complaint is filed, in order to permit the commission to complete its duties under the schedule established by IC 2-1.5-3.

Sec. 8. (a) If a vacancy occurs in the position of a commission member who was appointed under section 2(a) of this chapter, the leader of the caucus whose leader appointed the member whose position is vacant shall appoint an individual to fill the vacancy:

- (1) not later than fifteen (15) days after the vacancy occurs; and
- (2) in the same manner described in section 2(a) of this chapter.

(b) If a vacancy occurs during a redistricting year in the position of a commission member who was appointed under section 2(b) of this chapter, the commission shall:

- (1) not later than fifteen (15) days after the vacancy occurs either:

- (A) appoint a candidate from the pool established under section 2(b)(1) of this chapter to fill the vacancy; or

- (B) if no candidate described in clause (A) meets the qualifications of this article or is available to serve, appoint an individual to fill the vacancy; and

- (2) certify to the executive director of the agency the appointment of the individual to the commission.

(c) If a vacancy occurs during a year that is not a redistricting year in the position of a commission member who was appointed under section 2(b) of this chapter, the commission:

- (1) shall appoint an individual to fill the vacancy not later than fifteen (15) days after the vacancy occurs; and

- (2) shall certify to the executive director of the agency the appointment of the individual to the commission.

(d) If the position of commission chair becomes vacant, the commission shall appoint an individual to fill the vacancy:

- (1) not later than fifteen (15) days after the vacancy occurs; and

- (2) in the same manner:

- (A) described in section 2(c) of this chapter, if the vacancy occurs during a redistricting year; or

- (B) described in subsection (c), if the vacancy occurs during a year that is not a redistricting year.

Sec. 9. The affirmative vote of seven (7) commission members is necessary for the commission to take official action.

Sec. 10. Each commission member is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council.

Sec. 11. (a) The agency shall provide the commission with staff and administrative services.

(b) The expenses of the commission shall be paid out of amounts appropriated to the legislative council (created under IC 2-5-1.1-1) and the agency, including the costs of litigation (if any).

Sec. 12. (a) The definitions in IC 3-5-2 apply throughout this section.

(b) A commission member who has communicated, directly or indirectly, regarding redistricting with any of the following, other than during a public meeting of the commission, shall take the action described in subsection (c):

- (1) A member of the Congress of the United States.

- (2) A member of the general assembly.

- (3) An individual who holds any other public office.

- (4) An individual who has held a public office described in subdivisions (1) through (3).

- (5) A candidate for a public office described in subdivisions (1) through (3).

- (6) An individual otherwise described in section 4 of this chapter, other than an employee of the agency acting within the scope of the employee's responsibilities under section 11 of this chapter.

(c) If a commission member communicates regarding redistricting with an individual described in subsection (b), the commission member shall do the following:

- (1) If the communication is written or electronic material, the commission member shall instruct that the written or electronic material be placed in the commission's public records not later than five (5) days after the commission member reads the written or electronic material.

- (2) If the communication is other than written or electronic material, the commission member shall place a verified written description of the communication in the commission's public records not later than five (5) days after the communication occurs. The verified written description must include the following information:

- (A) The name of the individual with whom the communication occurred.

- (B) The date and approximate time of the communication.

- (C) A description of the nature and substance of the communication.

(d) A commission member who fails to comply with this section commits gross misconduct in office and is subject to removal from the commission under section 7 of this chapter.

Chapter 3. Redistricting Procedure

Sec. 1. (a) Before January 1 of a redistricting year, the agency shall do the following:

- (1) Acquire any hardware, software, and supplies necessary to assist the commission in the performance of the commission's duties under this article.

- (2) Establish an Internet based redistricting portal to:
 - (A) assist the public in drawing maps and providing input on the redistricting process; and
 - (B) allow members of the public to upload their own maps.

(b) At any time, the agency may acquire additional hardware, software, and supplies the executive director of the agency considers necessary to assist the commission in performance of the commission's duties under this article.

Sec. 2. (a) Not later than March 15 of a redistricting year, the commission's chair shall convene the commission to do the following:

- (1) Organize the commission.

(2) Receive reports from the agency concerning the following:

(A) Information relating to the receipt of census data from the bureau.

(B) The readiness of the agency to assist the commission's work.

(C) Any other matter on which a report is requested by the commission.

(3) Provide initial instructions to the agency regarding the commission's work.

(4) Schedule hearings required or permitted under section 5 of this chapter.

(5) Schedule other meetings the commission considers necessary.

(6) Schedule the receipt of maps from the public.

(b) IC 5-14-1.5 (the open door law) applies to the commission's meetings.

(c) Records of the commission shall be made available for inspection and copying in accordance with IC 5-14-3.

Sec. 3. If the agency must make a decision on a question for which no clearly applicable provision of this article or instruction of the commission provides an answer, the executive director of the agency shall submit a written request to the commission for direction.

Sec. 4. (a) The agency shall do the following:

(1) Create maps of legislative district plans and congressional district plans that conform to this article and the commission's instructions.

(2) Prepare written descriptions of the maps created under subdivision (1).

(3) Evaluate maps submitted by the public for conformance with the standards set forth in IC 2-1.5-4.

(b) The agency shall produce as many different plans as the commission instructs:

(1) not earlier than May 1 of a redistricting year; and

(2) not later than May 15 of the redistricting year.

(c) The agency shall publish the maps and descriptions:

(1) prepared for the commission by the agency; and

(2) submitted to the commission from the public;

as directed by the commission not later than May 15 of a redistricting year.

Sec. 5. (a) As directed by the commission, the agency shall receive for the commission written public comments regarding the plans after publication of the plans.

(b) The commission shall provide for at least one (1) public hearing in each Indiana congressional district, and an additional meeting in Marion County, as determined by the commission. At least two (2) commission members shall be present at each public hearing, and a commission member shall preside and conduct the hearing. The hearings shall be held not later than June 30 of a redistricting year and shall be recorded and made available live and archived for public viewing on the Internet.

(c) The commission may hold hearings in addition to the hearings required by subsection (b).

(d) The commission shall do the following at any hearing held under this section:

(1) Explain the redistricting procedure.

(2) Present the plans prepared for the commission by the agency.

(3) Have available the plans submitted by the public and the agency's evaluation of those plans.

(4) Hear public comments and suggestions.

(e) The commission may take other actions the commission considers appropriate to do the following:

(1) Explain the redistricting procedure or the plans to the public.

(2) Receive public comments and suggestions.

(f) The commission may modify, with or without additional public hearings under this section, the maps published under section 4 of this chapter to:

(1) incorporate any public comments and suggestions adopted by the commission; or

(2) comply with the federal Voting Rights Act in accordance with IC 2-1.5-4-10(b).

The commission shall adopt any modifications made under this subsection in a public meeting.

(g) The commission shall give public notice of a meeting held under this section not later than ten (10) days before the date of the meeting.

Sec. 6. (a) Not later than August 1 of a redistricting year, the commission shall meet to adopt a report to the general assembly. The report must include the following:

(1) A summary of the commission's and the agency's preparation for the commission's work.

(2) A description of the hearings held under section 5 of this chapter.

(3) A summary of the public comments and suggestions received in writing and at the hearings.

(4) The commission's recommendation to the general assembly for each of the following:

(A) A district plan for the house of representatives.

(B) A district plan for the senate.

(C) A congressional district plan.

(5) Maps for each plan, including both a statewide map and a map for each district.

(6) A bill that would enact each of the plans.

(b) The commission shall recommend to the general assembly the plan the commission considers the best in meeting the standards set forth in IC 2-1.5-4.

(c) The commission may include any other information in the report the commission considers useful to explain the commission's work or recommendations.

(d) The report required by this section must be submitted to the legislative council in an electronic format under IC 5-14-6.

Sec. 7. (a) If, for any reason, an appointing authority, a nominating authority, the agency, the commission, or the general assembly is unable to complete a duty required under this article or IC 2-2.1-1-2.7 before the deadline specified by

law, the appointing authority, nominating authority, agency, commission, or general assembly, as applicable, shall expedite completion of the requirement as soon as practicable after the deadline.

(b) If a court invalidates a plan after October 1 of a redistricting year, the commission and the general assembly shall take all necessary action to expedite the adoption of a plan to replace the invalidated plan.

Chapter 4. Redistricting Standards

Sec. 1. Districts created for the house of representatives, the senate, and the United States House of Representatives must comply with the standards of this chapter.

Sec. 2. (a) A plan for house of representatives districts must provide for one hundred (100) districts.

(b) A plan for senate districts must provide for fifty (50) districts.

(c) A plan for congressional districts must provide for as many districts as are allocated to Indiana under 2 U.S.C. 2a.

Sec. 3. Districts must be established on the basis of population.

Sec. 4. Except as provided by section 10 of this chapter, the population of a district of the house of representatives or the senate may not deviate from the ideal district population by more than two percent (2%) of the ideal district population.

Sec. 5. (a) Districts must be composed of contiguous territory.

(b) Areas that meet only at the point of adjoining corners are not considered contiguous.

Sec. 6. Districts must be as compact as possible to the extent practicable while considering other provisions of this chapter and the federal Voting Rights Act.

Sec. 7. Districts must not breach precinct boundaries.

Sec. 8. To the extent possible consistent with sections 3 through 7 of this chapter, district boundaries must seek to coincide with the boundaries of Indiana political subdivisions as follows:

(1) The commission shall seek to minimize the number of counties and cities divided among more than one (1) district.

(2) Except as provided in subdivision (3), if there is a choice between political subdivisions to be divided, a more populous political subdivision shall be divided before a less populous political subdivision is divided.

(3) Subdivision (2) does not apply to a district boundary drawn along a county line that passes through a municipality that lies in more than one (1) county.

Sec. 9. A plan for senate districts may not include a senate district that includes the residence address of two (2) or more senators, one (1) or more of whose term of office expires at the second general election held after the redistricting year.

Sec. 10. (a) In evaluating plans for recommendation, the commission shall consider the effect that a plan has on language minority groups and racial minority groups as required by the federal Voting Rights Act.

(b) Except as provided in this subsection, the commission and the agency may not consider past election results in preparing proposed maps of legislative district plans and congressional district plans. After the maps have been published under IC 2-1.5-3-4, the agency shall review past election results to evaluate the proposed maps for compliance with the federal Voting Rights Act, and if necessary, shall recommend to the commission one (1) or more modifications to the maps to bring the maps into compliance with the federal Voting Rights Act. The modifications recommended under this subsection may include population deviations greater than those imposed under section 4 of this chapter. However, the population deviations may not exceed ten percent (10%).

SECTION 2. IC 2-2.1-1-2.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2.7. (a) The definitions in IC 2-1.5-1 apply throughout this section.

(b) Before October 1 of a redistricting year, the general assembly shall convene and enact bills to establish the following:

- (1) House of representatives districts.
- (2) Senate districts.
- (3) Congressional districts.

(c) A bill to enact a redistricting plan recommended by the redistricting commission under IC 2-1.5-3 must be introduced in, considered by, and voted on by each house of the general assembly, without amendment, except amendments of a technical nature.

(d) If the general assembly does not enact the redistricting plan recommended by the redistricting commission under IC 2-1.5-3, the general assembly shall provide, not later than two (2) days after the general assembly fails to enact the recommended plan, written comments to the redistricting commission concerning the reason or reasons why the recommended plan was not enacted.

(e) Not later than fifteen (15) days after receiving the general assembly's comments under subsection (d), the redistricting commission shall recommend to the general assembly a second redistricting plan. The second redistricting plan recommended by the redistricting commission must be introduced in, considered by, and voted on by each house of the general assembly, without amendment, except amendments of a technical nature.

(f) Unless the general assembly has enacted bills described in subsection (b) at:

- (1) a session convened under another section of this chapter; or
- (2) a special session called by the governor;

the general assembly may not consider a matter that is not relevant to the legislation described in subsection (b) during a session convened under this section.

SECTION 3. IC 3-3-2 IS REPEALED [EFFECTIVE JULY 1, 2018]. (Redistricting Commission).

SECTION 4. IC 3-3-5-10, AS ADDED BY P.L.215-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 10. Beginning November 6, 2012, the 2001 Congressional District Plan:

- (1) adopted by the redistricting commission under IC 3-3-2 **(before its repeal)**; and
- (2) published in the governor's executive order 01-11 in the Indiana Register at 24 IR 3293-3298;

is void.

SECTION 5. IC 3-8-2-8, AS AMENDED BY P.L.169-2015, SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 8. (a) A declaration of candidacy for the office of United States Senator or for the office of governor must be accompanied by a petition signed by at least four thousand five hundred (4,500) voters of the state, including at least five hundred (500) voters from each congressional district.

(b) Each petition must contain the following:

- (1) The signature of each petitioner.
- (2) The name of each petitioner legibly printed.
- (3) The residence address of each petitioner as set forth on the petitioner's voter registration record.

(c) Except as provided in this subsection, the signature, printed name, and residence address of the petitioner must be made in writing by the petitioner. If a petitioner with a disability is unable to write this information on the petition, the petitioner may authorize an individual to do so on the petitioner's behalf. The individual acting under this subsection shall execute an affidavit of assistance for each such petitioner, in a form prescribed by the election division. The form must set forth the name and address of the individual providing assistance, and the date the individual provided the assistance. The form must be submitted with the petition.

(d) This subsection applies to a petition filed during the period:

- (1) beginning on the date that a congressional district plan has been adopted under ~~IC 3-3-2~~; **IC 2-1.5**; and
- (2) ending on the date that ~~the part of the act or order issued under IC 3-3-2 establishing~~ the previous congressional district plan is repealed or superseded.

The petition must be signed by at least four thousand five hundred (4,500) voters of Indiana, including at least five hundred (500) voters from each congressional district created by the most recent congressional district plan adopted under ~~IC 3-3-2~~; **IC 2-1.5**.

SECTION 6. IC 3-8-3-2, AS AMENDED BY P.L.169-2015, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2. (a) A request filed under section 1 of this chapter must be accompanied by a petition signed by at least four thousand five hundred (4,500) voters of the state, including at least five hundred (500) voters from each congressional district.

(b) Each petition must contain the following:

- (1) The signature of each petitioner.
- (2) The name of each petitioner legibly printed.

(3) The residence address of each petitioner as set forth on the petitioner's voter registration record.

(c) Except as provided in this subsection, the signature, printed name, and residence address of the petitioner must be made in writing by the petitioner. If a petitioner with a disability is unable to write this information on the petition, the petitioner may authorize an individual to do so on the petitioner's behalf. The individual acting under this subsection shall execute an affidavit of assistance for each such petitioner, in a form prescribed by the election division. The form must set forth the name and address of the individual providing assistance, and the date the individual provided the assistance. The form must be submitted with the petition.

(d) This subsection applies to a petition filed during the period:

- (1) beginning on the date that a congressional district plan has been adopted under ~~IC 3-3-2~~; **IC 2-1.5**; and
- (2) ending on the date that ~~the part of the act or order issued under IC 3-3-2 establishing~~ the previous congressional district plan is repealed or superseded.

The petition must be signed by at least four thousand five hundred (4,500) voters of Indiana, including at least five hundred (500) voters from each congressional district created by the most recent congressional district plan adopted under ~~IC 3-3-2~~; **IC 2-1.5**."

Delete pages 2 through 5.

Renumber all SECTIONS consecutively.

(Reference is to SB 326 as printed January 23, 2018.)

LANANE

Upon request of Senator Lanane the President Pro Tempore ordered the roll of the Senate to be called. Roll Call 76: yeas 9, nays 40.

Motion failed.

SENATE MOTION
(Amendment 326-1)

Madam President: I move that Senate Bill 326 be amended to read as follows:

Page 1, line 6, delete "17" and insert "**18**".

Page 3, between lines 16 and 17, begin a new paragraph and insert:

"Sec. 17. (a) As used in this section, "agency" refers to the legislative services agency established by IC 2-5-1.1-7.

(b) The agency shall review an initial proposed plan for:

- (1) house of representative districts; or**
- (2) senate districts;**

to determine if the proposed plan complies with this chapter.

(c) The agency's review of an initial proposed plan must be included with the introduced version of the bill that incorporates the initial proposed plan."

Page 3, line 17, delete "17." and insert "**18**".

Page 3, line 31, delete "15" and insert "**16**".

Page 5, between lines 3 and 4, begin a new paragraph and insert:

"Sec. 15. (a) As used in this section, "agency" refers to the legislative services agency established by IC 2-5-1.1-7.

(b) The agency shall review an initial proposed plan for congressional districts to determine if the proposed plan complies with this chapter.

(c) The agency's review of an initial proposed plan must be included with the introduced version of the bill that incorporates the initial proposed plan."

Page 5, line 4, delete "15." and insert "16."

(Reference is to SB 326 as printed January 23, 2018.)

BREAUX

Upon request of Senator Breaux the President Pro Tempore ordered the roll of the Senate to be called. Roll Call 77: yeas 10, nays 39.

Motion failed. The bill was ordered engrossed.

Senate Bill 340

Senator Holdman called up Senate Bill 340 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 340-1)

Madam President: I move that Senate Bill 340 be amended to read as follows:

Page 12, delete lines 39 through 41, begin a new line block indented and insert:

"(9) Whether the complication was previously managed by the abortion provider or the abortion provider's required back-up physician."

Page 13, delete lines 5 through 7.

Page 13, line 8, delete "(14)" and insert "(13)".

Page 13, line 10, delete "(15)" and insert "(14)".

Page 13, line 11, delete "(16)" and insert "(15)".

Page 13, line 13, delete "(17)" and insert "(16)".

(Reference is to SB 340 as printed January 26, 2018.)

L. BROWN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 351

Senator Kruse called up Senate Bill 351 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 373

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

Senate Bill 380

Senator Messmer called up Senate Bill 380 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 380-1)

Madam President: I move that Senate Bill 380 be amended to read as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 10.

Renumber all SECTIONS consecutively.

(Reference is to SB 380 as printed January 26, 2018.)

MESSMER

Motion prevailed. The bill was ordered engrossed.

Senate Bill 393

Senator Eckerty called up Senate Bill 393 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 421

Senator Becker called up Senate Bill 421 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 425

Senator Doriot called up Senate Bill 425 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 425-1)

Madam President: I move that Senate Bill 425 be amended to read as follows:

Page 1, line 3, delete "subsection," and insert "section,".

Page 1, line 6, delete "drive-away" and insert "drive away".

(Reference is to SB 425 as printed January 26, 2018.)

DORIOT

Motion prevailed. The bill was ordered engrossed.

Senate Bill 434

Senator Spartz called up Senate Bill 434 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 35

Senator Ford called up Engrossed Senate Bill 35 for third reading:

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

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

Roll Call 78: yeas 41, nays 8. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Morrison, Heaton, Baird and Kersey.

Engrossed Senate Bill 44

Senator Bohacek called up Engrossed Senate Bill 44 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 79: yeas 44, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Pressel.

Engrossed Senate Bill 130

Senator Bohacek called up Engrossed Senate Bill 130 for third reading:

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

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

Roll Call 80: 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 Pressel.

Engrossed Senate Bill 156

Senator Houchin called up Engrossed Senate Bill 156 for third reading:

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

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

Roll Call 81: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Frye.

Engrossed Senate Bill 165

Senator Crane called up Engrossed Senate Bill 165 for third reading:

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

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

Roll Call 82: yeas 47, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Thompson.

Engrossed Senate Bill 274

Senator Bassler called up Engrossed Senate Bill 274 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 83: 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 Wolkins.

Engrossed Senate Bill 290

Senator Ford called up Engrossed Senate Bill 290 for third reading:

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

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

Roll Call 84: yeas 47, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Lehman.

Engrossed Senate Bill 296

Senator Raatz called up Engrossed Senate Bill 296 for third reading:

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

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

Roll Call 85: yeas 45, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Negele.

Engrossed Senate Bill 300

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

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

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

Roll Call 86: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Miller.

Engrossed Senate Bill 361

Senator Charbonneau called up Engrossed Senate Bill 361 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 87: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Soliday and Ober.

Engrossed Senate Bill 362

Senator Charbonneau called up Engrossed Senate Bill 362 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 88: 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 Ober.

Engrossed Senate Bill 376

Senator Perfect called up Engrossed Senate Bill 376 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 89: yeas 48, nays 1. The bill was declared passed.

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

Engrossed Senate Bill 417

Senator Doriot called up Engrossed Senate Bill 417 for third reading:

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

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

Roll Call 90: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Miller, Pressel and Wolkins.

Engrossed Senate Bill 438

Senator Spartz called up Engrossed Senate Bill 438 for third reading:

A BILL FOR AN ACT 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 91: 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 Lehman.

REPORT OF THE PRESIDENT PRO TEMPORE

I hereby report that SR 15, which was assigned to the Committee on Health and Provider Services, be reassigned from committee and shall be eligible for immediate action.

LONG

Report adopted.

SENATE MOTION

Madam President: I move that Senators Lanane, Tallian, Messmer, Charbonneau, Ford, Bohacek, Crider, Glick, Koch, J. Smith, Lonnie M. Randolph and Zakas be added as coauthors of Senate Concurrent Resolution 4.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mishler be added as second author and Senator Niezgodski be added as third author of Senate Concurrent Resolution 21.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as second author of Senate Bill 52.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as coauthor of Senate Bill 52.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 52.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as coauthor of Senate Bill 52.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as second author, Senator Charbonneau be added as third author, and Senators Tomes and Stoops be added as coauthors of Senate Bill 62.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 62.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Zay and Delph be added as coauthors of Senate Bill 65.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ford be added as coauthor of Senate Bill 79.

STOOPS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 99.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Perfect be added as second author of Senate Bill 164.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as coauthor of Senate Bill 164.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 164.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as coauthor of Senate Bill 166.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 172.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Walker be added as second author, Senator Tallian be added as third author, and Senators Lonnie M. Randolph, Stoops, Charbonneau and Houchin be added as coauthors of Senate Bill 173.

BUCK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 195.

NIEMEYER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as coauthor of Senate Bill 195.

NIEMEYER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as coauthor of Senate Bill 210.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 210.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Holdman and Sandlin be added as coauthors of Senate Bill 217.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as coauthor of Senate Bill 217.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as second author of Senate Bill 222.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as coauthor of Senate Bill 237.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Delph be added as second author of Senate Bill 239.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be removed as second author of Senate Bill 243.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bray be removed as author of Senate Bill 243 and Senator Charbonneau be substituted therefor.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bray be added as second author of Senate Bill 243.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as second author of Senate Bill 258.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as coauthor of Senate Bill 261.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Delph be added as second author of Senate Bill 262.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as second author of Senate Bill 268.

BUCK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Sandlin be added as second author of Senate Bill 274.

BASSLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as second author and Senator Stoops be added as third author of Senate Bill 286.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author of Senate Bill 296.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as coauthor of Senate Bill 296.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Kruse and Becker be added as coauthors of Senate Bill 325.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Messmer be added as coauthor of Senate Bill 325.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as second author of Senate Bill 330.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as second author of Senate Bill 331.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Alting be added as third author of Senate Bill 339.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as second author and Senator Houchin be added as coauthor of Senate Bill 340.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 340.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as coauthor of Senate Bill 341.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator G. Taylor be removed as author of Senate Bill 347 and Senator Bassler be substituted therefor.

G. TAYLOR

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator G. Taylor be added as second author of Senate Bill 347.

BASSLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 351.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 361.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as coauthor of Senate Bill 361.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Stoops, Niezgodski and Glick be added as coauthors of Senate Bill 361.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 362.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Glick, Niezgodski and Stoops be added as coauthors of Senate Bill 362.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bassler be added as third author and Senator L. Brown be added as coauthor of Senate Bill 376.

PERFECT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as second author of Senate Bill 377.

PERFECT

Motion prevailed.

SENATE MOTION

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

MESSMER

Motion prevailed.

SENATE MOTION

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

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author and Senator Niezgodski be added as third author of Senate Bill 386.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as coauthor of Senate Bill 386.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Lonnie M. Randolph and Lanane be added as coauthors of Senate Bill 393.

ECKERTY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Eckerty be removed as author of Senate Bill 416 and Senator Zay be substituted therefor.

ECKERTY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Eckerty be added as second author of Senate Bill 416.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second author of Senate Bill 417.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as coauthor of Senate Bill 417.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as second author of Senate Bill 420.

PERFECT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as second author of Senate Bill 425.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be removed as coauthor of Senate Bill 433.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author and Senator L. Brown be added as third author of Senate Bill 433.

SPARTZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as coauthor of Senate Bill 438.

SPARTZ

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, January 30, 2018.

BRAY

Motion prevailed.

The Senate adjourned at 4:09 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate