



Journal of the House

State of Indiana

121st General Assembly

First Regular Session

Forty-Second Day

Monday Afternoon

April 8, 2019

The invocation was offered by Pastor Scott Fulcher of Bible Baptist in Otwell, a guest of Representative Lindauer.

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

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

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

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

VanNatter
Wesco
Wolkins
Wright

J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 414: 96 present; 4 excused. The Speaker announced a quorum in attendance. [NOTE: indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, April 9, 2019, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

ENGROSSED SENATE BILLS ON SECOND READING

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: Engrossed Senate Bills 79, 111, 144, 172, 276, 280, 322, 359, 438, 519, 546 and 575.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 26

Representatives Mahan, Bartlett, Cook and Karickhoff introduced House Concurrent Resolution 26:

A CONCURRENT RESOLUTION recognizing and congratulating Pearl E. Bassett as a civil rights champion and pillar of Grant County, Indiana.

Whereas, Pearl E. Bassett has been a lifelong champion for civil rights, and her journey to success began through the teaching and encouragement of her parents who provided a strong family for her and her seven siblings;

Whereas, Pearl Bassett is a Christian and woman of stature, and she has been blessed to have the ability to distinguish and comprehend that which is obscured from vision and reasoning;

Whereas, Pearl Bassett is a believer of Jesus Christ, and she knows that God works through people from all places and perspectives on the political and economic power structure to create change and to move the world to new levels of civility;

Whereas, Pearl Bassett strives to encourage Hoosiers to get involved and find a way to make their community a better place and, in the process, helps others become knowledgeable about their rich heritage;

Whereas, Pearl Bassett has served as a voice for the poor and the disenfranchised in Hoosier communities for many years;

Whereas, Pearl Bassett has been involved in the NAACP since she was 12 years old and has dedicated her life to serving others and forging a better life for all Hoosiers;

Whereas, Pearl Bassett's mission in life has been to sustain a legacy of excellence, resilience, and unity of purpose so that all Hoosiers are seen as equals to one another; and

Whereas, Pearl Bassett was born on April 28, 1911: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes and congratulates Pearl E. Bassett as a civil rights champion and pillar of Grant County, Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Pearl Bassett and her family.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Holdman, Taylor and Zay.

House Concurrent Resolution 53

Representative Macer introduced House Concurrent Resolution 53:

A CONCURRENT RESOLUTION congratulating Dr. Jeff Butts as the 2019 Indiana Superintendent of the Year.

Whereas, The Indiana Association of Public School Superintendents has named Dr. Jeff Butts as the 2019 Indiana Superintendent of the Year;

Whereas, Dr. Butts has served the Metropolitan School District of Wayne Township since January 1, 2011;

Whereas, Dr. Butts has served as an assistant superintendent in MSD Wayne Township, as a middle school principal in Lafayette, Indiana, and held both administrative and teaching positions in the Delphi Community School Corporation in Indiana;

Whereas, Dr. Butts has collaborated with area colleges to provide more than 27,000 dual college credits each year for the district's students and oversaw the development and opening of Indiana's first public virtual high school, Achieve Virtual Education Academy;

Whereas, Dr. Butts has served as chair of the Superintendent Advisory Group for the Indiana State Board of Education; president of the Indiana Urban Schools Association; chair of the YMCA's Annual Campaign Committee; vice president of the Indy Gateway Economic Development Corporation; and is past president of the Indiana Association of Public School Superintendents;

Whereas, Dr. Butts serves as the chair of the Indiana University Partnershare and the recruitment chair for the West Side Chamber of Commerce;

Whereas, Dr. Butts has received numerous awards, including District IV Principal of the Year by the Indiana Association of School Principals in 2005; the Indiana High School Press Association 2012 Administrator of the Year; 2017 Advocate of the Year by the Indiana Council for Exceptional Children; and the YMCA Cause Drive Leadership Award in 2014;

Whereas, Dr. Butts was considered for the National Superintendent of the Year Award organized by the American Association of School Administrators and was recognized as part of the Final Four top superintendents in the nation; and

Whereas, Dr. Butts works tirelessly to serve Hoosiers in his school district and the state of Indiana: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates Dr. Jeff Butts as the 2019 Indiana Superintendent of the Year.

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

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator J.D. Ford.

Representatives Burton and Lehman, who had been present, are now excused.

RESOLUTIONS ON SECOND READING

House Concurrent Resolution 34

The Speaker handed down on its passage House Concurrent Resolution 34, introduced by Representative Cherry:

A CONCURRENT RESOLUTION honoring Indiana State Trooper Roy E. Jones.

The resolution was read a second time and adopted. Roll Call 415: yeas 92, nays 0. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Gaskill and Lanane.

Senate Concurrent Resolution 40

The Speaker handed down on its passage Senate Concurrent Resolution 40, sponsored by Representative Goodin:

A CONCURRENT RESOLUTION memorializing Sergeant Benton "Ben" Bertram and urging the Indiana Department of Transportation to name a mile of State Road 56 near Scottsburg the "Sgt. Ben Bertram Memorial Mile."

The resolution was read a second time and adopted. Roll Call 416: yeas 92, nays 0. The Clerk was directed to inform the Senate of the passage of the resolution.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 174

Representative Pressel called down Engrossed Senate Bill 174 for third reading:

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

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

Roll Call 417: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representatives Burton and Lehman, who had been excused, are now present.

Engrossed Senate Bill 206

Representative Steuerwald called down Engrossed Senate Bill 206 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 418: yeas 95, nays 0. The bill was declared passed.

The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 243

Representative Speedy called down Engrossed Senate Bill 243 for third reading:

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

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

Roll Call 419: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 323

Representative Chery called down Engrossed Senate Bill 323 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 420: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

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

Engrossed Senate Bill 365

Representative Frizzell called down Engrossed Senate Bill 365 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 421: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

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

Engrossed Senate Bill 480

Representative Pressel called down Engrossed Senate Bill 480 for third reading:

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

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

Roll Call 422: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 527

Representative DeVon called down Engrossed Senate Bill 527 for third reading:

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

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

Roll Call 423: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 558

Representative Wesco called down Engrossed Senate Bill 558 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 424: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 631

Representative McNamara called down Engrossed Senate Bill 631 for third reading:

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

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

Roll Call 425: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed House Bills (the Representative listed first is the Chair):

- EHB 1021 Conferees: Thompson, CH, and Klinker
Advisors: Judy, Steuerwald, Campbell, Hatfield and Pryor
- EHB 1056 Conferees: Manning, CH and Pryor
Advisors: Lehman, Hostettler, Chyung, Moed
- EHB 1141 Conferees: Negele, CH and Shackelford
Advisors: Sullivan, Young, Beck, Hatcher
- EHB 1165 Conferees: Lehe, CH, and Bauer
Advisors: Clere, Baird, Deal, Goodin
- EHB 1192 Conferees: Lauer, CH, Dvorak
Advisors: Stutzman, Schaibley, Beck, Deal, Hatcher
- EHB 1196 Conferees: Cherry, CH, Austin
Advisors: Eberhart, Smaltz, Moed, Summers
- EHB 1402 Conferees: Karickhoff, CH, GiaQuinta
Advisors: Leonard, Thompson, DeLaney, Pryor
- EHB 1405 Conferees: Soliday, CH, Harris
Advisors: Lehman, Pressel, Chyung, Jackson
- EHB 1432 Conferees: Steuerwald, CH, Macer
Advisors: DeVon, Frizzel, Boy, Jackson, Summers
- EHB 1660 Conferees: Goodrich, CH, Beck
Advisors: Bosma, Lyness, Bartlett, Deal, Moseley

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed Senate Bills:

ESB 2	Conferees: Advisors:	Manning and Bauer Pressel, Sullivan, Goodin, Hatcher, Pierce
ESB 33	Conferees: Advisors:	Kirchhofer and Shackelford Davisson, Lindauer, Campbell, Fleming
ESB 85	Conferees: Advisors:	VanNatter and Harris Leonard, Thompson, Beck
ESB 94	Conferees: Advisors:	Mahan and Campbell Ellington, Negele, Pierce
ESB 110	Conferees: Advisors:	McNamara, Hatcher Steuerwald, Young, Beck, Pierce
ESB 133	Conferees: Advisors:	Davisson and Shackelford Kirchhofer, Barrett, Fleming, Hatfield
ESB 228	Conferees: Advisors:	Kirchhofer and Fleming Davisson, Manning, Hatfield, Shackelford
ESB 363	Conferees: Advisors:	Prescott and Pfaff Eberhart, Karickhoff, Fleming, Hamilton
ESB 442	Conferees: Advisors:	Morrison and Beck Wolkins, Prescott, Macer, Moseley
ESB 459	Conferees: Advisors:	Morrison and Pfaff Manning, Gutwein, Deal, Macer
ESB 604	Conferees: Advisors:	Manning and Bauer Torr, Steuerwald, DeLaney, Dvorak

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 5:01 p.m. with the Speaker in the Chair.

Representative Hatcher and Sutzman, who had been excused, are now present.

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

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 131

Representative Cherry called down Engrossed Senate Bill 131 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 131-2)

Mr. Speaker: I move that Engrossed Senate Bill 131 be amended to read as follows:

Page 1, line 12, delete "This subsection applies to transactions occurring before".

Page 1, line 13, delete "July 1, 2019".

Page 2, line 14, delete "(g)." and insert "(e)".

Page 2, delete lines 15 through 42.

Page 3, delete lines 1 through 11.

Page 3, line 12, delete "(g)" and insert "(e)".

Page 3, line 13, reset in roman "subsection".

Page 3, line 13, delete "subsections (d), (e), and (f)." and insert "(d)".

Page 3, line 14, reset in roman "certification".

Page 3, line 14, delete "certifications".

Page 3, line 14, reset in roman "subsection".

Page 3, line 14, delete "subsections".

Page 3, line 15, delete "(e), and (f)".

Page 3, line 22, delete "(h)" and insert "(f)".

Page 3, line 26, delete "(i)" and insert "(g)".

Page 3, line 36, delete "countries under" and insert "countries".

Page 3, line 37, delete "IC 6-2.5-2-4(e)".

Page 3, line 37, delete "the following" and insert "all information deemed necessary by the legislative services agency to determine the economic and fiscal impact of exempting from the state gross retail tax the sale of cargo trailers and recreational vehicles to residents of nonreciprocal states and foreign countries".

Page 3, delete lines 38 through 42.

Page 4, delete lines 1 through 35.

Page 5, delete lines 14 through 30.

Renumber all SECTIONS consecutively.

(Reference is to ESB 131 as printed April 5, 2019.)

PORTER

Motion failed.

HOUSE MOTION (Amendment 131-1)

Mr. Speaker: I move that Engrossed Senate Bill 131 be amended to read as follows:

Page 4, between lines 35 and 36, begin a new paragraph and insert:

"(b) The legislative services agency may request a state or local official, a state agency, a political subdivision, a body corporate and politic, or the Indiana Manufactured Housing Association-Recreation Vehicle Indiana Council to furnish information necessary to complete the report required by this section. An official or entity presented with a request from the legislative services agency under this subsection shall cooperate with the legislative services agency in providing the requested information. An official or entity may require that the legislative services agency adhere to the provider's rules, if any, that concern the confidential nature of the information."

Page 4, line 36, delete "(b)" and insert "(c)".

(Reference is to ESB 131 as printed April 5, 2019.)

HUSTON

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 127

Representative Huston called down Engrossed Senate Bill 127 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 162

Representative Zent called down Engrossed Senate Bill 162 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 162-1)

Mr. Speaker: I move that Engrossed Senate Bill 162 be amended to read as follows:

Page 1, line 1, delete "IC 5-10-8-21" and insert "IC 5-10-8-22".

Page 1, line 3, delete "21. (a)" and insert "22. (a) As used in this section, "chronic pain" means pain that:

**(1) persists beyond the usual course of an acute disease or healing of an injury; or
(2) may be associated with an acute or chronic pathologic process that causes continuous or intermittent pain for a period of months or years.**

(b)".

Page 1, line 5, after "relieve" insert "chronic".

Page 1, line 12, delete "(b)" and insert "(c)".

Page 1, line 14, delete "(c)" and insert "(d)".
Page 2, line 4, delete "(d)" and insert "(e)".
Page 2, line 7, delete "(e)" and insert "(f)".
Page 2, line 11, delete "to physical illness".

Page 2, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 2. IC 12-7-2-33.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 33.3. "Chronic pain" means pain that:**

- (1) persists beyond the usual course of an acute disease or healing of an injury; or
- (2) may be associated with an acute or chronic pathologic process that causes continuous or intermittent pain for a period of months or years."

Page 2, line 17, after "relieve" insert "chronic".

Page 3, line 26, after "1." insert "As used in this chapter, "chronic pain" means pain that:

- (1) persists beyond the usual course of an acute disease or healing of an injury; or
- (2) may be associated with an acute or chronic pathologic process that causes continuous or intermittent pain for a period of months or years.

Sec. 2."

Page 3, line 28, after "relieve" insert "chronic".

Page 3, line 36, delete "2." and insert "3."

Page 3, line 39, delete "3." and insert "4."

Page 4, line 3, delete "4." and insert "5."

Page 4, line 6, delete "5." and insert "6."

Page 4, line 10, delete "to physical illness".

Page 4, line 18, after "(b)" insert "As used in this section, "chronic pain" means pain that:

- (1) persists beyond the usual course of an acute disease or healing of an injury; or
- (2) may be associated with an acute or chronic pathologic process that causes continuous or intermittent pain for a period of months or years.

(c)".

Page 4, line 20, after "relieve" insert "chronic".

Page 4, line 28, delete "(c)" and insert "(d)".

Page 4, line 31, delete "(d)" and insert "(e)".

Page 4, line 35, delete "to physical illness".

Page 4, line 37, delete "IC 5-10-8-21," and insert "IC 5-10-8-22,".

Renumber all SECTIONS consecutively.

(Reference is to ESB 162 as printed April 5, 2019.)

ZENT

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 193

Representative Pressel called down Engrossed Senate Bill 193 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 193-1)

Mr. Speaker: I move that Engrossed Senate Bill 193 be amended to read as follows:

Page 9, delete lines 34 through 42, begin a new paragraph and insert:

"SECTION 4. IC 36-9-23-25, AS AMENDED BY P.L.196-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 25. (a) Subject to section 37 of this chapter, the municipal legislative body shall, by ordinance, establish just and equitable fees for the services rendered by the sewage works, and provide the dates on which the fees are due.

(b) Just and equitable fees are the fees required to maintain the sewage works in the sound physical and financial condition necessary to render adequate and efficient service. The fees must be sufficient to:

- (1) pay all expenses incidental to the operation of the works, including legal expenses, maintenance costs, operating charges, repairs, lease rentals, and interest charges on bonds or other obligations;
- (2) provide the sinking fund required by section 21 of this chapter;
- (3) provide adequate money to be used as working capital; and
- (4) provide adequate money for improving and replacing the works.

Fees established after notice and hearing under this chapter are presumed to be just and equitable.

(c) Except as otherwise provided in a provision included in an ordinance under subsection (f), the fees are payable by the owner of each lot, parcel of real property, or building that:

- (1) is connected with the sewage works by or through any part of the municipal sewer system; or
- (2) uses or is served by the works.

Unless the municipal legislative body finds otherwise, the works are considered to benefit every lot, parcel of real property, or building connected or to be connected with the municipal sewer system as a result of construction work under the contract, and the fees shall be billed and collected accordingly.

(d) The municipal legislative body may use one (1) or more of the following factors to establish the fees:

- (1) A flat charge for each sewer connection. **A flat charge established after June 30, 2019, by a municipal legislative body under this subdivision:**
 - (A) may include only those expenses necessary to maintain the sewage works in sound physical and financial condition under subsection (b), including the payment of principal and interest on bonds and other obligations, whenever issued, and the establishment of a sinking fund under section 21 of this chapter; and
 - (B) may not include contributions in aid of construction (as defined in subsection (g)).

- (2) The amount of water used on the property.
- (3) The number and size of water outlets on the property.
- (4) The amount, strength, or character of sewage discharged into the sewers.
- (5) The size of sewer connections.
- (6) Whether the property has been or will be required to pay separately for any part of the sewage works.
- (7) Whether the property, although vacant or unimproved, is benefited by a local or lateral sewer because of the availability of that sewer. However, the owner must have been notified, by recorded covenants and restrictions or deed restrictions in the chain of title of the owner's property, that a fee or assessment for sewer availability may be charged, and the fee may reflect only the capital cost of the sewer and not the cost of operation and maintenance of the sewage works.

- (8) The cost of collecting, treating, and disposing of garbage in a sanitary manner, including equipment and wages.
- (9) The amount of money sufficient to compensate the municipality for the property taxes that would be paid on the sewage works if the sewage works were privately owned.
- (10) Any other factors the legislative body considers necessary.

Fees collected under subdivision (8) may be spent for that purpose only after compliance with all provisions of the ordinance authorizing the issuance of the revenue bonds for the sewage works. The board may transfer fees collected in lieu of taxes under subdivision (9) to the general fund of the municipality.

(e) The municipal legislative body may exercise reasonable discretion in adopting different schedules of fees, or in making classifications in schedules of fees, **and in collecting the fees established**, based on variations in:

- (1) the costs **actually incurred**, including capital expenditures, ~~of~~ **in** furnishing services to various classes of users or to various locations; or
- (2) the number of users in various locations.

However, contributions in aid of construction (as defined in subsection (g)) do not constitute costs of furnishing service that a municipal legislative body may consider after June 30, 2019, in adopting different schedules of fees or in making classifications in schedules of fees, subject to subsection (b). A municipal legislative body may not charge or collect any fees that are established after June 30, 2019, under this chapter and that include contributions in aid of construction, subject to subsection (b).

(f) Notwithstanding IC 14-33-5-21, this subsection does not apply to a conservancy district established under IC 14-33 for the collection, treatment, and disposal of sewage and other liquid wastes. In an ordinance adopted under this section, the municipal legislative body may include one (1) or more of the following provisions with respect to property occupied by someone other than the owner of the property:

- (1) That fees for the services rendered by the sewage works to the property are payable by the person occupying the property. At the option of the municipal legislative body, the ordinance may include any:
 - (A) requirement for a deposit to ensure payment of the fees by the person occupying the property; or
 - (B) other requirement to ensure the creditworthiness of the person occupying the property as the account holder or customer with respect to the property;

that the municipal legislative body may lawfully impose.

- (2) That the fees for the services rendered by the sewage works to the property are payable by the person occupying the property if one (1) of the following conditions is satisfied:

- (A) Either the property owner or the person occupying the property gives to the general office of the utility written notice that indicates that the person occupying the property is responsible for paying the fees with respect to the property and requests that the account or other customer or billing records maintained for the property be in the name of the person occupying the property. At the option of the municipal legislative body, the ordinance may provide that a document

that:

- (i) is executed by the property owner and the person occupying the property;
- (ii) identifies the person occupying the property by name; and
- (iii) indicates that the person occupying the property is responsible for paying the fees assessed by the utility with respect to the property;

serves as written notice for purposes of this clause.

(B) The account or other customer or billing records maintained by the utility for the property otherwise indicate that:

- (i) the property is occupied by someone other than the owner; and
- (ii) the person occupying the property is responsible for paying the fees.

(C) The property owner or the person occupying the property satisfies any other requirements or conditions that the municipal legislative body includes in the ordinance.

- (3) That fees assessed against the property for the services rendered by the sewage works to the property do not constitute a lien against the property, notwithstanding section 32 of this chapter, and subject to any requirements or conditions set forth in the ordinance.

This subsection may not be construed to prohibit a municipal legislative body from including in an ordinance adopted under this section any other provision that the municipal legislative body considers appropriate.

(g) As used in this section, "contributions in aid of construction", with respect to a municipal sewage works operated under this chapter, means any amount of money, services, or property that:

- (1) is received by the municipality that owns or operates the sewage works from any person, developer, or governmental agency;
- (2) is provided at no cost to the municipality;
- (3) includes:

- (A) previously paid fees or charges from any person or developer;
- (B) contributions, grants, or forgivable loans from governmental agencies; and
- (C) any other money or property provided at no cost to the municipality; and

- (4) does not constitute a cost that may be included in establishing a fee or rate under this chapter after June 30, 2019.

(h) For purposes of this section, a fee or charge is "established" by a municipal legislative body:

- (1) the first time the fee or charge is adopted by the municipal legislative body; and
- (2) each time the fee or charge is changed or amended by the municipal legislative body.

(i) For purposes of this subsection, "commission" refers to the Indiana utility regulatory commission created by IC 8-1-1-2. After June 30, 2019, if a sewer utility operated under this chapter charges any user of the sewage works a fee under this chapter that is established after June 30, 2019, and that is based, in whole or in part, on contributions in aid of construction, the user may file with the commission, not later than thirty (30) days after the date the newly established fee is first imposed on the user, a

petition challenging the fee. If the commission determines the fee is based in whole or in part on contributions in aid of construction, the commission shall invalidate the fee. A user's right to file a petition with the commission under this subsection is in addition to any other rights or remedies the user may have by law or contract. The commission is not precluded from reviewing a fee under this subsection because of:

- (1) a prior challenge to the fee under another law; or**
- (2) the sewer utility's exemption from the commission's jurisdiction for the approval of rates and charges.**

SECTION 5. IC 36-9-25-11, AS AMENDED BY P.L.196-2014, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 11. (a) In connection with its duties, the board may fix fees for the treatment and disposal of sewage and other waste discharged into the sewerage system, collect the fees, and establish and enforce rules governing the furnishing of and payment for sewage treatment and disposal service. The fees must be just and equitable and shall be paid by any user of the sewage works and, except as otherwise provided in an ordinance provision described in subsection (l), the owner of every lot, parcel of real property, or building that is connected with and uses the sewage works of the district by or through any part of the sewerage system. This section applies to owners of property that is partially or wholly exempt from taxation, as well as owners of property subject to full taxation.

(b) The board may change fees from time to time. The fees, together with the taxes levied under this chapter, must at all times be sufficient to produce revenues sufficient to pay operation, maintenance, and administrative expenses, to pay the principal and interest on bonds as they become due and payable, and to provide money for the revolving fund authorized by this chapter.

(c) Fees may not be established until a public hearing has been held at which all the users of the sewage works and owners of property served or to be served by the works, including interested parties, have had an opportunity to be heard concerning the proposed fees. After introduction of the resolution fixing fees, and before they are finally adopted, notice of the hearing setting forth the proposed schedule of fees shall be given by publication in accordance with IC 5-3-1. After the hearing the resolution establishing fees, either as originally introduced or as amended, shall be passed and put into effect. However, fees related to property that is subject to full taxation do not take effect until they have been approved by ordinance of the municipal legislative body or, in the case of a district described in section 3(b)(2) of this chapter, under section 11.3 of this chapter.

(d) A copy of the schedule of the fees shall be kept on file in the office of the board and must be open to inspection by all interested parties. The fees established for any class of users or property served shall be extended to cover any additional premises thereafter served that fall within the same class, without the necessity of hearing or notice. **However, contributions in aid of construction (as defined in subsection (m)) do not constitute costs of furnishing service that a board or municipal legislative body may consider after June 30, 2019, in adopting different schedules of fees or in making classifications in schedules of fees, subject to subsections (b) and (j). A board or municipal legislative body may not charge or collect any fees that are established after June 30, 2019, under this chapter and that include contributions in aid of construction, subject to subsections (b) and (j).**

(e) A change of fees may be made in the same manner as fees were originally established. However, if a change is made substantially pro rata for all classes of service, hearing or notice is not required, but approval of the change by ordinance of the

municipal legislative body is required, and, in the case of a district described in section 3(b)(2) of this chapter, approval under section 11.3 of this chapter is required.

(f) If a fee established is not paid within thirty (30) days after it is due, the board may recover, in a civil action in the name of the municipality, the amount, together with a penalty of ten percent (10%) and a reasonable attorney's fee from:

- (1) the delinquent user; or
- (2) the owner of the property;

subject to any ordinance described in subsection (l).

(g) Except as otherwise provided in subsection (h) or in an ordinance provision described in subsection (l), fees assessed against real property under this section also constitute a lien against the property assessed. The lien attaches at the time of the filing of the notice of lien in the county recorder's office. The lien is superior to all other liens except tax liens, and shall be enforced and foreclosed in the same manner as is provided for liens under IC 36-9-23-33 and IC 36-9-23-34.

(h) A fee assessed against real property under this section constitutes a lien against the property assessed only when the fee is delinquent for no more than three (3) years from the day after the fee is due.

(i) In addition to the:

- (1) penalties under subsections (f) and (g); or
- (2) alternative penalty available under section 11.5 of this chapter;

a delinquent user may not discharge water into the public sewers and may have the property disconnected from the public sewers.

(j) The authority to establish a user fee under this section includes fees to recover the cost of construction of sewage works from industrial users as defined and required under federal statute or rule. Any industrial users' cost recovery fees may become a lien upon the real property and shall be collected in the manner provided by law. In addition, the imposition of the fees, the use of the amounts collected, and the criteria for the fees must be consistent with the regulations of the federal Environmental Protection Agency.

(k) The authority to establish a user fee under this section includes fees to recover the costs associated with providing financial assistance under section 42 of this chapter. A fee that is:

- (1) established under this subsection or any other law; and
- (2) used to provide financial assistance under section 42 of this chapter;

is considered just and equitable if the project for which the financial assistance is provided otherwise complies with the requirements of this chapter.

(l) For purposes of this subsection, "municipal legislative body" refers to the legislative body of each municipality in the district, in the case of a district described in section 3(b)(2) of this chapter. This subsection does not apply to a conservancy district established under IC 14-33 for the collection, treatment, and disposal of sewage and other liquid wastes. In an ordinance adopted under this chapter, the municipal legislative body may include one (1) or more of the following provisions with respect to property occupied by someone other than the owner of the property:

- (1) That fees for the services rendered by the sewerage system to the property are payable by the person occupying the property. At the option of the municipal legislative body, the ordinance may include any:

(A) requirement for a deposit to ensure payment of the fees by the person occupying the property; or

(B) other requirement to ensure the creditworthiness of the person occupying the property as the account holder or customer with respect to the property;

that the municipal legislative body may lawfully impose.

(2) That the fees for the services rendered by the sewerage system to the property are payable by the person occupying the property if one (1) of the following conditions is satisfied:

(A) Either the property owner or the person occupying the property gives to the board written notice that indicates that the person occupying the property is responsible for paying the fees with respect to the property and requests that the account or other customer or billing records maintained for the property be in the name of the person occupying the property. At the option of the municipal legislative body, the ordinance may provide that a document that:

- (i) is executed by the property owner and the person occupying the property;
- (ii) identifies the person occupying the property by name; and
- (iii) indicates that the person occupying the property is responsible for paying the fees assessed by the board with respect to the property;

serves as written notice for purposes of this clause.

(B) The account or other customer or billing records maintained by the board for the property otherwise indicate that:

- (i) the property is occupied by someone other than the owner; and
- (ii) the person occupying the property is responsible for paying the fees.

(C) The property owner or the person occupying the property satisfies any other requirements or conditions that the municipal legislative body includes in the ordinance.

(3) That fees assessed against the property for the services rendered by the sewerage system to the property do not constitute a lien against the property, notwithstanding subsection (g), and subject to any requirements or conditions set forth in the ordinance.

This subsection may not be construed to prohibit a municipal legislative body from including in an ordinance adopted under this chapter any other provision that the municipal legislative body considers appropriate.

(m) For purposes of this subsection, "municipality" refers to one (1) or more municipalities included in the district, in the case of a district described in section 3(b)(2) of this chapter. As used in this section, "contributions in aid of construction", with respect to a sewage works operated under this chapter, means any amount of money, services, or property that:

- (1) is received by a municipality that owns or operates, in whole or in part, the sewage works from any person, developer, or governmental agency;**
- (2) is provided at no cost to the municipality;**
- (3) includes:**

- (A) previously paid fees or charges from any person or developer;**
- (B) contributions, grants, or forgivable loans from governmental agencies; and**

(C) any other money or property provided at no cost to the municipality; and

(4) does not constitute a cost that may be included in establishing a fee or rate under this chapter after June 30, 2019.

(n) For purposes of this section, a fee or charge is "established" by a board or a municipal legislative body:

- (1) the first time the fee or charge is adopted by the board or the municipal legislative body; and**
- (2) each time the fee or charge is changed or amended by the board or the municipal legislative body.**

(o) For purposes of this subsection, "commission" refers to the Indiana utility regulatory commission created by IC 8-1-1-2. After June 30, 2019, if a sewer utility operated under this chapter charges any user of the sewage works a fee under this chapter that is established after June 30, 2019, and that is based, in whole or in part, on contributions in aid of construction, the user may file with the commission, not later than thirty (30) days after the date the newly established fee is first imposed on the user, a petition challenging the fee. If the commission determines the fee is based in whole or in part on contributions in aid of construction, the commission shall invalidate the fee. A user's right to file a petition with the commission under this subsection is in addition to any other rights or remedies the user may have by law or contract. The commission is not precluded from reviewing a fee under this subsection because of:

- (1) a prior challenge to the fee under another law; or**
- (2) the sewer utility's exemption from the commission's jurisdiction for the approval of rates and charges.**

SECTION 6. IC 36-9-25-12, AS AMENDED BY P.L.127-2017, SECTION 318, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 12. (a) The fees for the treatment and disposal of sewage may be based on **the following:**

(1) A flat charge for each sewer connection. A flat charge established after June 30, 2019, under this subdivision:

- (A) may include only those expenses necessary to produce revenues sufficient to pay the expenses described in section 11(b) of this chapter, including the payment of principal and interest on bonds and other obligations, whenever issued, and the establishment of a bond fund or a sinking fund under of this chapter; and**
- (B) may not include contributions in aid of construction (as defined in section 11(m) of this chapter).**

- (2) The amount of water used on the premises.**
- (3) The number and size of water outlets on the premises.**
- (4) The amount, strength, or character of sewage discharged into the sewers.**
- (5) The size of sewer connections. or**
- (6) Any combination of these factors or other factors that the board determines necessary in order to establish just and equitable rates and charges.**

(b) The board may enter into contracts with a water utility furnishing water service to users or property served in the district relative to:

- (1) ascertaining the amount of water consumed;**
- (2) the computation of the amount of charge to**

- be billed to each user or property served;
- (3) the billing and collection of the amounts; and
- (4) the discontinuance of water service to delinquent users as provided in section 11.5 of this chapter.

(c) As an alternative to subsection (b), the board may require a water utility furnishing water service to users or property served in the district to perform the functions listed in subsection (b). If the water utility and the board do not agree upon the reasonable compensation to be paid to the water utility for the services described in subsection (b), the board or the water utility may apply to the utility regulatory commission to establish the reasonable compensation for the services. Upon receipt of an application, the utility regulatory commission, after notice to the water utility and the board and after a hearing, shall establish the reasonable compensation to be paid for the services. The water utility shall then render the services described in return for the compensation fixed.

(d) If a person owns or occupies real property that is connected to the sewage works and either directly or indirectly uses water obtained from a source other than a water utility that is not measured by a water meter acceptable to the board, then the board may require the person, at the person's own expense, to furnish, install, and maintain a water or sewage measuring device acceptable to the board.

(e) For purposes of this section, a fee or charge is "established" by a board or a municipal legislative body:

- (1) the first time the fee or charge is adopted by the board or the municipal legislative body; and
- (2) each time the fee or charge is changed or amended by the board or the municipal legislative body."

Delete pages 10 through 18.
 Page 19, delete lines 1 through 14.
 Renumber all SECTIONS consecutively.
 (Reference is to ESB 193 as printed April 5, 2019.)
 PRESSEL

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 235

Representative Young called down Engrossed Senate Bill 235 for second reading. The bill was read a second time by title.

HOUSE MOTION
 (Amendment 235-1)

Mr. Speaker: I move that Engrossed Senate Bill 235 be amended to read as follows:

Page 1, delete lines 1 through 4, begin a new paragraph and insert:

"SECTION 1. IC 5-2-9-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 9. When an IDACS coordinator receives notice from a county clerk that a protective order has been dismissed, the IDACS coordinator shall remove the name of the respondent from the registry.**

SECTION 2. IC 34-26-7.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

Chapter 7.5. Petitions to Expunge Protection Orders

Sec. 1. This chapter applies to a person named as the subject of a protection order, and if one (1) of the following applies:

- (1) A protection order was issued to the plaintiff, but is subsequently terminated due to the:
 - (A) dismissal of the petition before a court hearing on the protection order;

- (B) denial of the protection order upon the order of the court; or
- (C) failure of the plaintiff to appear to the court hearing on the protection order.

(2) A protection order was reversed or vacated by an appellate court.

Sec. 2. The following definitions apply throughout this chapter:

- (1) "Protection order" means an Indiana civil protection order under IC 34-26-5. The term includes an order for protection and an order for protection ex parte.
- (2) "Subject of a protection order" means the person against whom a protection order was issued.
- (3) "Plaintiff" means the person for whom a protection order was issued.
- (4) "Expungement" means the sealing of protection order court records from public inspection, but not from a law enforcement agency or the court.

Sec. 3. (a) At any time after a court dismisses or denies an order for protection following issuance of an order for protection ex parte, as described in section 1(1) of this chapter, the subject of the protection order may petition to expunge the protection order:

- (1) with the court that issued or denied the protection order; and
- (2) in the cause the protection order was issued under.

(b) A petition seeking to expunge a protection order must be filed under seal, verified, and include the following information:

- (1) The petitioner's full name.
- (2) The petitioner's date of birth.
- (3) The petitioner's address.
- (4) The case number or court cause number, if available.
- (5) The petitioner's Social Security number.
- (6) The petitioner's driver's license number.
- (7) The date of the order for protection or order for protection ex parte, if applicable.
- (8) A description of why the petitioner is entitled to relief, including all relevant dates.
- (9) Certified copies of the following, if applicable:

- (A) The order for protection.
- (B) The order for protection ex parte.
- (C) The order denying an order for protection.
- (D) The opinion from the appellate court reversing or vacating an order for protection or an order for protection ex parte.

(c) The petition may include any other information that the petitioner believes may assist the court.

Sec. 4. (a) Unless the petition is incomplete, or the petition conclusively indicates that the petitioner is not entitled to relief, the court shall:

- (1) redact the petitioner's:
 - (A) date of birth;
 - (B) Social Security number; and
 - (C) driver's license number;

from the petition;

- (2) serve a copy of the redacted petition under subdivision (1) on the plaintiff who originally sought the protection order; and
- (3) set the matter for hearing.

The plaintiff who originally sought the protection order is entitled to appear at the hearing.

(b) If:

- (1) the plaintiff who originally sought the protection order waives in writing the right to appear at the hearing; and
- (2) the petition conclusively indicates that the petitioner is entitled to relief;

the court may issue an order to expunge a protection order without holding a hearing.

(c) The grant or denial of a petition for expungement is a final appealable order.

Sec. 5. The petitioner bears the burden of proof in a proceeding to expunge a protection order. The court shall order the protection order expunged if the petitioner proves by a preponderance of the evidence that the petitioner is entitled to relief.

Sec. 6. (a) If a court orders a protection order expunged under this chapter, the court shall do the following with respect to the specific records expunged by the court:

- (1) Order the office of judicial administration to remove the protection order from the Indiana protective order registry established under IC 5-2-9-5.5.
- (2) Redact or permanently seal the court's own records relating to the protection order.

(b) If an appellate court reverses or vacates a protection order, and the protection order is then expunged, the appellate court shall:

- (1) redact the opinion or memorandum decision as it appears on the computer gateway administered by the office of technology so that it does not include the name of the subject of the protection order (in the same manner that opinions involving juveniles are redacted); and
- (2) provide a redacted copy of the opinion to any publisher or organization to whom the opinion or memorandum decision is provided after the date of the order of expungement.

The supreme court and the court of appeals are not required to redact, destroy, or otherwise dispose of any existing copy of an opinion or memorandum decision that includes the name of the subject of the protection order.

Sec. 7. A petitioner whose record is expunged under this chapter:

- (1) shall be treated as if the protection order had never been filed; and
- (2) may answer truthfully to a question from the petitioner's employer or prospective employer that a petition or order of protection has never been filed against the petitioner."

Page 19, delete lines 19 through 42.

Delete pages 20 through 21.

Re-number all SECTIONS consecutively.

(Reference is to ESB 235 as printed April 5, 2019.)

YOUNG

Motion prevailed.

HOUSE MOTION
(Amendment 235-2)

Mr. Speaker: I move that Engrossed Senate Bill 235 be amended to read as follows:

Page 21, line 6, delete "shall" and insert "may".

(Reference is to ESB 235 as printed April 5, 2019.)

BECK

Motion failed. The bill was ordered engrossed.

Engrossed Senate Bill 293

Representative Heine called down Engrossed Senate Bill 293 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 485

Representative Gutwein called down Engrossed Senate Bill 485 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 485-1)

Mr. Speaker: I move that Engrossed Senate Bill 485 be amended to read as follows:

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

"SECTION 1. IC 21-13-12 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

Chapter 12. Indiana Volunteer Firefighter Scholarships

Sec. 1. As used in this chapter, "fund" refers to the Indiana volunteer firefighter scholarship fund established by section 4 of this chapter.

Sec. 2. As used in this chapter, "volunteer firefighter" has the meaning set forth in IC 36-8-12-2.

Sec. 3. (a) The Indiana volunteer firefighter scholarship program is established to provide students who:

- (1) attend Ivy Tech Community College; and
- (2) are volunteer firefighters;

a scholarship to assist in completing a certificate program or an associate degree program at Ivy Tech Community College.

(b) The commission shall administer the program.

Sec. 4. (a) This section applies after June 30, 2021.

(b) The Indiana volunteer firefighter scholarship fund is established.

(c) The purpose of the fund is to provide scholarships under this chapter after June 30, 2021.

(d) The fund consists of:

- (1) appropriations to the fund; and
- (2) gifts, grants, devises, or bequests made to the state to achieve the purposes of the fund.

(e) The fund shall be administered by the commission.

The expenses of administering the fund shall be paid from money in the fund.

Sec. 5. (a) An applicant is eligible to receive a scholarship under this chapter if the following conditions are met:

(1) The applicant is domiciled in Indiana, as defined by the commission.

(2) The applicant must provide proof of employment as a volunteer firefighter in a manner prescribed by the commission. Additionally, the chief of the volunteer fire department of which the applicant is a member must certify to the commission, in a manner prescribed by the commission, that the applicant is a member of the volunteer fire department.

(3) The applicant:

- (A) has received a high school diploma;
- (B) has been granted a:

- (i) high school equivalency certificate before July 1, 1995; or
- (ii) state of Indiana general educational development (GED) diploma under IC 20-10.1-12.1 (before its repeal) or IC 20-20-6 (before its repeal), or an Indiana high school equivalency diploma

under IC 22-4.1-18; or
 (C) is a student in good standing who is completing a final year of study at a school described in subdivision (4) and will be eligible upon graduation to attend an approved institution of higher learning.

- (4) The applicant is enrolled in a certificate program or associate degree program at Ivy Tech Community College.
- (5) The applicant has correctly filed the Free Application for Federal Student Aid (FAFSA) and, if eligible for aid, accepts all offered federal scholarships and grants.
- (6) The applicant maintains satisfactory academic progress, as determined by Ivy Tech Community College.
- (7) The applicant meets any other minimum criteria established by the commission.

(b) If the demand for a scholarship under this chapter exceeds the amount that the commission determines is available to provide scholarships under this chapter, the commission shall prioritize the applicants identified as independent as determined by the Free Application for Federal Student Aid (FAFSA).

Sec. 6. (a) The amount of a scholarship under this chapter is equal to one (1) of the following:

- (1) If the applicant does not receive financial assistance, excluding loans, the amount is equal to the educational costs (as defined in IC 21-7-13-14) and educational support costs (as defined in IC 21-7-13-15) of Ivy Tech Community College.
- (2) If the applicant receives financial assistance, excluding loans, the amount is equal to the educational costs (as defined in IC 21-7-13-14) and educational support costs (as defined in IC 21-7-13-15) of Ivy Tech Community College minus the financial assistance received by the applicant.

(b) An applicant may use a scholarship awarded under this chapter only to pay the educational costs (as defined by IC 21-7-13-14) and educational support costs (as defined in IC 21-7-13-15) of courses required for the applicant's certificate program or associate degree program.

Sec. 7. (a) The duration of the scholarship under section 5 of this chapter may not exceed the lesser of:

- (1) four (4) undergraduate academic years; or
- (2) the number of credit hours required by the eligible certificate program or associate degree program in which the student is enrolled.

(b) Subject to the conditions described in this chapter, a student's scholarship may be renewed if the student:

- (1) maintains satisfactory academic progress while receiving the grant; and
- (2) is enrolled in an eligible certificate program or associate degree program that requires more than twelve (12) credit hours or its equivalent.

(c) A recipient of a scholarship described under this section 5 of this chapter may not receive aid under IC 21-12-3, IC 21-12-4, or IC 21-12-6 unless the recipient has:

- (1) completed the program the recipient received the scholarship to attend; or
- (2) met the requirements of IC 21-12-1.7-3(b), IC 21-12-3-9(a)(6), or IC 21-12-6-7(a)(6)."

Renumber all SECTIONS consecutively.

(Reference is to ESB 485 as printed April 5, 2019.)

FRYE

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

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 7, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 5-1-17-18, AS AMENDED BY P.L.252-2015, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 18. (a) Subject to subsection (h), the authority may issue bonds for the purpose of obtaining money to pay the cost of:

- (1) acquiring real or personal property, including existing capital improvements;
- (2) constructing, improving, reconstructing, or renovating one (1) or more capital improvements; or
- (3) funding or refunding bonds issued under IC 36-10-8 or IC 36-10-9 or prior law.

(b) The bonds are payable from the lease rentals from the lease of the capital improvements for which the bonds were issued, insurance proceeds, and any other funds pledged or available.

(c) The bonds shall be authorized by a resolution of the board.

(d) The terms and form of the bonds shall either be set out in the resolution or in a form of trust indenture approved by the resolution.

(e) The bonds shall mature within forty (40) years.

(f) The board shall sell the bonds at public or private sale upon the terms determined by the board.

(g) All money received from any bonds issued under this chapter shall be applied to the payment of the cost of the acquisition or construction, or both, of capital improvements, or the cost of refunding or refinancing outstanding bonds, for which the bonds are issued. The cost may include:

- (1) planning and development of the facility and all buildings, facilities, structures, and improvements related to it;
- (2) acquisition of a site and clearing and preparing the site for construction;
- (3) equipment, facilities, structures, and improvements that are necessary or desirable to make the capital improvement suitable for use and operations;
- (4) architectural, engineering, consultant, and attorney's fees;
- (5) incidental expenses in connection with the issuance and sale of bonds;
- (6) reserves for principal and interest;
- (7) interest during construction;
- (8) financial advisory fees;
- (9) insurance during construction;
- (10) municipal bond insurance, debt service reserve insurance, letters of credit, or other credit enhancement; and
- (11) in the case of refunding or refinancing, payment of the principal of, redemption premiums (if any) for, and interest on, the

bonds being refunded or refinanced.

(h) The authority may not issue bonds under this chapter unless the authority first finds that the following conditions are met:

~~(1) Each contract or subcontract for the construction of a facility and all buildings, facilities, structures, and improvements related to that facility to be financed in whole or in part through the issuance of the bonds requires the contractor or subcontractor to enter into a project labor agreement as a condition of being awarded and performing work on the contract.~~
~~(2) (1) The capital improvement board and the authority have entered into a written agreement concerning the terms of the financing of the facility. This agreement must include the following provisions:~~

(A) Notwithstanding any other law, if the capital improvement board selected a construction manager and an architect for a facility before May 15, 2005, the authority will contract with that construction manager and architect and use plans as developed by that construction manager and architect. In addition, any other agreements entered into by the capital improvement board or a political subdivision served by the capital improvement board with respect to the design and construction of the facility will be reviewed by a selection committee consisting of:

- (i) two (2) of the members appointed to the board of directors of the authority under section 7(a)(1) of this chapter, as designated by the governor;
- (ii) the two (2) members appointed to the board of directors of the authority under section 7(a)(2) of this chapter; and
- (iii) the executive director of the authority.

The selection committee is not bound by any prior commitments of the capital improvement board or the political subdivision, other than the general project design, and will approve all contracts necessary for the design and construction of the facility.

(B) If before May 15, 2005, the capital improvement board acquired any land, plans, or other information necessary for the facility and the board had budgeted for these items, the capital improvement board will transfer the land, plans, or other information useful to the authority for a price not to exceed the lesser of:

- (i) the actual cost to the capital improvement board; or
- (ii) three million five hundred thousand dollars (\$3,500,000).

(C) The capital improvement board agrees to take any legal action that the authority considers necessary to facilitate the financing of the facility, including entering into agreements during the design and construction of the facility or a sublease of a capital improvement to any state agency that is then leased by the

authority to any state agency under section 26 of this chapter.

(D) The capital improvement board is prohibited from taking any other action with respect to the financing of the facility without the prior approval of the authority. The authority is not bound by the terms of any agreement entered into by the capital improvement board with respect to the financing of the facility without the prior approval of the authority.

(E) As the project financier, the Indiana finance authority (or its successor agency) and the public finance director will be responsible for selecting all investment bankers, bond counsel, trustees, and financial advisors.

(F) The capital improvement board agrees to deliver to the authority the one hundred million dollars (\$100,000,000) that is owed to the capital improvement board, the consolidated city, or the county having a consolidated city pursuant to an agreement between the National Football League franchised professional football team and the capital improvement board, the consolidated city, or the county. This amount shall be applied to the cost of construction for the stadium part of the facility. This amount does not have to be delivered until a lease is entered into for the stadium between the authority and the capital improvement board.

(G) The authority agrees to consult with the staff of the capital improvement board on an as needed basis during the design and construction of the facility, and the capital improvement board agrees to make its staff available for this purpose.

(H) The authority, the county, the consolidated city, the capital improvement board and the National Football League franchised professional football team must commit to using their best efforts to assist and cooperate with one another to design and construct the facility on time and on budget.

~~(3) (2) The capital improvement board and the National Football League franchised professional football team have entered into a lease for the stadium part of the facility that has been approved by the authority and has a term of at least thirty (30) years.~~

SECTION 2. IC 5-1-17-18.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 18.3. (a) The following definitions apply throughout this section:**

(1) "Contract" includes a lease or other agreement.

(2) "Contract limitation" refers to a bid specification, project agreement, lease provision, or other contract document that does any of the following:

(A) Requires a bidder, offeror, or contractor in any contractor tier to enter into or adhere to an agreement with a labor organization relating to a project.

(B) Prohibits a bidder, offeror, or

contractor in any contractor tier from entering into or adhering to an agreement with a labor organization relating to a project.

(C) Discriminates against a bidder, offeror, or contractor in any contractor tier for any of the following:

(i) Becoming or remaining a signatory to an agreement with a labor organization relating to a project.

(ii) Refusing to become or remain a signatory to an agreement with a labor organization relating to a project.

(iii) Adhering or refusing to adhere to an agreement with a labor organization relating to a project.

(3) "Project" refers to a project of the authority for the construction of a facility and all buildings, facilities, structures, and improvements related to that facility to be financed in whole or in part from funds derived from the establishment of a tax area under IC 36-7-31.5.

(4) "Public benefit" refers to a grant, a tax abatement, a tax credit, or establishment or use of tax area revenues related to a project.

(b) A contract relating to a project may not require a contractor or subcontractor to enter into a contract limitation as a condition of being awarded and performing work on the contract. Any such provision is void.

(c) A public entity may not award a public benefit that is conditioned upon a requirement that the person awarded the public benefit include a contract limitation in a contract document related to a project. Any such provision is void."

Page 1, line 4, delete "2027," and insert "2025,".

Page 1, line 10, delete "1," and insert "20,".

Page 1, delete lines 11 through 16, begin a new line block indented and insert:

"(2) the increase in the tax rate imposed under IC 6-6-9.7-7(e) by the city-county council continues in effect through December 31, 2040;

(3) the increase in the tax rate imposed under IC 6-9-13-2(c) by the city-county council continues in effect through December 31, 2040; and"

Page 2, delete lines 36 through 37.

Page 5, line 31, reset in roman "However,".

Page 5, line 31, delete "Except as provided in subsection

(h),".

Page 5, line 32, strike "February".

Page 5, line 33, strike "28, 2023." and insert "**December 31, 2040.**".

Page 6, delete lines 4 through 10.

Page 6, line 30, reset in roman "The ordinance must specify".

Page 6, reset in roman line 31.

Page 6, line 32, after "2028." insert "**December 31, 2040.**".

Page 9, line 33, reset in roman "However,".

Page 9, line 33, delete "Except as provided".

Page 9, line 34, delete "in subsection (f),".

Page 9, line 35, strike "February 28, 2023." and insert "**December 31, 2040.**".

Page 10, line 9, delete "from:" and insert "from".

Page 10, line 10, delete "(1)".

Page 10, line 10, delete "(c); or" and insert "(c)".

Page 10, delete line 11.

Page 10, run in lines 9 through 12.

Page 10, delete lines 14 through 42.

Page 11, delete lines 1 through 11, begin a new paragraph and insert:

"SECTION 6. IC 14-20-17 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

Chapter 17. Legacy Project

Sec. 1. (a) The legacy project is established.

(b) The legacy project must be located at an Indianapolis parks and recreation department location located within a four (4) mile radius of the Soldiers' and Sailors' Monument in Indianapolis."

Page 12, delete lines 20 through 42, begin a new line block indented and insert:

"hotels located in an area in Indianapolis, Indiana:

(A) in the southeast quadrant of an area bounded on the east by Pennsylvania Street, on the south by Georgia Street, on the west by Meridian Street, and on the north by Maryland Street, as those streets were located on July 1, 2019;

(B) bounded on the west by Capitol Avenue, on the south by South Street, on the east by Meridian Street, and on the north by Louisiana Street, as those streets were located on July 1, 2019;

(C) bounded on the west by Illinois Street, on the south by Jackson Place, on the east by McCrea Street, and on the north by Georgia Street, as those streets were located on July 1, 2019;

(D) bounded on the west by Capitol Avenue, on the south by Washington Street, on the east by Illinois Street, and on the north by Court Street, as those streets were located on July 1, 2019;

(E) bounded on the west by Illinois Street, on the south by Washington Street, on the east by Meridian Street, and on the north by Market Street, as those streets were located on July 1, 2019;

(F) bounded on the west by Capitol Avenue, on the south by Market Street, on the east by Illinois Street, and on the north by Wabash Street, as those streets were located on July 1, 2019;

(G) bounded on the west by Pierson Street, on the south by Wabash Street, on the east by Meridian Street, and on the north by Ohio Street, as those streets were located on July 1, 2019;

(H) in the south half of an area bounded on the west by Delaware Street, on the south by South Street, on the east by Alabama Street, and on the north by Maryland Street, as those streets were located on July 1, 2019; or

(I) bounded on the west by Illinois Street, on the south by Georgia Street, on the east by Meridian Street, and on the north by Maryland Street, as those streets were located on July 1, 2019; and

(2) that provides convenient accommodations for consideration to the general public for periods of less than thirty (30) days, especially for individuals attending professional sporting events, conventions, or similar events in the capital improvements that are owned, leased, or operated by the capital improvement board."

Delete page 13.

Page 14, delete lines 1 through 11.

Page 14, line 12, delete "(e)" and insert "(d)".

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

Page 14, line 14, delete "(d),".

Page 15, line 5, delete "10(b)(3), 10(c), and 10(d)" and insert "**10(b)(3) and 10(c)**".

Page 16, line 30, delete "10(b)(3), 10(c), and 10(d)" and insert "**10(b)(3) and 10(c)**".

Page 17, between lines 4 and 5, begin a new line single block indented and insert:

"(5) That covered taxes, an innkeeper's tax under IC 6-9-8, or an admissions tax under IC 6-9-13 will not be used to finance or construct or in any way subsidize the construction of meeting or ballroom space that is:

(A) located within the footprint of a privately owned hotel; or

(B) that will be operated, maintained, or otherwise controlled by a privately owned hotel."

Page 17, line 11, delete "10(b)(3), 10(c), and" and insert "**10(b)(3) and 10(c)**".

Page 17, line 12, delete "10(d)".

Page 17, line 14, delete "10(b)(3), 10(c), and" and insert "**10(b)(3) and 10(c)**".

Page 17, line 15, delete "10(d)".

Page 17, delete lines 16 through 23, begin a new paragraph and insert:

"(b) A tax area must be established by resolution. A resolution establishing a tax area must provide for the allocation of covered taxes attributable to a taxable event or covered taxes earned in the tax area **as follows:**

(1) Before January 1, 2028, to the professional sports development area fund established for the county.

(2) After December 31, 2027, to the sports and convention facilities operating fund.

The allocation provision must apply to the part of the tax area covered by this section. The resolution must provide that the tax area terminates not later than December 31, ~~2027~~ **2040**."

Page 17, line 33, delete "For state fiscal years ending before July 1, 2021, and except" and insert "Except".

Page 17, delete line 42.

Page 18, delete lines 1 through 7.

Page 18, line 13, delete "area:" and insert "area".

Page 18, line 14, delete "(1) for state fiscal years ending before July 1, 2021,".

Page 18, line 21, delete "fund; and" and insert "fund."

Page 18, delete lines 22 through 28.

Page 18, run in lines 13 through 29.

Page 18, line 34, delete "than:" and insert "than".

Page 18, line 35, strike "(1)".

Page 18, line 35, delete "2041;" and insert "2041".

Page 18, line 35, strike "or".

Page 18, strike lines 36 through 39.

Page 18, line 42, delete "years:" and insert "years".

Page 19, line 1, delete "(1)".

Page 19, line 1, delete "2021," and insert "**2041**".

Page 19, line 3, delete "fund; and" and insert "fund."

Page 18, run in line 42 through page 19, line 3.

Page 19, delete lines 4 through 8.

Page 19, line 18, delete "in an amount not to".

Page 19, line 19, delete "exceed sixteen million dollars (\$16,000,000) per year,".

Page 19, line 22, delete "(e)".

Page 19, line 22, strike "Notwithstanding the budget director's determination under".

Page 19, strike lines 23 through 24.

Page 19, line 25, delete "(a)(1)".

Page 19, line 25, strike "terminates on January 1 of the year following the first year in".

Page 19, strike line 26.

Page 19, line 27, before "(b)" strike "subsection".

Page 19, line 27, delete "(d)".

Page 19, line 27, strike "remain outstanding".

Page 19, line 27, delete "This subsection expires".

Page 19, delete line 28.

Page 20, line 28, strike "For 2009, the budget".

Page 20, strike lines 29 through 30.

Page 20, line 31, strike "convention facilities operating fund in 2009".

Page 20, line 34, after "10(b)(3)" insert "**or 10(c)**".

Page 20, line 35, after "fund" insert "**during each state fiscal year**".

Page 20, line 35, delete "eight" and insert "**set forth in subsection (f)**".

(f) The maximum amount referred to in subsection (e) is as follows:

(1) Eight".

Page 20, line 36, after "\$8,000,000" delete ".".

Page 20, line 36, after "year." insert "**for state fiscal years ending June 30, 2019, through June 30, 2021.**

(2) Seventeen million dollars (\$17,000,000) for the state fiscal year ending June 30, 2022.

(3) Twenty million dollars (\$20,000,000) for the state fiscal year ending June 30, 2023.

(4) Twenty-four million dollars (\$24,000,000) for state fiscal years ending June 30, 2024, through June 30, 2033.

(5) Twenty-six million dollars (\$26,000,000) for state fiscal years ending June 30, 2034, through June 30, 2041.

After the state fiscal year ending June 30, 2041, no deposit shall be made."

Page 20, line 40, strike "(f)" and insert "(g)".

Page 20, delete line 42.

Delete page 21.

Page 22, delete lines 1 through 8.

Page 23, delete lines 10 through 42, begin a new paragraph and insert:

"Sec. 2. The following definitions apply throughout this chapter:

(1) "Bonds" means bonds, notes, or other evidence of indebtedness.

(2) "Budget agency" means the budget agency created by IC 4-12-1.

(3) "Budget committee" means the budget committee established by IC 4-12-1-3.

(4) "Capital improvement" means any facility or complex of facilities established as part of an additional professional sports development area under section 4 of this chapter.

(5) "Capital improvement board" refers to the capital improvement board of managers created by IC 36-10-9-3.

(6) "City" refers to the city of Indianapolis, Indiana.

(7) "Commission" refers to the metropolitan development commission acting as the

redevelopment commission of a consolidated city.

- (8) "Covered taxes" means the following:
 - (A) The state gross retail tax imposed under IC 6-2.5-2-1 or use tax imposed under IC 6-2.5-3-2.
 - (B) An adjusted gross income tax imposed under IC 6-3-2-1 on an individual.
 - (C) The local income tax imposed under IC 6-3.6, other than local income taxes that are paid by local taxpayers described in IC 6-3.6-2-13(3).
 - (D) A food and beverage tax imposed under IC 6-9.

(9) "Department" refers to the department of state revenue.

(10) "Facility" means all or any part of one (1) or more buildings, structures, or improvements constituting a capital improvement. The term refers to and includes a capital improvement.

(11) "Facilities authority" refers to the county convention and recreational facilities authority created by IC 36-10-9.1.

(12) "Professional soccer team" means a professional soccer team that holds its home professional sporting events in a facility constituting a capital improvement.

(13) "Tax area" means a geographic area established by a commission as an additional professional sports development area under section 8 of this chapter.

(14) "Taxpayer" means a person that is liable for a covered tax."

Page 24, delete lines 1 through 17.

Page 24, line 18, delete "15." and insert "3."

Page 25, line 18, delete "16." and insert "4."

Page 25, line 37, after "county." insert "However, the straight line distance between any point in the tax area and the facility described in subdivision (1) may not exceed one (1) mile."

Page 25, line 42, delete "or assumed by".

Page 26, between lines 2 and 3, begin a new paragraph and insert:

"(c) If a facility described in subsection (a)(1) shares a common wall or other improvements, equipment, or facilities with a facility described in subsection (a)(2) through (a)(4), the capital improvement board, the facilities board, or a political subdivision, as applicable, shall determine if any increase in the cost to construct or acquire the capital improvement results from the shared use and, consistent with subsection (b), whether the increased costs should or should not be financed."

Page 26, line 3, delete "17." and insert "5."

Page 26, line 3, delete "before" and insert "not later than".

Page 26, line 25, delete "18." and insert "6."

Page 26, line 26, delete "20" and insert "8".

Page 26, line 29, delete "20" and insert "8".

Page 27, delete lines 4 through 42, begin a new paragraph and insert:

"Sec. 7. (a) The budget agency must approve the resolution before the covered taxes may be allocated under section 8 of this chapter.

(b) When considering a resolution, the budget committee and the budget agency must make the following findings:

- (1) The project specified in the resolution is economically sound and will benefit the

people of Indiana by protecting or increasing state and local tax bases and tax revenues for at least the duration of the tax area established under this chapter.

(2) The political subdivisions affected by the project specified in the resolution have committed significant resources toward completion of the improvement.

(c) Revenues from the tax area may not be allocated until the budget agency approves the resolution.

(d) In addition to the requirements under subsections (a) and (c), covered taxes may not be allocated unless:

- (1) the commission has established a tax area under section 8 of this chapter;
- (2) the budget committee has reviewed the resolution;
- (3) the city-county council has adopted an ordinance to impose an admissions tax under IC 6-9-13;
- (4) the capital improvement board has adopted a resolution to apply revenue collected in the tax area and transferred to the capital improvement board from imposition of:
 - (A) an innkeeper's tax under IC 6-9-8; and
 - (B) an admissions tax under IC 6-9-13;
- (5) the owner or owners of the professional soccer team have provided at least twenty percent (20%) of the cost of the project to construct the facility that will be used to host professional sporting events; and
- (6) the Indiana finance authority has reviewed a feasibility study conducted by the capital improvement board, the commission, or the City of Indianapolis that demonstrates that the proposed project related to the proposed tax area will protect or increase the state tax base and revenues.

(e) Revenue described in subsection (d)(4) may be used in the manner described in section 15 of this chapter.

(f) For purposes of subsection (d)(5), the term "twenty percent (20%) of the cost" means either:

- (1) an initial contribution made before construction begins equal to twenty percent (20%) of the total capital construction cost of the facility; or
- (2) a commitment to pay twenty percent (20%) of the annual debt service or lease rental payments payable for the facility until the financing obligation for the facility is paid in full.

(g) An entity that:

- (1) collects innkeeper's tax under IC 6-9-8 or food and beverage tax under IC 6-9-12 at one (1) or more properties in the tax area; and
- (2) also has one (1) or more properties in the county that are outside the tax area;

must file separate returns for the properties in the tax area at which the entity collects innkeeper's tax under IC 6-9-8 or food and beverage tax under IC 6-9-12."

Page 28, delete lines 1 through 8.

Page 28, line 9, delete "20." and insert "8."

Page 28, line 10, delete "must" and insert "may".

Page 28, line 12, delete "or by individuals living in the tax area".

Page 28, line 16, delete "twenty-five (25) years" and insert "thirty-two (32) years".

Page 28, line 17, after "area." insert "Covered taxes may not be collected in the tax area until after the earlier of June

30, 2021, or the date on which all the conditions set forth in this chapter are met."

Page 28, line 25, delete "the majority of the professional" and insert **"home games at a capital improvement"**.

Page 28, line 26, delete "athletic events that the team plays in Indiana".

Page 28, line 28, delete "eight million dollars (\$8,000,000) per" and insert **"nine million five hundred thousand dollars (\$9,500,000) per state fiscal"**.

Page 28, line 29, delete "twenty-five (25) years" and insert **"thirty-two (32) years"**.

Page 28, line 34, delete "under IC 4-22-2".

Page 28, line 35, delete "area." and insert **"area and to adopt withholding requirements in the manner authorized under IC 6-3-4-8."**

Page 28, line 36, delete "21." and insert **"9"**.

Page 28, line 37, delete "notify the department by certified" and insert **", in cooperation with the department and the Indiana office of technology, develop geographic information system (GIS) codes for the properties in the tax area, in accordance with guidelines issued by the department. The commission shall provide the department with any information necessary for the department to use GIS codes and data to collect covered taxes in the tax area. The commission shall update the information provided to the department and the Indiana office of technology before July 1 of each year."**

Page 28, delete lines 38 through 42.

Page 29, delete line 1.

Page 29, line 2, delete "annually," and insert **"monthly"**.

Page 29, line 16, delete "annually" and insert **"monthly"**.

Page 29, between lines 18 and 19, begin a new paragraph and insert:

"(d) Taxpayers operating in the tax area shall report monthly, in the manner and in the form prescribed by the department, information that the department determines necessary to calculate withholdings required by IC 6-3-4-8.

(e) Taxpayers operating in the tax area shall report monthly, in the manner and in the form prescribed by the department, information that the department determines necessary to calculate state gross retail taxes imposed under IC 6-2.5-2-1."

Page 29, line 19, delete "(d)" and insert **"(f)"**.

Page 29, line 25, delete "22." and insert **"10"**.

Page 29, line 29, delete "23." and insert **"11"**.

Page 29, line 30, delete "20" and insert **"8"**.

Page 29, line 31, delete "If the".

Page 29, delete lines 32 through 41.

Page 29, line 42, delete "24." and insert **"12"**.

Page 29, line 42, delete "month following" and insert **"month"**.

Page 30, delete line 1.

Page 30, line 2, delete "section 38 of this chapter,".

Page 30, line 6, delete "25." and insert **"13"**.

Page 30, line 6, delete "department" and insert **"auditor of state, in cooperation with the department,"**.

Page 30, line 9, delete "26." and insert **"14"**.

Page 30, delete lines 13 through 21, begin a new paragraph and insert:

"Sec. 15. The capital improvement board may use money distributed from the additional professional sports development area fund to pay any costs related to a capital improvement described in section 4(a)(1) of this chapter, including the following:

(1) Any costs related to the operation, maintenance, or replacement of a capital improvement described in section 4(a)(1) of this chapter.

(2) Any costs related to constructing, renovating, and equipping a capital

improvement described in section 4(a)(1) of this chapter.

(3) Any costs related to the financing or refinancing of a capital improvement described in section 4(a)(1) of this chapter.

(4) Any costs or expenses of the capital improvement board or the facilities authority incurred in connection with administering the capital improvement or related bonds, leases, agreements, or related undertakings."

Page 30, line 22, delete "28." and insert **"16"**.

Page 30, line 32, delete "These" and insert **"The commission or the capital improvement board may adjust these participation percentages for each goal to reflect the results of a disparity study conducted by the City of Indianapolis. These"**.

Page 30, line 37, delete "29." and insert **"17"**.

Page 30, line 40, delete "section 27" and insert **"section 15"**.

Page 30, line 40, delete "The".

Page 30, delete lines 41 through 42.

Delete pages 31 through 38.

Page 39, delete lines 1 through 27.

Page 40, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 19. IC 36-10-9-6, AS AMENDED BY P.L.214-2005, SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. The board may, acting under the title "capital improvement board of managers of _____ County", do the following:

(1) Acquire by grant, purchase, gift, devise, lease, condemnation, or otherwise, and hold, use, sell, lease, or dispose of, real and personal property and all property rights and interests necessary or convenient for the exercise of its powers under this chapter.

(2) Construct, reconstruct, repair, remodel, enlarge, extend, or add to any capital improvement built or acquired by the board under this chapter.

(3) Control and operate a capital improvement, including letting concessions and leasing all or part of the capital improvement.

(4) Fix charges and establish rules governing the use of a capital improvement.

(5) Accept gifts or contributions from individuals, corporations, limited liability companies, partnerships, associations, trusts, or political subdivisions, foundations, and funds, loans, or advances on the terms that the board considers necessary or desirable from the United States, the state, and any political subdivision or department of either, including entering into and carrying out contracts and agreements in connection with this subdivision.

(6) Exercise within and in the name of the county the power of eminent domain under general statutes governing the exercise of the power for a public purpose.

(7) Receive and collect money due for the use or leasing of a capital improvement and from concessions and other contracts, and expend the money for proper purposes.

(8) Receive excise taxes, income taxes, and ad valorem property taxes and expend the money for operating expenses, payments of principal or interest of bonds or notes issued under this chapter, and for all or part of the cost of a capital improvement.

(9) Retain the services of architects, engineers, accountants, attorneys, and consultants and hire employees upon terms and conditions established by the board, so long as any employees or members of the board authorized to receive, collect, and expend money are covered by a fidelity bond, the amount of which shall be fixed by the board. Funds may not be disbursed by an employee or member of the board without prior specific approval by the board.

(10) Provide coverage for its employees under IC 22-3 and IC 22-4.

(11) Purchase public liability and other insurance considered desirable.

(12) **Subject to section 6.5 of this chapter,** make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this chapter, including the enforcement of them.

(13) Sue and be sued in the name and style of "capital improvement board of managers of _____ County" (including the name of the county), service of process being had by leaving a copy at the board's office.

(14) Prepare and publish descriptive material and literature relating to the facilities and advantages of a capital improvement and do all other acts that the board considers necessary to promote and publicize the capital improvement, including the convention and visitor industry, and serve the commercial, industrial, and cultural interests of Indiana and its citizens. The board may assist, cooperate, and fund governmental, public, and private agencies and groups for these purposes.

(15) Enter into leases of capital improvements and sell or lease property under IC 5-1-17 or IC 36-10-9.1.

SECTION 20. IC 36-10-9-6.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 6.5. (a) The following definitions apply throughout this section:**

(1) **"Contract" includes a lease or other agreement.**

(2) **"Contract limitation" refers to a bid specification, project agreement, lease provision, or other contract document that does any of the following:**

(A) **Requires a bidder, offeror, or contractor in any contractor tier to enter into or adhere to an agreement with a labor organization relating to a project.**

(B) **Prohibits a bidder, offeror, or contractor in any contractor tier from entering into or adhering to an agreement with a labor organization relating to a project.**

(C) **Discriminates against a bidder, offeror, or contractor in any contractor tier for any of the following:**

(i) **Becoming or remaining a signatory to an agreement with a labor organization relating to a project.**

(ii) **Refusing to become or remain a signatory to an agreement with a labor organization relating to a**

project.

(iii) **Adhering or refusing to adhere to an agreement with a labor organization relating to a project.**

(3) **"Project" refers to a project of the board for the construction or lease of a facility and all buildings, facilities, structures, and improvements related to that facility to be financed in whole or in part from funds derived from the establishment of a tax area under IC 36-7-31.5.**

(4) **"Public benefit" refers to a grant, a tax abatement, a tax credit, or establishment or use of tax area revenues related to a project.**

(b) **A contract under this chapter or another law relating to a project may not require a contractor or subcontractor to enter into a contract limitation as a condition of being awarded and performing work on the contract. Any such provision is void.**

(c) **A public entity may not award a public benefit that is conditioned upon a requirement that the person awarded the public benefit include a contract limitation in a contract document related to a project. Any such provision is void.**

SECTION 21. IC 36-10-9.1-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 11. The authority may also do any of the following:**

(1) Finance, improve, construct, reconstruct, renovate, purchase, lease, acquire, and equip capital improvements.

(2) Lease those capital improvements to the capital improvement board.

(3) Sue, be sued, plead, and be impleaded, but all actions against the authority must be brought in the circuit or superior court of the county in which the authority is located.

(4) Condemn, appropriate, lease, rent, purchase, and hold any real or personal property needed or considered useful in connection with capital improvements.

(5) Acquire real or personal property by gift, devise, or bequest and hold, use, or dispose of that property for the purposes authorized by this chapter.

(6) Enter upon any lots or lands for the purpose of surveying or examining them to determine the location of a capital improvement.

(7) Design, order, contract for, and construct, reconstruct, and renovate any capital improvements or improvements ~~thereto~~; **to a capital improvement.**

(8) Employ managers, superintendents, architects, engineers, attorneys, auditors, clerks, construction managers, and other employees necessary for construction of capital improvements or improvements ~~thereto~~; **to a capital improvement.**

(9) **Subject to section 11.5 of this chapter,** make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this chapter. ~~and~~

(10) Take any other action necessary to implement its purposes as set forth in section 10 of this chapter.

SECTION 22. IC 36-10-9.1-11.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 11.5. (a) The following definitions apply throughout this section:**

(1) "Contract" includes a lease or other agreement.

(2) "Contract limitation" refers to a bid specification, project agreement, lease provision, or other contract document that does any of the following:

(A) Requires a bidder, offeror, or contractor in any contractor tier to enter into or adhere to an agreement with a labor organization relating to a project.

(B) Prohibits a bidder, offeror, or contractor in any contractor tier from entering into or adhering to an agreement with a labor organization relating to a project.

(C) Discriminates against a bidder, offeror, or contractor in any contractor tier for any of the following:

(i) Becoming or remaining a signatory to an agreement with a labor organization relating to a project.

(ii) Refusing to become or remain a signatory to an agreement with a labor organization relating to a project.

(iii) Adhering or refusing to adhere to an agreement with a labor organization relating to a project.

(3) "Project" refers to a project of the authority for the construction, reconstruction, or renovation of or improvement to any capital improvement under this chapter to be financed in whole or in part from funds derived from the establishment of a tax area under IC 36-7-31.5.

(4) "Public benefit" refers to a grant, a tax abatement, a tax credit, or establishment or use of tax area revenues related to a project.

(b) A contract relating to a project may not require a contractor or subcontractor to enter into a contract limitation as a condition of being awarded and performing work on the contract. Any such provision is void.

(c) A public entity may not award a public benefit that is conditioned upon a requirement that the person awarded the public benefit include a contract limitation in a contract document related to a project. Any such provision is void."

Renumber all SECTIONS consecutively.

(Reference is to SB 7 as reprinted February 26, 2019.) and when so amended that said bill do pass.

Committee Vote: yeas 23, nays 0.

HUSTON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 220, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 220 as printed January 11, 2019.)

Committee Vote: Yeas 8, Nays 0.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 223, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 223 as reprinted January 16, 2019.)

Committee Vote: Yeas 9, Nays 0.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 390, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 20-29-6-1, AS AMENDED BY P.L.48-2011, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. (a) School employers and school employees shall:

(1) have the obligation and the right to bargain collectively the items set forth in section 4 of this chapter;

(2) have the right and obligation to discuss any item set forth in section 7 of this chapter; and

(3) enter into a contract embodying any of the matters listed in section 4 of this chapter on which they have bargained collectively.

(b) Notwithstanding any other law, school employers and school employees shall negotiate the matters described in subsection (a)(1) during the time period for formal collective bargaining established in section 12 of this chapter in public in accordance with IC 5-14-1.5. During the period of formal collective bargaining established in section 12 of this chapter, the parties may meet not more than three (3) times for negotiating in private, but the discussion must take place after the school employer conducts at least one (1) collective bargaining session in public. This subsection may not be construed to require that informal negotiations or mediations conducted with respect to collective bargaining under this chapter must be held in public.

SECTION 2. IC 20-29-6-19, AS ADDED BY P.L.148-2012, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 19. (a) In addition to having collective bargaining sessions conducted in public as described in section 1(b) of this chapter, the school employer must conduct a public hearing and take public testimony to discuss a tentative collective bargaining agreement at least forty-eight (48) hours before it is ratified by the school employer.

(b) Notice of the time and the location of the public hearing and a tentative collective bargaining agreement established under this chapter must be posted on the school employer's Internet web site at least forty-eight (48) hours prior to the public hearing described in subsection (a).

(c) Not later than fourteen (14) business days after the parties have reached an agreement under this chapter, the school employer shall post the contract upon which the parties have agreed on the school employer's Internet web site."

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

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

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

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

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

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

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

Page 1, after line 12, begin a new paragraph and insert: "SECTION 2. IC 20-32-5.1-18.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE APRIL 21, 2019 (RETROACTIVE)]: **Sec. 18.5. (a) The department, with the approval of the technical advisory committee (TAC), shall make every reasonable attempt to provide the same voice-to-text, screen reader, and human reader accommodations to a particular student on every section of the statewide examination that the particular student receives for classroom instruction or which is provided as part of the student's individualized education program.**

(b) Not later than January 1, 2020, the department, with the approval of the technical advisory committee (TAC), shall provide the same voice-to-text, screen reader, and human reader accommodations to students on every section of the statewide examination that the particular student has for classroom instruction or which is provided as part of the student's individualized education program.

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

Re-number all SECTIONS consecutively.

(Reference is to SB 390 as printed February 22, 2019.) and when so amended that said bill do pass.

Committee Vote: yeas 8, nays 3.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 420, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 20-43-8-0.7, AS ADDED BY P.L.174-2018, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 0.7. As used in this chapter, "work based learning course" means a program, delivered in an employment relationship, that provides a worker with paid **or meaningful** work experience and corresponding classroom instruction."

Page 1, line 4, delete "Credentialing" and insert "**Collaboration**".

Page 1, line 7, delete "credentialing" and insert "**collaboration**".

Page 2, delete lines 30 through 42, begin a new paragraph and insert:

"**Sec. 7. (a) An organization qualifies for certification as an industry collaboration organization if the organization:**

- (1) except as provided in subsection (b), is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code;**
- (2) conducts activities for the purpose of enhancing career and technical education and work based learning opportunities for students in alignment with state and regional workforce needs;**
- (3) is governed by a board of directors that consists of members:**
 - (A) of whom the majority are representatives of businesses from high-wage, high-demand, priority industry sectors; and**
 - (B) of whom the minority represent:**

(i) kindergarten through grade 12 education;

(ii) postsecondary education; and

(iii) community-based organizations in Indiana;

(4) applies to the governor's workforce cabinet on the form, by the date, and in the manner prescribed by the governor's workforce cabinet to be recognized by the state and to be eligible for state funding;

(5) indicates the industry sectors and geographic region in which the organization is requesting to be designated by the governor's workforce cabinet as described in section 20(1) of this chapter; and

(6) enters into an agreement with the governor's workforce cabinet to comply with this article.

(b) A public school foundation that:

(1) is:

(A) exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and is organized; and

(B) operated solely for the benefit of an Indiana public elementary or secondary school to act as a nonprofit agent for the purposes of career enhancement programs; and

(2) partners with local businesses or representatives of a particular industry;

is an organization that satisfies the requirement set forth in subsection (a)(1).

Sec. 8. (a) The governor's workforce cabinet shall certify an organization as an industry collaboration organization, if the organization meets the qualification requirements under section 7 of this chapter.

(b) The governor's workforce cabinet shall identify the designation of each industry collaboration organization in an industry category as described in section 20(1) of this chapter.

Sec. 9. An agreement entered into under section 7(6) of this chapter by the governor's workforce cabinet and an industry collaboration organization must require the industry collaboration organization to do the following:

(1) Collaborate with industry sector partners at the state and regional levels and coordinate periodically with:

(A) the governor's workforce cabinet;

(B) training providers; and

(C) other stakeholders;

in carrying out the activities of the industry collaboration organization under this chapter.

(2) Agree to deposit all contributions in a separate account of the industry collaboration organization.

(3) Agree to provide written substantiation to taxpayers for each contribution made to the industry collaboration organization, which must include certification that the contribution will be used by the industry collaboration organization only for purposes of this chapter.

(4) Beginning not later than the third year following the date the industry collaboration organization is certified under section 8 of this chapter, distribute annually not less than seventy-five percent (75%) of the total amount of contributions for one (1) or more purposes set forth in section 10 of this

chapter.

(5) Use not more than ten percent (10%) of the total amount of contributions for administrative costs, including costs for:

- (A) financial audits for an industry collaboration organization; and
- (B) reimbursements for reasonable costs incurred by members of the board of directors of an industry collaboration organization in carrying out the activities of the industry collaboration organization under this chapter.

(6) Prohibit a taxpayer from directing a contribution to a particular student or a particular training provider.

(7) Allow a taxpayer to designate:

- (A) a specific purpose for which the taxpayer's contribution must be used; and
- (B) a specific school or school district for which the taxpayer's contribution must be used;

under section 10 of this chapter.

(8) Agree to provide a list of the names and addresses of the board members, officers, and employees with managerial authority of the industry collaboration organization.

(9) Conduct criminal background checks on all the industry collaboration organization board members, officers, and employees, and exclude from employment or governance any individual who might reasonably pose a risk to the appropriate use of contributed funds.

(10) Make the reports required by this chapter.

Sec. 10. (a) Money received from contributions may be used by an industry collaboration organization for one (1) or more of the following purposes:

- (1) To support the development and implementation of high school graduation pathways.
- (2) To strengthen and align career coaching and navigation systems.
- (3) To enhance career and technical education and training programs.
- (4) To expand apprenticeships and work based learning opportunities.
- (5) To provide grants to schools to be used by the school to pay the transportation costs for students to attend an eligible training program that allows the student to concurrently earn high school or college credit.

(b) State grant funding distributed regionally by the governor's workforce cabinet for purposes of subsection (a) shall be designated for industry collaborations, with a priority given to multisector industry collaboration organizations.

(c) The governor's workforce cabinet and industry collaboration organizations shall prioritize the regional distribution of state grant funds to activities that align, connect, and increase capacity of existing systems and programming when possible."

Delete pages 3 through 4.

Page 5, delete lines 1 through 30.

Page 5, line 31, delete "credentialing" and insert "collaboration".

Page 5, line 33, delete "credentialing" and insert "collaboration".

Page 5, line 34, delete "credentialing" and insert

"collaboration".

Page 5, line 38, delete "credentialing" and insert "collaboration".

Page 6, line 1, delete "credentialing" and insert "collaboration".

Page 6, line 4, delete "credentialing" and insert "collaboration".

Page 6, line 15, delete "credentialing" and insert "collaboration".

Page 6, line 18, delete "credentialing" and insert "collaboration".

Page 6, line 19, delete "department" and insert "governor's workforce cabinet".

Page 6, line 21, delete "credentialing" and insert "collaboration".

Page 6, line 23, delete "credentialing" and insert "collaboration".

Page 6, line 38, delete "credentialing" and insert "collaboration".

Page 6, line 39, delete "credentialing" and insert "collaboration".

Page 6, line 42, delete "credentialing organization. The industry credentialing" and insert "collaboration organization. The industry collaboration".

Page 7, line 2, delete "department" and insert "governor's workforce cabinet".

Page 7, line 4, delete "department" and insert "governor's workforce cabinet".

Page 7, line 5, delete "credentialing" and insert "collaboration".

Page 7, line 7, delete "department" and insert "governor's workforce cabinet".

Page 7, line 9, delete "credentialing" and insert "collaboration".

Page 7, line 9, delete "department" and insert "governor's workforce cabinet".

Page 7, line 10, delete "credentialing" and insert "collaboration".

Page 7, line 13, delete "department" and insert "governor's workforce cabinet".

Page 7, line 14, delete "credentialing" and insert "collaboration".

Page 7, delete lines 17 through 42, begin a new paragraph and insert:

"Sec. 17. (a) An industry collaboration organization established under this chapter shall report to the governor's workforce cabinet:

(1) the activities supported by any state grant money received; and

(2) the student outcomes resulting from the approved activities;

in accordance with reporting standards established by the governor's workforce cabinet and the management performance hub.

(b) The governor's workforce cabinet shall make the information reported by each industry collaboration organization under subsection (a) available to the public on the Internet web site of the governor's workforce cabinet.

Sec. 18. The governor's workforce cabinet shall prescribe a standard form to be used by the industry collaboration organization to report student outcomes as required under section 17(a)(2) of this chapter, including at least the following information for the students participating in the approved activities described in section 10 of this chapter:

(1) The number, geographic region, and demographic breakdown of students who completed a program or activity funded in whole or in part by state grant money under this chapter, including:

- (A) an industry recognized apprenticeship program;
- (B) an internship or equivalent work based learning experience;
- (C) an industry recognized certification or credential; or
- (D) a postsecondary certificate or degree.

- (2) The industry sectors and businesses supported by the approved activities.
- (3) The number and names of school corporations and postsecondary institutions supporting the delivery of the approved activities.

Sec. 19. The governor's workforce cabinet shall support a industry collaboration organization in sharing and scaling best practices on a statewide basis by:

- (1) conducting an annual survey of the business, education, and community organizations participating in the industry collaboration organization, in consultation with the management performance hub; and
- (2) convening the industry collaboration organizations on an ongoing basis in collaboration with Indiana's statewide business and industry associations.

Sec. 20. The governor's workforce cabinet shall annually compile lists of the following:

- (1) The industry sectors and geographic regions in which industry collaboration organizations are operating, disaggregated by industry category and region.
- (2) The business, educational institutions, and community organizations affiliated with the industry collaboration organizations established under this chapter, disaggregated by industry category and region."

Delete page 8.

Page 9, delete lines 1 through 12.

Renumber all SECTIONS consecutively.

(Reference is to SB 420 as printed February 20, 2019.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 532, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective date in SECTION 2 with "[EFFECTIVE UPON PASSAGE]".

Page 2, delete lines 30 through 39, begin a new paragraph and insert:

"(b) The department shall convene a panel of stakeholders designated by the department, which must consist of teachers and representatives from postsecondary education, to adopt teacher licensing examinations to replace the teacher licensing examinations administered on July 1, 2019. The panel shall consider whether to use a national examination or an examination customized for Indiana's teaching needs.

(c) Not later than July 1, 2019, the panel shall adopt teacher licensing examinations to replace the teacher licensing examination administered on July 1, 2019.

(d) Not later than September 1, 2021, the department shall implement the teacher licensing examinations adopted by the panel under this section. The state board may adopt

rules under IC 4-22-2 necessary to implement this section.

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

(Reference is to SB 532 as printed February 1, 2019.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 549, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 549 as printed February 13, 2019.)

Committee Vote: Yeas 7, Nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 554, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 39 through 42.

Delete pages 3 through 5.

Page 6, delete lines 1 through 23.

Page 8, after line 7, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "ticket" refers to any ticket, privilege, or license of admission to any entertainment event, place of public amusement, arena, stadium, theater, performance, sport, exhibition, or athletic contest in Indiana.

(b) The legislative council is urged to assign to an appropriate interim study committee the task of studying the sale and resale of tickets to events in Indiana. An interim study committee assigned the topic described in this SECTION shall examine the current status of the commercial ticketing market, including the following:

(1) The effects of the following on the marketplace and consumers:

- (A) Scalping.
- (B) Ticket resales.
- (C) Speculative ticketing.
- (D) The use of bots and deceptive URLs with respect to online ticket platforms.

(2) The effects of paperless ticketing systems on consumers.

(3) The status of the current law regarding the legal relationship of the consumer with respect to the following:

- (A) Ticketing agencies, issuers, and brokers.
- (B) Event venues.
- (C) Entertainers.
- (D) Sports teams, leagues, and franchises.

(4) The current practice with respect to:

- (A) refunds;
- (B) processing fees;
- (C) nontransferable tickets; and
- (D) price markups in the primary and secondary markets.

(c) This SECTION expires January 1, 2020.

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

Renumber all SECTIONS consecutively.

(Reference is to ESB 554 as printed April 2, 2019.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred Senate Bill 560, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 5. IC 3-6-2-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 10. A political party covered by this chapter must provide in its state party rules that a precinct committeeman of the party is not eligible to vote on any matter that requires the vote of precinct committeemen:**

- (1) under any rule or proceeding of the political party; and
- (2) relating to the endorsement of a candidate in a primary election;

unless the precinct committeeman is eligible to vote for the candidate's office at an election."

Page 4, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 8. IC 3-6-4.2-14, AS AMENDED BY P.L.120-2009, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 14. (a) Each year in which a general or municipal election is held, the election division shall call a meeting of all the members of the county election boards and the boards of registration to instruct them as to regarding all of the following:**

- (1) Their duties under this title and federal law (including HAVA and NVRA).
- (2) Requirements and best practices concerning cybersecurity for the computerized list, voting systems, and electronic poll books.
- (3) Physical security for all aspects of the election process, including voting systems, electronic poll books, absentee voting, and polling places.
- (4) Requirements and best practices to ensure that voting systems, precinct polling places, and vote centers are accessible to voters with disabilities.

(b) The election division may, but is not required to, call a meeting under this section during a year in which a general or a municipal election is not held.

~~(b)~~ (c) Each circuit court clerk and each member of a board of registration established under IC 3-7-12 shall attend a meeting called by the election division under this section. A circuit court clerk or member of a board of registration may require the attendance of the following:

- (1) Each of the circuit court clerk's or board of registration member's appointed and acting chief deputies or chief assistants with election related responsibilities.
- (2) If the number of deputies or assistants:
 - (A) is not more than three (3), one (1) of the clerk's or member's appointed and acting deputies or assistants; or
 - (B) is greater than three (3), two (2) of the clerk's or member's appointed and acting deputies or assistants.

~~(c)~~ (d) The ~~co-directors~~ of the election division shall set the time and place of the instructional meeting. In years in which a primary election is held, the election division:

- (1) may conduct the meeting before the first day of the year; and
- (2) shall conduct the meeting before primary election day.

The instructional meeting may not last for more than two (2) days.

~~(d)~~ (e) Each member of a county election board or board of registration individual required to attend the meeting under subsection (c) and an individual who has been elected or selected to serve as circuit court clerk but has not yet begun serving in that office is entitled to receive all of the following from the county general fund without appropriation:

- (1) A per diem of twenty-four dollars (\$24) for attending the instructional meeting called by the election division under this section.
- (2) A mileage allowance at the state rate for the distance necessarily traveled in going and returning from the place of the instructional meeting called by the election division under this section.
- (3) Reimbursement for the payment of the instructional meeting registration fee.
- (4) An allowance for lodging for each night preceding conference attendance equal to the lodging allowance provided to state employees in travel status."

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

"SECTION 12. IC 3-7-12-28.1 IS REPEALED [EFFECTIVE JULY 1, 2019]. ~~Sec. 28.1:~~ (a) In addition to the reports required for the statewide voter file, the county voter registration office shall file a report with the election division not later than noon January 31 of each year:

(b) The report must include the following:

- ~~(1)~~ Any revisions to the county NVRA implementation plan adopted during the preceding year.
- (2) Other data prescribed by the division."

Page 5, delete lines 17 through 19, begin a new paragraph and insert:

"(b) The computerized list:

- (1) must require that a report containing information concerning absentee applications and voting by specified individuals be generated in CSV format with dashes; and
- (2) may provide for reports described in subdivision (1) to be generated in other formats."

Page 7, between lines 32 and 33, begin a new paragraph and insert:

"(i) If the county voter registration office cancels a voter's registration record at an address that the applicant has stated is no longer the legal residence of the applicant under subsection (h), the county voter registration office shall send the voter a notice prescribed by the election division and generated from the computerized list maintained under IC 3-7-26.3 by forwardable mail to the voter's residence address that was canceled. The notice must state the following:

- (1) That the voter's registration application was denied under subsection (f).
- (2) That the voter's registration record at the address that the applicant has stated is no longer the legal residence of the applicant has been canceled under subsection (h).
- (3) That if the voter wants to register to vote at the voter's current residence address, the voter must complete and submit a new application before the end of the next

registration period described in IC 3-7-13-10. A voter registration application must be sent with the notice required under this subsection."

Page 7, line 33, delete "(i)" and insert "(j)".

Page 8, line 3, delete "(j)" and insert "(k)".

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

"SECTION 21. IC 3-8-1-32 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 32. (a) **Subject to subsections (b) through (d), a candidate for:**

- (1) precinct committeeman; or
- (2) delegate to a state convention;

of a political party in the state whose nominee received at least ten percent (10%) of the total vote cast for secretary of state at the last election must comply with any candidate requirement set by state party rules.

(b) Subject to subsection (c), if a voter who is a resident of a precinct does not file to be a candidate for precinct committeeman of the precinct, the rules of a political party must permit an individual who satisfies all of the following to be a candidate for precinct committeeman for that precinct:

- (1) The individual is a voter who is a resident of the township in which the precinct is located.**
- (2) The precinct in which the individual resides is adjacent to the precinct the individual seeks to represent. For purposes of this subdivision, a precinct is not adjacent to another precinct if the precincts do not touch or touch only at one (1) or more single points.**
- (3) The individual otherwise satisfies the political party's rules about the qualifications for a precinct committeeman.**

(c) An individual may not be the precinct committeeman of more than one (1) precinct at a time.

(d) If a voter who is a resident of the precinct and is otherwise eligible to be a precinct committeeman under the political party's rules subsequently files to be a candidate for precinct committeeman for the precinct, all of the following apply:

- (1) The individual who is not a resident of the precinct:**
 - (A) becomes ineligible to be elected as precinct committeeman of that precinct; and**
 - (B) is considered to have withdrawn the individual's candidacy for precinct committeeman.**
- (2) The county election board shall remove the name of the candidate who is not a resident of the precinct from the ballot not later than the deadline to challenge the eligibility of an individual to be a candidate for office."**

Page 13, line 13, delete "sixty" and insert "**on the first date following the adoption of the ordinance that a declaration of candidacy may be filed under IC 3-8-2-4.**".

Page 13, delete line 14.

Page 27, line 24, strike "2019" and insert "**2023**".

Page 27, line 32, delete "2022" and insert "**2020**".

Page 27, line 33, strike "2020" and insert "**2022**".

Page 28, line 35, after "(a)" insert "**This section does not apply in a county having a consolidated city. (b)".**

Page 28, line 39, delete "(b)" and insert "**(c)**".

Page 30, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 52. IC 3-10-9-3, AS AMENDED BY P.L.225-2011, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020]: Sec. 3. **(a) Except as otherwise specifically provided by a statute, a local public question may be placed on the ballot only at the following elections:**

- (1) A primary election in a year a general election is held.**
- (2) A general election.**
- (3) A primary election in a year a municipal election is held, but only if the election district for the public question is contained entirely within a municipality.**
- (4) A municipal general election, but only if the election district for the public question is contained entirely within a municipality.**
- (5) A special election if specifically permitted by law.**

(b) If a local public question must be certified to an election board by law, that certification must occur ~~no~~ not later than noon:

- (1) seventy-four (74) days before a primary election if the public question is to be placed on the primary or municipal primary election ballot; or
- (2) August 1 if the public question is to be placed on the general or municipal election ballot."

Page 32, delete lines 21 through 28.

Page 34, delete lines 30 through 42, begin a new paragraph and insert:

"SECTION 60. IC 3-11-2-12, AS AMENDED BY HEA 1005-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 12. The following offices shall be placed on the general election ballot in the following order after the public questions described in section 10(a) of this chapter:

- (1) Federal and state offices:
 - (A) President and Vice President of the United States.
 - (B) United States Senator.
 - (C) Governor and lieutenant governor.
 - (D) Secretary of state.
 - (E) Auditor of state.
 - (F) Treasurer of state.
 - (G) Attorney general.
 - (H) United States Representative.
- (2) Legislative offices:
 - (A) State senator.
 - (B) State representative.
- (3) Circuit offices and county judicial offices:
 - (A) Judge of the circuit court, and unless otherwise specified under IC 33, with each division separate if there is more than one (1) judge of the circuit court.
 - (B) Judge of the superior court, and unless otherwise specified under IC 33, with each division separate if there is more than one (1) judge of the superior court.
 - (C) Judge of the probate court.
 - (D) Prosecuting attorney.
 - (E) Clerk of the circuit court.
- (4) County offices:
 - (A) County auditor.
 - (B) County recorder.
 - (C) County treasurer.
 - (D) County sheriff.
 - (E) County coroner.
 - (F) County surveyor.

(G) County assessor.
 (H) County commissioner. ~~This clause applies only to a county that is not subject to IC 36-2-2.5.~~

~~(I) Single county executive. This clause applies only to a county that is subject to IC 36-2-2.5.~~

~~(J) (I) County council member, except as provided in section 12.4 of this chapter.~~

(5) Township offices:

(A) Township assessor (only in a township referred to in IC 36-6-5-1(d)).

(B) Township trustee.

(C) Township board member, except as provided in section 12.4 of this chapter.

(D) Judge of the small claims court.

(E) Constable of the small claims court.

(6) City offices:

(A) Mayor.

(B) Clerk or clerk-treasurer.

(C) Judge of the city court.

(D) City-county council member or common council member, except as provided in section 12.4 of this chapter.

(7) Town offices:

(A) Clerk-treasurer.

(B) Judge of the town court.

(C) Town council member, except as provided in section 12.4 of this chapter."

Delete page 35.

Page 36, delete lines 1 through 7.

Page 39, delete lines 4 through 42.

Page 40, delete lines 1 through 36, begin a new paragraph and insert:

"SECTION 65. IC 3-11-4-2, AS AMENDED BY P.L.169-2015, SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) A voter who wants to vote by absentee ballot must apply to the county election board for an official absentee ballot. Except as provided in subsection (b), the voter must sign the absentee ballot application.

(b) If a voter with disabilities is unable to sign the absentee ballot application and the voter has not designated an individual to serve as attorney in fact for the voter, the voter may designate an individual eligible to assist the voter under IC 3-11-9-2(a) to sign the application on behalf of the voter and add the individual's name to the application. If an individual applies for an absentee ballot as the properly authorized attorney in fact for a voter, the attorney in fact must attach a copy of the power of attorney to the application and comply with subsection (d).

(c) A person may provide an individual with an application for an absentee ballot with the following information already printed or otherwise set forth on the application when provided to the individual:

- (1) The name of the individual.
- (2) The voter registration address of the individual.
- (3) The mailing address of the individual.
- (4) The date of birth of the individual.

(d) A person may not provide an individual with an application for an absentee ballot with the following information already printed or otherwise set forth on the application when provided to the individual:

- (1) The address to which the absentee ballot would be mailed, if different from the voter registration address of the individual.
- (2) In a primary election, the major political party ballot requested by the individual.
- (3) In a primary or general election, the types of

absentee ballots requested by the individual.

(4) The reason why the individual is entitled to vote an absentee ballot:

(A) by mail; or

(B) before an absentee voter board (other than an absentee voter board located in the office of the circuit court clerk or a satellite office);

in accordance with IC 3-11-4-18, IC 3-11-10-24, or IC 3-11-10-25.

(5) The voter identification number of the individual.

(e) If the county election board determines that an absentee ballot application does not comply with subsection (d), the board shall deny the application under section 17.5 of this chapter.

(f) A person who assists an individual in completing any information described in subsection (d) on an absentee ballot application shall state under the penalties for perjury the following information on the application:

(1) The full name, residence and mailing address, and daytime and evening telephone numbers (if any) of the person providing the assistance.

(2) The date this assistance was provided.

(3) That the person providing the assistance has complied with Indiana laws governing the submission of absentee ballot applications.

(4) That the person has no knowledge or reason to believe that the individual submitting the application:

(A) is ineligible to vote or to cast an absentee ballot; or

(B) did not properly complete and sign the application.

When providing assistance to an individual, the person must, in the individual's presence and with the individual's consent, provide the information listed in subsection (d) if the individual is unable to do so.

(g) This subsection does not apply to an employee of the United States Postal Service or a bonded courier company acting in the individual's capacity as an employee of the United States Postal Service or a bonded courier company. A person who receives a completed absentee ballot application from the individual who has applied for the absentee ballot shall indicate on the application the date the person received the application, and file the application with the appropriate county election board **or election division** not later than:

(1) noon ten (10) days after the person receives the application; or

(2) the deadline set by Indiana law for filing the application with the board;

whichever occurs first. The election division, a county election board, or a board of elections and registration shall forward an absentee ballot application to the county election board or board of elections and registration of the county where the individual resides.

(h) This subsection does not apply to an employee of the United States Postal Service or a bonded courier company acting in the individual's capacity as an employee of the United States Postal Service or a bonded courier company, or to the election division, a county election board, or a board of elections and registration. A person filing an absentee ballot application, other than the person's own absentee ballot application, must **sign include** an affidavit **at the time of filing the application: with the application. The affidavit must be signed by the individual who received the completed application from the applicant.** The affidavit must be in a form prescribed by the election division. The form must include the following:

(1) A statement of the full name, residence and mailing address, and daytime and evening telephone numbers (if any) of the person submitting the application.

(2) A statement that the person filing the affidavit has complied with Indiana laws governing the submission of absentee ballot applications.

(3) The date (or dates) that the absentee ballot applications attached to the affidavit were received.

(4) A statement that the person has no knowledge or reason to believe that the individual whose application is to be filed:

(A) is ineligible to vote or to cast an absentee ballot; or

(B) did not properly complete and sign the application.

(5) A statement that the person is executing the affidavit under the penalties of perjury.

(6) A statement setting forth the penalties for perjury.

(i) The county election board shall record the date and time of the filing of the affidavit.

SECTION 66. IC 3-11-4-17.7, AS AMENDED BY SEA 558-2019, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 17.7. (a) This section applies when a voter:

(1) has been mailed the official ballot under this chapter; and

(2) notifies the county election board that:

(A) the ballot has been destroyed, spoiled, lost, or not received by the voter after a reasonable time has elapsed for delivery of the ballot by mail;

(B) the absentee ballot does not bear the bipartisan initials required under section 19 of this chapter; or

(C) the absentee ballot envelope was not signed by the voter.

(b) As required under 52 U.S.C. 21081, the voter may obtain a replacement official ballot under the procedures set forth in this chapter after the voter files a statement with the county election board. The statement must affirm, under penalties of perjury, that the voter did not receive the official ballot (or that the ballot was received by the voter, but was destroyed, spoiled, or lost), and must set forth any facts known by the voter concerning the destruction, spoiling, or loss of the ballot.

(c) After a voter files the statement required under subsection (b), the circuit court clerk shall do the following:

(1) Place the written request with the absentee voter's original ballot.

(2) Mark "canceled" on the envelope containing the original ballot.

(3) Preserve the original ballot with the other defective ballots.

(4) Deliver a new ballot to the absentee voter.

(d) If a voter requests a replacement ballot for a primary election, the county election board may not provide the voter with a primary election ballot for a political party different from the political party indicated in the voter's application for an absentee ballot.

~~(d)~~ (e) After receiving the official replacement ballot, the voter shall destroy any spoiled ballot in the possession of the voter or any lost or delayed official ballot that comes into the possession of the voter."

Page 42, delete lines 29 through 41.

Page 43, delete lines 36 through 39.

Page 44, delete lines 17 through 42, begin a new

paragraph and insert:

"SECTION 73. IC 3-11-8-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) The polls in each precinct open at 6 a.m. and close at 6 p.m. on election day.

(b) A county election board or a board of elections and registration does not have the power to extend the hours that the polls are to be open in any precinct or vote center of the county.

SECTION 74. IC 3-11-8-25.2, AS AMENDED BY SEA 558-2019, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 25.2. (a) The poll clerk or assistant poll clerk shall examine the list provided under IC 3-7-29-1 to determine if the county election board has indicated that the voter is required to provide additional personal identification under 52 U.S.C. 21083 and IC 3-7-33-4.5 before voting in person. If the list ~~(or a certification concerning absentee voters under IC 3-11-10-12)~~ indicates that the voter is required to present this identification before voting in person, the poll clerk shall advise the voter that the voter must present, in addition to the proof of identification required by section 25.1(a) of this chapter, a piece of identification described in subsection (b) to the poll clerk.

(b) As required by 52 U.S.C. 21083, and in addition to the proof of identification required by section 25.1(a) of this chapter, a voter described by IC 3-7-33-4.5 who has not complied with IC 3-7-33-4.5 before appearing at the polls on election day must present one (1) of the following documents to the poll clerk:

(1) A current and valid photo identification.

(2) A current utility bill.

(3) A current bank statement.

(4) A current government check.

(5) A current paycheck.

(6) A current government document.

The document presented by the voter must show the name and residence address of the voter.

(c) If a voter presents a document under subsection (b), the poll clerk shall add a notation to the list indicating the type of document presented by the voter. The election division shall prescribe a standardized coding system to classify documents presented under this subsection for entry into the county voter registration system.

(d) If a voter required to present documentation under subsection (b) is unable to present the documentation to the poll clerk while present in the polls, the poll clerk shall notify the precinct election board. The board shall provide a provisional ballot to the voter under IC 3-11.7-2.

(e) The precinct election board shall advise the voter that the voter may file a copy of the documentation with the county voter registration office to permit the provisional ballot to be counted under IC 3-11.7."

Page 45, delete lines 1 through 8.

Page 54, delete lines 35 through 42, begin a new paragraph and insert:

"SECTION 98. IC 3-11-10-26, AS AMENDED BY SEA 558-2019, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 26. (a) This subsection applies to all counties, except for a county to which IC 3-6-5.2 applies. As an alternative to voting by mail, a voter is entitled to cast an absentee ballot before an absentee voter board at any of the following:

(1) One (1) location of the office of the circuit court clerk designated by the circuit court clerk.

(2) A satellite office established under section 26.3 of this chapter.

(b) This subsection applies to a county to which IC 3-6-5.2 applies. As an alternative to voting by mail, a voter is entitled to cast an absentee ballot before an absentee voter board at any of the following:

(1) The office of the board of elections and registration.

(2) A satellite office established under section 26.3 of this chapter.

(c) Except for a location designated under subsection (a)(1), a location of the office of the circuit court clerk must be established as a satellite office under section 26.3 of this chapter in order to be used as a location at which a voter is entitled to cast an absentee ballot before an absentee voter board under this section.

(d) The voter must do the following before being permitted to vote:

(1) This subdivision does not apply to a county that uses electronic poll books for voting under this section. Sign an application on the form prescribed by the election division under IC 3-11-4-5.1. The application must be received by the circuit court clerk not later than the time prescribed by IC 3-11-4-3.

(2) This subdivision applies only to a county that uses electronic poll books for voting under this section and in which the ballot is cast on an electronic voting system. The voter must do the following:

(A) If the county election board has prescribed an affidavit under subsection (e) that includes a unique identifier to comply with section 26.2(c)(3) of this chapter, make and subscribe to the affidavit.

(B) Sign the electronic poll book.

(C) Provide proof of identification.

(3) This subdivision applies only to a county that uses electronic poll books for voting under this section and in which the ballot is cast on an optical scan voting system. The voter must do the following:

(A) Sign the electronic poll book.

(B) Provide proof of identification.

(C) Sign the affidavit prescribed by section 29 of this chapter.

(e) The county election board may:

(1) prescribe an affidavit that includes a unique identifier; or

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

to comply with section 26.2(c)(3) of this chapter. After the county election board approves an affidavit or procedure described in this subsection and before the affidavit or procedure is used in an election, the county election board shall file a copy of the affidavit or a brief description of the procedure with the election division to assist the state recount commission in conducting proceedings under IC 3-12-11.

(f) The voter may vote before the board not more than twenty-eight (28) days nor later than noon on the day before election day. If the close of a voter registration period is transferred under IC 3-5-4-1.5 from twenty-nine (29) days to a later date due to the Columbus Day holiday, the voter may vote before the board on the first day following the day on which the voter registration period closes.

(g) An absent uniformed services voter who is eligible to vote by absentee ballot in the circuit court clerk's office under IC 3-7-36-14 may vote before the board not earlier than twenty-eight (28) days before the election and not later than noon on election day. If the close of a voter registration period is transferred under IC 3-5-4-1.5 from twenty-nine (29) days to a later date due to the Columbus Day holiday, the voter may vote before the board on the first day following the day on

which the voter registration period closes. If a voter described by this subsection wishes to cast an absentee ballot during the period beginning at noon on the day before election day and ending at noon on election day, the county election board or absentee voter board may receive and process the ballot at a location designated by resolution of the county election board.

(h) The absentee voter board in the office of the circuit court clerk must permit voters to cast absentee ballots under this section for at least seven (7) hours on each of the two (2) Saturdays preceding election day.

(i) Notwithstanding subsection (h), in a county with a population of less than twenty thousand (20,000), the absentee voter board in the office of the circuit court clerk, with the approval of the county election board, may reduce the number of hours available to cast absentee ballots under this section to a minimum of four (4) hours on each of the two (2) Saturdays preceding election day.

(j) As provided by 52 U.S.C. 21081, a voter casting an absentee ballot under this section must be:

(1) permitted to verify in a private and independent manner the votes selected by the voter before the ballot is cast and counted;

(2) provided with the opportunity to change the ballot or correct any error in a private and independent manner before the ballot is cast and counted, including the opportunity to receive a replacement ballot if the voter is otherwise unable to change or correct the ballot; and

(3) notified before the ballot is cast regarding the effect of casting multiple votes for the office and provided an opportunity to correct the ballot before the ballot is cast and counted.

(k) As provided by 52 U.S.C. 21081, when an absentee ballot is provided under this section, the board must also provide the voter with:

(1) information concerning the effect of casting multiple votes for an office; and

(2) instructions on how to correct the ballot before the ballot is cast and counted, including the issuance of replacement ballots.

(l) If:

(1) the voter is unable or declines to present the proof of identification; or

(2) a member of the board determines that the proof of identification provided by the voter does not qualify as proof of identification under IC 3-5-2-40.5;

the voter shall be permitted to cast a provisional ballot.

(m) A voter casting an absentee ballot under this section is entitled to cast the voter's ballot in accordance with IC 3-11-9.

(n) In a primary election, a voter casting an absentee ballot under this chapter may not change the voter's choice of the voter's political party after the voter has been mailed or otherwise provided with a primary ballot containing the candidates of that party."

Delete pages 55 through 56.

Page 57, delete lines 1 through 25, begin a new paragraph and insert:

"SECTION 99. IC 3-11-10-26.5, AS AMENDED BY P.L.219-2013, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 26.5. (a) This section applies to:

(1) a municipal election;

(2) a primary conducted in a municipal election year; and

(3) a special election conducted under IC 3-10-8.

(b) Notwithstanding section 26 of this chapter, a county election board (or a town election board acting under IC 3-10-7)

may adopt a resolution by the unanimous vote of the board's entire membership stating that voters are entitled to vote by absentee ballot before an absentee voter board in the office of the circuit court clerk or town election board during specific days and hours identified in the resolution.

(c) If the election board adopts a resolution under subsection (b), the board must include written findings of fact in the resolution stating:

- (1) the number of absentee ballot applications anticipated or previously received for the election;
- (2) the expense to be incurred by providing absentee ballot voting in the office during the entire period required under section 26 of this chapter; and
- (3) that voters would experience little or no inconvenience by restricting absentee ballot voting in the office to the days and hours specified in the resolution.

(d) This subsection does not apply to an absentee ballot challenged under IC 3-11-4-18.5 until the challenge has been decided by the election board. If the election board adopts a resolution under subsection (b), an absentee ballot requested to be mailed to a voter shall be mailed:

- (1) on the first business day that a voter is entitled to vote by absentee ballot before an absentee voter board in the office of the election board following receipt of the voter's application;
- (2) not more than five (5) days after the date of delivery of the ballots under IC 3-11-4-15; or
- (3) on the day of the receipt of the voter's application;

whichever is the latest:

(e) This subsection does not apply to an absentee ballot application challenged under IC 3-11-4-18.5 until the challenge has been decided by the election board. If the absentee ballot is requested by an absent uniformed services voter or an overseas voter, the absentee ballot shall be transmitted:

- (1) not more than five (5) days after the date of delivery of the ballots under IC 3-11-4-15; or
- (2) on the day of the receipt of the voter's application;

whichever is later."

Page 58, line 13, strike "set by the county executive".

Page 58, line 19, delete "IC 3-11-10-26.3." and insert "**IC 3-11-10-26.3 are entitled to a per diem at a rate set by the county fiscal body.**"

Page 58, between lines 22 and 23, begin a new paragraph and insert:

"SECTION 104. IC 3-11-11-1.9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.9. (a) Before the opening of the polls, the precinct election board shall compare the ballots with the sample ballots and determine whether the names, numbers, and letters are in agreement. The board then shall certify that the ballots and the sample ballots are in agreement. Forms shall be provided for certification, and the certification shall be filed with the election returns.

(b) The inspector of each precinct, or a person under the direction of the inspector, shall post sample ballots near the entrance of the chute for the precinct. The ballots must be available for public inspection throughout election day.

(c) **This subsection applies to a county using vote centers. Not later than the first date that a voter may cast a ballot at a vote center, the county election board shall do both of the following:**

- (1) **Make the comparison between the sample ballots, regular official ballots, and provisional ballots described in subsection**

(a).

(2) **Certify that the ballots are in agreement.**

A copy of the certification shall be entered into the minutes of the county election board.

(d) **This subsection applies to a county using vote centers. The county election board shall do both of the following:**

- (1) **Have copies of each sample ballot for each precinct available for inspection by a voter at each vote center.**
- (2) **Post a notice in the vote center stating that sample ballots are available for inspection upon request by the voter."**

Page 58, between lines 31 and 32, begin a new paragraph and insert:

"SECTION 106. IC 3-11-11-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 17. (a) After voting, a voter shall leave the polls. ~~However, a voter to whom ballots and a pencil have been delivered may not leave the polls without:~~

- (1) voting the ballots or returning them to the poll clerk; and
- (2) returning the pencil to the poll clerk from whom the voter received it.

(b) **If a voter leaves the booth without casting a ballot, a precinct election official shall:**

- (1) attempt to advise the voter not to leave the polls because the voter's ballot has not been cast; and
- (2) permit the voter to return to the booth to complete the process of casting the voter's ballot.

(c) **If the voter has left the polls, or declines to return to the booth, the inspector shall direct both judges to enter into the booth and return the voter's ballot to the inspector. Upon receiving the voter's ballot the inspector shall deposit the voter's ballot in the ballot box.**

(d) **After the voter's ballot has been deposited in the ballot box, the judges and the inspector shall promptly complete a form prescribed under IC 3-5-4-8 containing the following information:**

- (1) **The name of the voter who left the polls without completing the process of casting a ballot.**
- (2) **The approximate time that the voter left the polls.**
- (3) **Whether the voter was advised that the voter could return to the booth to complete the casting of the ballot.**
- (4) **A statement made under the penalties for perjury indicating that:**

- (A) **the judges gave the voter's ballot to the inspector;**
- (B) **the inspector deposited the voter's ballot in the ballot box; and**
- (C) **the judges and the inspector did not make any alteration to the choices made by the voter.**

The form must be signed by the inspector and both judges."

Page 62, delete lines 30 through 42, begin a new paragraph and insert:

"SECTION 109. IC 3-11-13-22, AS AMENDED BY SEA 570-2019, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 22. (a) This section applies to:

- (1) a ballot card voting system; and
- (2) a voting system that includes features of a ballot card voting system and a direct record electronic voting system.

(b) **Not later than seventy-four (74) days before election**

day, for each county planning to use automatic tabulating machines at the next election, VSTOP shall provide each county election board with two (2) lists of unique identification numbers for the machines to be tested by the county. The number of machines selected in each list must be:

- (1) approved by the division; and
- (2) not less than five percent (5%) of the machines in the county.

(c) The county election board shall test the machines in the first list described in subsection (b) to ascertain that the machines will correctly count the votes cast for straight party tickets, for all candidates (including write-in candidates), and on all public questions. If an individual attending the public test requests that additional automatic tabulating machines be tested, then the county election board shall test machines from the second list described in subsection (b).

(d) If VSTOP does not provide the lists under subsection (b) not later than sixty (60) days before the election, the county election board shall establish and implement a procedure for random selection of not less than five percent (5%) of the machines in the county. The county election board shall then test the machines selected as described in subsection (c).

(e) Not later than seven (7) days after conducting the test under subsection (c), the county election board shall certify to the election division that the test has been conducted in conformity with subsection (c). The testing under subsection (c) must begin before absentee voting begins in the office of the circuit court clerk under IC 3-11-10-26.

(f) Public notice of the time and place shall be given at least forty-eight (48) hours before the test. The notice shall be published once in accordance with IC 5-3-1-4.

(g) If a county election board determines that:

- (1) a ballot:
 - (A) must be reprinted or corrected as provided by IC 3-11-2-16 because of the omission of a candidate, political party, or public question from the ballot; or
 - (B) is an absentee ballot that a voter is entitled to recast under ~~IC 3-11-10-1.5~~ **IC 3-11.5-4-2** because the absentee ballot includes a candidate for election to office who:
 - (i) ceased to be a candidate; and
 - (ii) has been succeeded by a candidate selected under IC 3-13-1 or IC 3-13-2; and

(2) ballots used in the test conducted under this section were not reprinted or corrected to remove the omission of a candidate, political party, or public question, or indicate the name of the successor candidate;

the county election board shall conduct an additional public test described in subsection (c) using the reprinted or corrected ballots. Notice of the time and place of the additional test shall be given in accordance with IC 5-14-1.5, but publication of the notice in accordance with IC 5-3-1-4 is not required.

SECTION 110. IC 3-11-13-27, AS AMENDED BY P.L.221-2005, SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 27. (a) After the delivery of a ballot card voting system to a precinct, the precinct election board may meet at the polls on the same day and open the package containing the sample ballot cards, to determine whether the system is ready for use in accordance with section 16 of this chapter. If a ballot card voting system is not in compliance with that section, the board shall immediately label, set and adjust, and place the system in order or have it done.

(b) While acting under subsection (a), the precinct election board may restrict access to parts of the room where marking devices and other election material are being handled

to safeguard this material.

(c) On the morning of election day, the precinct election officers shall meet at the polls at least one (1) hour before the time for opening the polls. The inspector then shall have:

- (1) the boundaries of the chute designated;
- (2) the sample ballots and instruction cards posted; and
- (3) everything put in readiness for the commencement of voting at the opening of the polls.

(d) Before the opening of the polls, the precinct election officers shall do the following:

- (1) Compare the ballot cards used in the marking device with the sample ballots furnished and determine whether the names, numbers, and letters are in agreement.
- (2) Determine that the system records that zero (0) votes have been cast for each candidate and on each public question.
- (3) Assure that the system is otherwise in perfect order.

(e) The officers then shall certify that:

- (1) the marking device and the sample ballots are in agreement;
- (2) the system records zero (0) votes cast; and
- (3) the system appears to be in perfect order.

Forms shall be provided for certification, and the certification shall be filed with the election returns.

(f) This subsection applies to a county using vote centers. Not later than the first date that a voter may cast a ballot at a vote center, the county election board shall do both of the following:

- (1) Make the comparison between the sample ballots, regular official ballots, and provisional ballots as provided in subsection (d).**
- (2) Certify that the ballots are in agreement.**

A copy of the certification shall be entered into the minutes of the county election board.

(g) This subsection applies to a county using vote centers. The county election board shall do both of the following:

- (1) Have copies of each sample ballot for each precinct available for inspection by a voter at each vote center.**
- (2) Post a notice in the vote center stating that sample ballots are available for inspection upon request by the voter."**

Page 63, delete lines 1 through 31.

Page 64, line 5, strike "vote center".

Page 64, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 112. IC 3-11-13-33, AS AMENDED BY P.L.221-2005, SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 33. (a) After a voter has marked a ballot card, the voter shall place it inside the envelope provided for this purpose or fold the **envelope ballot** described in section 18(b)(1) of this chapter and return the ballot card to the judge.

(b) The judge shall offer to return the envelope with the ballot card inside to the voter. The voter shall:

- (1) accept the envelope and deposit it in the ballot box; or
- (2) decline the envelope and require the judge to deposit it in the ballot box.

(c) If a voter offers to vote a ballot card that is not inside the envelope provided for this purpose or with the **envelope ballot** not folded ~~if the ballot is~~ as described in section 18(b)(1) of this chapter, the precinct election board shall direct the voter to return to the booth and place the ballot card in the envelope

provided for this purpose or fold the envelope. After voting, a voter shall leave the polls.

(d) If a voter leaves the booth without casting a ballot, a precinct election official shall:

- (1) attempt to advise the voter not to leave the polls because the voter's ballot has not been cast; and
- (2) permit the voter to return to the booth to complete the process of casting the voter's ballot.

(e) If the voter has left the polls, or declines to return to the booth, the inspector shall direct both judges to do the following:

- (1) Enter into the booth and place the voter's ballot inside the envelope provided or fold the ballot as described in section 18(b)(1) of this chapter.
- (2) Give the envelope or folded ballot to the inspector.

The inspector shall then deposit the voter's ballot in the ballot box.

(f) After the voter's ballot has been deposited in the ballot box, the judges and the inspector shall promptly complete a form prescribed under IC 3-5-4-8 containing the following information:

- (1) The name of the voter who left the polls without completing the process of casting a ballot.
- (2) The approximate time that the voter left the polls.
- (3) Whether the voter was advised that the voter could return to the booth to complete the casting of the ballot.
- (4) A statement made under the penalties for perjury indicating that:
 - (A) the judges gave the voter's ballot to the inspector;
 - (B) the inspector deposited the voter's ballot in the ballot box; and
 - (C) the judges and the inspector did not make any alteration to the choices made by the voter.

The form must be signed by both judges and the inspector.

(g) After a voter's ballot cards have been deposited in the ballot box, the poll clerks shall make a voting mark after the voter's name on the poll list.

(e) After voting, a voter shall leave the polls. However, a voter to whom ballot cards and a marking device have been delivered may not leave the polls without voting the ballot cards or returning them to the poll clerk from whom the voter received them.

SECTION 113. IC 3-11-14-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 17. (a) Before the opening of the polls, each precinct election board shall:

- (1) compare the ballot label on each electronic voting system with the sample ballot to see that it is correct;
- (2) see that the system records zero (0) votes for each candidate and on each public question; and
- (3) see that the system is otherwise in perfect order.

(b) After the system is in perfect order for voting, the precinct election board may not permit the counters to be operated except by voters in voting. The board then shall certify that the ballot labels and the sample ballots are in agreement. Forms shall be provided for certification, and the certification shall be filed with the election returns.

(c) This subsection applies to a county using vote centers. Not later than the first date that a voter may cast a

ballot at a vote center, the county election board shall do both of the following:

- (1) Make the comparison between the sample ballots, regular official ballots, and provisional ballots described in subsection (a).
- (2) Certify that the ballots are in agreement.

A copy of the certification shall be entered into the minutes of the county election board.

(d) This subsection applies to a county using vote centers. The county election board shall do both of the following:

- (1) Have copies of each sample ballot for each precinct available for inspection by a voter at each vote center.
- (2) Post a notice in the vote center stating that sample ballots are available for inspection upon request by the voter."

Page 65, delete lines 12 through 42, begin a new paragraph and insert:

"SECTION 116. IC 3-11-14.5-1, AS AMENDED BY SEA 570-2019, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. (a) Not later than seventy-four (74) days before election day, for each county planning to use an electronic voting system at the next election, VSTOP shall provide each county election board with two (2) lists of unique identification numbers for the machines to be tested by the county. The number of machines selected in each list must be:

- (1) approved by the division; and
- (2) not less than five percent (5%) of the machines in the county.

(b) The county election board shall test the machines in the first list described in subsection (a) to ascertain that the machines will correctly count the votes cast for straight party tickets, for all candidates (including write-in candidates), and on all public questions. If an individual attending the public test requests that additional electronic voting systems be tested, then the county election board shall test machines from the second list described in subsection (a).

(c) If VSTOP does not provide the lists under subsection (a) not later than sixty (60) days before the election, the county election board shall establish and implement a procedure for random selection of not less than five percent (5%) of the machines in the county. The county election board shall then test the machines selected as described in subsection (b).

(d) The testing under subsection (b) must begin before absentee voting starts in the office of the circuit court clerk under IC 3-11-10-26.

(e) If a county election board determines that:

- (1) a ballot provided by an electronic voting system:
 - (A) must be corrected as provided by IC 3-11-2-16 because of the omission of a candidate, political party, or public question from the ballot; or
 - (B) is an absentee ballot that a voter is entitled to recast under ~~IC 3-11-10-1.5~~ **IC 3-11.5-4-2** because the absentee ballot includes a candidate for election to office who:
 - (i) ceased to be a candidate; and
 - (ii) has been succeeded by a candidate selected under IC 3-13-1 or IC 3-13-2; and
- (2) machines used in the test conducted under this section did not contain a ballot that was reprinted or corrected to remove the omission of a candidate, political party, or public question, or indicate the name of the successor

candidate;
the county election board shall conduct an additional public test described in subsection (b) using the machines previously tested and containing the reprinted or corrected ballots."

Delete page 66.

Page 67, delete lines 1 through 21, begin a new paragraph and insert:

"SECTION 117. IC 3-11-16-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 6. The inventory of voting systems and electronic poll books maintained by VSTOP under section 4 of this chapter is confidential.**"

Page 70, delete lines 25 through 42, begin a new paragraph and insert:

"SECTION 121. IC 3-11-18.1-12, AS AMENDED BY SEA 570-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) Notwithstanding section 1 of this chapter, this section applies to an electronic poll book to be used in:

- (1) a precinct polling place, office of the circuit court clerk, or a satellite office in accordance with IC 3-7-29-6; or
- (2) a vote center under this chapter.

(b) Notwithstanding any other law, the electronic poll ~~ist~~ **book** used must **satisfy all of the following:**

- (1) **The electronic poll book must** comply with IC 3-11-8-10.3. ~~and~~
- (2) **The electronic poll book must** be approved by the secretary of state in accordance with this section.
- (3) **Except with prior written authorization by the VSTOP, the electronic poll book must have been delivered to the county election board not less than sixty (60) days before an election at which the electronic poll book is used.**

(c) A person who wishes to market, sell, lease, or provide an electronic poll book for use in an election in Indiana must first file an application for certification with the election division on a form prescribed by the secretary of state. Except as provided in subsection (i), a person may not market, sell, lease, or provide an electronic poll book for use in an election in Indiana until the secretary of state has approved the application for certification under this section. The application must state that the vendor has complied, and will continue to comply, with subsection (d) following certification of the electronic poll book. Each application for certification of an electronic poll book must be accompanied by a fee of one thousand five hundred dollars (\$1,500). All fees collected under this section shall be deposited with the treasurer of state in the voting system technical oversight program account established by IC 3-11-17-6.

(d) The person seeking certification of an electronic poll book shall conduct a background check at least once each year on each individual employed or contracted by the vendor who has access to the electronic poll book to determine if the individual has been convicted of a felony. An individual described by this subsection who has been convicted of a felony may not have access to an electronic poll book in the individual's capacity as an employee or contractor of the vendor.

(e) The secretary of state shall refer the application to the person or entity conducting the VSTOP.

(f) The VSTOP shall examine the electronic poll book with its accompanying documentation and file a report with the secretary of state indicating all of the following:

- (1) Whether the electronic poll book would operate in compliance with this title.
- (2) Whether VSTOP has reviewed tests conducted by an approved voting system testing laboratory.

(3) Whether VSTOP has conducted a field test.
(4) Whether the electronic poll book complies with additional requirements for the electronic poll book application for certification and acceptance testing, as described in the Indiana Electronic Poll Book Certification Test Protocol approved by the secretary of state (as in effect January 1, 2019).

(5) Any recommendations regarding the acquisition or use of the electronic poll book.

(6) Whether documentation of the escrow of the electronic poll book's software, firmware, source codes, and executable images with an escrow agent approved by the election division has been received by VSTOP.

(7) Whether VSTOP recommends that the secretary of state approve the electronic poll book under this section, including any recommended restrictions that should be placed on the secretary of state's approval.

(g) After the report required by subsection (f) is filed, the secretary of state may approve the application for certification permitting the electronic poll book to be used in an election in Indiana.

(h) A certification under this section expires on December 31 of the year following the date of its issuance, unless earlier revoked by the secretary of state upon a written finding of good cause for the revocation.

(i) A person may display or demonstrate an electronic poll book that has not been certified under this section if the person complies with all the following requirements:

(1) The display or demonstration occurs at a conference of election officials sponsored by:

- (A) a state agency; or
- (B) an association of circuit court clerks or voter registration officers.

(2) The person files a notice with the election division at least seven (7) days before the scheduled starting date of a conference referred to in subdivision (1) setting forth the following:

- (A) The name of the person and each representative scheduled to display or demonstrate the electronic poll book.
- (B) The address and telephone number of the person.
- (C) The model name of the electronic poll book.
- (D) The name and manufacturer of the electronic poll book.
- (E) The date and location of the display or demonstration of the electronic poll book.

(3) The person displays the electronic poll book with a notice that:

- (A) is at least 16 point type size;
- (B) is posted on the surface of the electronic poll book; and
- (C) states that the electronic poll book is "Not Approved for Use in Indiana".

(4) The person ensures that each communication concerning the electronic poll book that is available or made at a conference referred to in subdivision (1) includes a statement that the electronic poll book is "Not Approved for Use in Indiana". A printed communication must include the statement in a type size that is at least as large as the largest type size used in the communication."

Delete page 71.

Page 72, delete lines 1 through 24, begin a new

paragraph and insert:

"SECTION 122. IC 3-11-18.1-14, AS AMENDED BY SEA 570-2019, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 14. (a) The precinct election board administering an election at a vote center shall keep the ballots cast in each precinct separate from the ballots cast in any other precinct whose election is administered at the vote center, so that the votes cast for each candidate and on each public question in each of the precincts administered by the board may be determined and included on the statement required by IC 3-12-4-9.

(b) This subsection applies to a county having a consolidated city, if either of the following applies to the county:

- (1) The county has adopted an order under IC 3-7-29-6(a)(1) to use an electronic poll book.**
- (2) The county is a vote center county under IC 3-11-18.1.**

The precinct election board administering an election at a vote center shall keep the ballots secure so that the votes cast for each candidate and on each public question in each of the precincts administered by the board may be determined and included on the statement required by IC 3-12-4-9. The county election board shall separate the ballots by precinct if a recount is requested.

~~(b)~~ (c) This subsection applies:

- (1) to a county described under section 12 of this chapter on and after the date absentee ballots are first transmitted to voters; and
- (2) to any anomaly or problem, whether due to a technical reason or due to human error with electronic poll book use.

A person that receives a certification for an electronic poll book shall file not later than forty-eight (48) hours after the discovery of an anomaly or problem with the poll book a written report in accordance with IC 3-11-17-7.

SECTION 123. IC 3-11.5-1-1.1, AS AMENDED BY HEA 1217-2019, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1.1. This article applies to the following all counties.

- ~~(1) A county subject to IC 3-11.5-4-0.5.~~
- ~~(2) A county that has a board of elections and registration established under IC 3-6-5-6.~~
- ~~(3) A county whose county election board, by unanimous vote of the board's entire membership, has adopted a resolution under IC 3-11.5-5-1 or IC 3-11.5-6-1."~~

Page 73, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 126. IC 3-11.5-4-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) Each circuit court clerk shall keep all accepted ballot envelopes securely sealed in the clerk's office until the ballot envelopes are opened by absentee ballot counters in accordance with this chapter.

(b) A county election board may not scan a voted absentee ballot card using an optical scan ballot scanner before election day.

SECTION 127. IC 3-11.5-4-11, AS AMENDED BY SEA 558-2019, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 11. (a) Except as provided in subsection (b), (c), or (d), at any time after the couriers return the certificate under section 9 of this chapter, absentee ballot counters appointed under section 22 of this chapter, in the presence of the county election board, shall, except for a ballot rejected under section 13 of this chapter:

- (1) open the outer or carrier envelope containing an absentee ballot envelope and application;

- (2) announce the absentee voter's name; and
- (3) compare the signature upon the application or electronic poll book with the signature upon the affidavit on the ballot envelope, transmitted affidavit under IC 3-11-4-6(h), or voter registration record.

(b) This subsection applies to a county (other than a county described in subsection (c) or (d)) that:

- (1) has adopted an order to use an electronic poll book under IC 3-7-29-6(a)(1); or
- (2) is a vote center county under IC 3-11-18.1.

Immediately after the electronic poll books used at each polling place or vote center have been updated to indicate that the county received, not later than noon on election day, an absentee ballot from a voter, the absentee ballot counters shall, in a central counting location designated by the county election board, count the absentee ballot votes cast for each candidate for each office and on each public question in the precinct.

(c) This subsection applies to a county having a consolidated city, if the county:

- (1) has adopted an order to use an electronic poll book under IC 3-7-29-6(a)(1); or
- (2) is a vote center county under IC 3-11-18.1.

After the receipt and processing required under section 12 and 12.5 of this chapter to process an absentee ballot from a voter and after ensuring that the electronic poll books used in each polling place or vote center have been updated to reflect all absentee ballots received by the county not later than 12:01 a.m. on election day, the absentee ballot counters shall, at any time after 6:00 a.m. on election day, in a central counting location designated by the county election board, count the absentee ballot votes cast for each candidate, for each office, and on each public question.

(d) This subsection applies to a county other than a county having a consolidated city, if the county election board has adopted a resolution by the unanimous vote of the entire membership of the board to use procedures set forth in this subsection, and the county:

- (1) has adopted an order to use an electronic poll book under IC 3-7-29-6(a)(1); or
- (2) is a vote center county under IC 3-11-18.1.

After the receipt and processing required under section 12 of this chapter to process an absentee ballot from a voter and after ensuring that the electronic poll books used in each polling place or vote center have been updated to reflect all absentee ballots received by the county not later than 12:01 a.m. on election day, the absentee ballot counters shall, at any time after 6:00 a.m. on election day, in a central counting location designated by the county election board, count the absentee ballot votes cast for each candidate, for each office, and on each public question.

(e) A resolution adopted under subsection (d) may be repealed or amended only by the unanimous vote of the entire membership of the county election board.

SECTION 128. IC 3-11.5-4-12.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE MAY 1, 2019 (RETROACTIVE)]: **Sec. 12.5. (a) This section applies only in a county containing a consolidated city.**

(b) Notwithstanding section 12(b) of this chapter and subject to subsection (c), absentee ballot envelopes may be opened by machine instead of by the absentee ballot counters. For purposes of certification of voting systems under this article, a machine, the only function of which is the opening of envelopes, is not considered to be a voting system or part of a voting system.

(c) After making the applicable findings under section 12(b) of this chapter, the absentee ballot counters shall take out each ballot enclosed in an envelope opened under subsection (b) without unfolding or permitting a ballot to be

unfolded or examined. The absentee ballots shall then continue to be processed as provided under section 12 and other applicable provisions of this chapter.

SECTION 129. IC 3-11.5-4-23.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE MAY 1, 2019 (RETROACTIVE)]: **Sec. 23.5. (a) This section applies to a county having a consolidated city only if the county election board, by unanimous vote of its entire membership, adopts a resolution making this section applicable in the county.**

(b) Notwithstanding section 23 of this chapter, an individual who satisfies all of the following may be appointed to serve as an absentee ballot counter or a courier:

- (1) The individual is a citizen of the United States.**
- (2) The individual is registered to vote in Indiana.**
- (3) The individual is at least eighteen (18) years of age.**
- (4) The individual is appointed under the procedures described in section 23 of this chapter.**

(c) An individual appointed under this section who serves as an absentee ballot counter is observed by registered voters of the county serving in bipartisan absentee ballot counter teams."

Page 74, between lines 33 and 34, begin a new paragraph and insert:

"SECTION 133. IC 3-11.7-3-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 6.** An individual serving as an absentee ballot counter under ~~IC 3-11.5-4-12~~ **IC 3-11.5-4-22** may also serve as a provisional ballot counter under this chapter.

SECTION 134. IC 3-11.7-3-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7. A provisional ballot counter is entitled to a per diem at a rate set by the county fiscal body.**

SECTION 135. IC 3-11.7-5-1.5, AS AMENDED BY P.L.164-2006, SECTION 123, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 1.5. (a)** Subsection (c) applies to a provisional ballot that the county election board determines, by a majority vote of its members and in accordance with this title:

- (1) has been marked and cast by a voter in compliance with this title; but
- (2) may not otherwise be counted solely as the result of the act or failure to act of an election officer.

(b) Subsection (c) does not apply to either of the following:

- (1) A provisional ballot cast by an individual who seeks to vote in an election as the result of a court or other order extending the time established for closing the polls under IC 3-11-8-8 if the county election board determines or is directed under a court or other order that all provisional ballots issued after regular poll closing hours are not to be counted.
- (2) A provisional ballot that is required to be rejected by a county election board under section 2(b) of this chapter as the result of information or lack of information provided by a voter registration agency.

(c) The sealed envelope containing a provisional ballot described in subsection (a) shall nevertheless be opened under section 4 of this chapter and the provisional ballot counted unless evidence of fraud, tampering, or misconduct affecting the integrity of the ballot is demonstrated. The act or failure to act

by an election officer is not by itself evidence of fraud, tampering, or misconduct affecting the integrity of the ballot.

(d) Notwithstanding subsection (c), if the county election board, by a majority vote of its members, determines that there is evidence presented to the board demonstrating that the individual who cast the provisional ballot was ineligible to cast a regular ballot in that precinct, or evidence has been presented to the board demonstrating any other reason set forth in HAVA or this title not to count a provisional ballot, the provisional ballot may not be counted.

(e) This subsection applies to a provisional ballot cast by a voter after the voter was challenged solely because the voter was unable or declined to provide proof of identification and not for any other reason. If the voter later complies with the requirements of this title for proof of identification, the provisional ballot cast by the voter shall be counted in accordance with sections 2 and 2.5 of this chapter.

(f) This subsection applies to a provisional ballot cast by a voter after the voter was challenged for any reason except the voter's inability or declination to provide proof of identification. If the only evidence before the county election board on the question of counting of the provisional ballot cast by the voter is:

- (1) the affidavit of the voter who cast the provisional ballot; and**
- (2) the affidavit of a challenger challenging the voter who cast the provisional ballot;**

the provisional ballot shall be counted.

SECTION 136. IC 3-11.7-5-1.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 1.7. (a) This section applies to a provisional ballot cast by a voter for any of the following reasons:**

- (1) The provisional ballot was cast by the voter under a court order extending the hours that the polls were open.**
- (2) The provisional ballot was cast by a voter who is not on the poll list who indicates that the voter applied to register at a voter registration agency.**
- (3) The provisional ballot was cast by the voter after the voter was challenged solely due to the voter being unable or declining to provide proof of identification.**
- (4) The provisional ballot was cast by the voter after the voter was challenged solely due to the voter's failure to provide additional documentation.**

(b) If the only evidence before the county election board on the question of counting of the provisional ballot cast by the voter is:

- (1) the affidavit of the voter who cast the provisional ballot; and**
- (2) the affidavit of a challenger challenging the voter who cast the provisional ballot;**

the provisional ballot shall be counted."

Page 76, delete lines 7 through 18, begin a new paragraph and insert:

"Sec. 3. (a) Before issuing an order under this chapter, the court or entity must take evidence and make the following findings:

- (1) The polls were substantially delayed in opening at the time fixed by IC 3-11-8-8.**
- (2) The specific precincts or vote centers in which substantial delays occurred.**
- (3) If a poll closed at any time during the hours specified by IC 3-11-8-8, how long the polls were closed and in which precincts and vote centers the closing occurred.**
- (4) Substantial evidence exists that voters**

were prevented from casting a ballot due to a delay or closure of the polls during the hours specified by IC 3-11-8-8.

(5) The actual harm determined can only be ameliorated by the extension of polling hours.

(b) If the court is unable to make the applicable findings regarding a delay in opening or a subsequent closure of the polls described in subsection (a), the court shall not issue an order extending the polling hours specified under IC 3-11-8-8."

Page 76, line 22, after "extension" insert **"only"**.

Page 76, line 26, delete "approximately equal to" and insert **"not more than"**.

Page 76, line 30, delete "court of appeals" and insert **"Indiana supreme court"**.

Page 76, line 31, delete "actions." and insert **"actions affecting substantial public questions."**

Page 85, delete lines 9 through 42, begin a new paragraph and insert:

"SECTION 153. IC 3-13-1-6, AS AMENDED BY P.L.216-2015, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) As used in this section, "county committee" refers to the precinct committeemen and vice committeemen of a major political party representing a precinct within the county.

(b) Except as provided in subsection (c), a candidate vacancy for a local office shall be filled by either of the following:

(1) A caucus comprised of the precinct committeemen who are eligible to participate under section 10 of this chapter. **or**

(2) The county chairman of the political party or a ~~caucus~~ **committee** comprised of the chairman, vice chairman, secretary, and treasurer of the county committee of the party, if **all of the following apply:**

(A) **The county chairman or the committee is** authorized to fill vacancies under this chapter by majority vote of the county committee.

(B) The election district for the local office is entirely within one (1) county. **and**

(C) Documentation of the authority given under clause (A) is attached to the certification of candidate selection filed under section 15 of this chapter.

(c) A candidate vacancy for the office of circuit court judge or prosecuting attorney in a circuit having more than one (1) county shall be filled by a caucus comprised of the precinct committeemen who constitute the county committees of the political party for all of the circuit.

SECTION 154. IC 3-13-1-9, AS AMENDED BY P.L.169-2015, SECTION 152, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 9. **(a) This section applies only to a meeting of a caucus required under this chapter. This section does not apply to the filling of a vacancy under this chapter by the county chairman or a committee acting under section 6(b)(2) of this chapter.**

(b) The call for a meeting under section 3, 4, 5, or 6 of this chapter must:

(1) be in writing on a form prescribed by the election division;

(2) state the name of the chairman of the meeting;

(3) state the purpose of the meeting;

(4) state the date, time, and place of the meeting;

(5) be sent by first class mail, at least ten (10)

days before the meeting, to all persons eligible to participate in the meeting; and

(6) be filed not later than noon ten (10) days before the meeting with the official who is required to receive a certificate of candidate selection following the caucus under section 15 of this chapter."

Delete pages 86 through 93.

Page 94, delete lines 1 through 5.

Page 95, line 20, strike "ballot".

Renumber all SECTIONS consecutively.

(Reference is to SB 560 as reprinted February 15, 2019.) and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 1.

WESCO, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 563, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

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

Replace the effective dates in SECTIONS 4 through 8 with "[EFFECTIVE JANUARY 1, 2019 (RETROACTIVE)]".

Page 4, line 25, delete "shall".

Page 4, line 26, delete "have the meaning as provided in" and insert **"has the meaning set forth in"**.

Page 4, line 27, delete "shall also include" and insert **"also includes"**.

Page 4, delete lines 28 through 29 and insert:

"in the following:

(1) IC 6-2.5-1-27.5(c)(1) associated with telecommunications services.

(2) IC 6-2.5-1-27.5(c)(4) associated with telecommunications services or the provision of services described in subdivision (4).

(3) IC 6-2.5-1-27.5(c)(6).

(4) IC 6-2.5-1-27.5(c)(7).

(5) IC 6-2.5-1-27.5(c)(8) associated with telecommunications services.

(6) IC 6-2.5-1-27.5(c)(9)(B) and IC 6-2.5-1-27.5(c)(9)(C), except to the extent the item consists of specified digital products under IC 6-2.5-1-26.5."

Page 8, line 8, delete "subsections" and insert **"subsection"**.

Page 8, line 20, after "this" insert **"state than in any other"**.

Page 14, delete lines 13 through 17, begin a new line block indented and insert:

"(2) Rules adopted under subdivision (1) must be".

Page 14, line 22, after "chapter." insert **"A rule is valid unless the rule is not consistent with the Multistate Tax Commission model regulations. If a rule is partially valid and partially invalid, the rule remains in effect to the extent the rule is valid."**

Page 14, line 23, after "a rule" insert **"adopted under subdivision (1)"**.

Page 15, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 9. IC 6-3-5-4 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 4. (a) If the Indiana economic development corporation established**

under IC 5-28 and a similar agency or body of a state bordering Indiana enter into an agreement for mutual economic development, the department may enter into a payment agreement with that bordering state or an authorized agency of that bordering state.

(b) The payment agreement must provide for the following:

(1) That the payment by the department cannot exceed the incremental income tax withholdings collected by the department as a result of the compensation of new employees who are Indiana residents and whose jobs are being incentivized by the border state under an agreement for mutual economic development.

(2) An obligation by the bordering state substantially similar to the requirement under subdivision (1).

(c) The payment agreement may not be entered into before it is reviewed by the budget agency.

(d) The amount needed to make the payment is appropriated from the state general fund."

Page 16, delete lines 9 through 42, begin a new paragraph and insert:

"SECTION 11. IC 6-3.1-13-5, AS AMENDED BY P.L.171-2011, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) As used in this chapter, "incremental income tax withholdings" means:

(1) the total amount withheld under IC 6-3-4-8 by the taxpayer during the taxable year from the compensation of new employees; plus

(2) in the case of an agreement entered into under IC 6-3-5-4, the additional amount that would have been withheld under IC 6-3-4-8 by the taxpayer during the taxable year from the compensation of new employees if the new Indiana nonresident employees who are residents of the other state covered by an agreement under IC 6-3-5-4 had been Indiana residents.

(b) The term does not include for withholding periods beginning after June 30, 2011; any amount withheld from an individual or an additional amount described in subsection (a)(2) for an individual for services provided in Indiana as an employee, if the:

(1) individual was, during the period of service, prohibited from being hired as an employee under 8 U.S.C. 1324a; and

(2) taxpayer was not enrolled and participating in the E-Verify program (as defined in IC 22-5-1.7-3) during the time the taxpayer conducted business in Indiana in the taxable year.

SECTION 12. IC 6-3.1-19-2, AS AMENDED BY P.L.250-2015, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020]: Sec. 2. (a) As used in this chapter, "qualified investment" means the amount of a taxpayer's expenditures that is:

(1) for redevelopment or rehabilitation of property located within a community revitalization enhancement district designated under IC 36-7-13;

(2) made under a plan adopted by an advisory commission on industrial development under IC 36-7-13; and

(3) approved by the Indiana economic development corporation before the expenditure is made.

Beginning after December 31, 2015, the term does not include a taxpayer's expenditures made on property that is classified as

residential for property tax purposes, except for expenditures that were approved by the Indiana economic development corporation before January 1, 2016.

(b) Notwithstanding subsection (a)(1), expenditures for the redevelopment or rehabilitation of property that are made after the expiration of the community revitalization district designated under IC 36-7-13 may still be considered a qualified investment if:

(1) subsection (a)(2) and (a)(3) are satisfied;

(2) the Indiana economic development corporation approves the taxpayer's application for a credit before the expiration of the community revitalization enhancement district; and

(3) the taxpayer enters into an agreement with the Indiana economic development corporation not later than one (1) year after the expiration of the community revitalization enhancement district."

Page 17, line 29, after "2019," insert "and before July 1, 2029,".

Page 17, line 31, delete "This subsection".

Page 17, delete line 32.

Page 18, delete line 10.

Page 18, line 33, delete "on-demand" and insert "on demand".

Page 20, between lines 18 and 19, begin a new paragraph and insert:

"(c) A shareholder, partner, member, or beneficiary of a pass through entity may not use the credit against a state gross retail tax or use tax liability under subsection (b)(4). The application of a credit against a state gross retail tax or use tax liability under subsection (b)(4) shall be applied solely against the taxes paid by the taxpayer as a purchaser in a retail transaction and may not be applied against the taxes collected and remitted by the taxpayer as a retail merchant. A taxpayer shall apply for and claim a credit in the manner prescribed by the department.

SECTION 20. IC 6-3.1-26-14, AS AMENDED BY P.L.288-2013, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2019 (RETROACTIVE)]: Sec. 14. The total amount of a tax credit claimed for a taxable year under this chapter is a percentage determined by the corporation, not to exceed:

(1) ten percent (10%), of the amount of a qualified investment made by the taxpayer in Indiana during that taxable year, if the qualified investment is not a logistics investment; and

(2) twenty-five percent (25%) of the amount of a qualified investment made by the taxpayer in Indiana during that taxable year, if the qualified investment is a logistics investment. For purposes of this subdivision, the amount of a qualified investment that is used to determine the credit is limited to the difference of:

(A) the qualified investments made by the taxpayer during the taxable year; minus

(B) one hundred five percent (105%) of the average annual qualified investments made by the taxpayer during the two (2) taxable years immediately preceding the taxable year for which the credit is being claimed. However, if the total of the qualified investments for the earlier year of the two (2) year average is zero (0) and the taxpayer has not claimed the credit for a year that precedes that year, the taxpayer shall subtract only one hundred five percent (105%) of the amount of the qualified investments made during the

taxable year immediately preceding the taxable year for which the credit is being claimed; and

(3) for taxable years beginning after December 31, 2018, and before January 1, 2030, twenty-five percent (25%) of the amount of a qualified investment made by a taxpayer in Indiana during that taxable year, if the qualified investment made is described under section 8(a)(11) of this chapter.

The taxpayer may carry forward any unused credit as provided in section 15 of this chapter."

Page 25, line 29, delete "at least one hundred thousand (100,000) square".

Page 25, line 30, delete "feet of".

Page 25, delete line 32 and insert:

"chapter of at least:

(i) one hundred thousand (100,000) square feet in a county with a population of at least one hundred thousand (100,000);

(ii) fifty thousand (50,000) square feet in a county with a population of at least fifty thousand (50,000) but less than one hundred thousand (100,000); or

(iii) twenty-five thousand (25,000) square feet in a county with a population of less than fifty thousand (50,000); and".

Page 25, line 37, delete "at least one hundred thousand (100,000) square".

Page 25, line 38, delete "feet of".

Page 25, delete line 40 and insert:

"under this chapter of at least:

(i) one hundred thousand (100,000) square feet in a county with a population of at least one hundred thousand (100,000);

(ii) fifty thousand (50,000) square feet in a county with a population of at least fifty thousand (50,000) but less than one hundred thousand (100,000); or

(iii) twenty-five thousand (25,000) square feet in a county with a population of less than fifty thousand (50,000);".

Page 26, line 5, delete "at least one hundred thousand (100,000) square".

Page 26, line 6, delete "feet of".

Page 26, delete line 8 and insert:

"under this chapter of at least:

(i) one hundred thousand (100,000) square feet in a county with a population of at least one hundred thousand (100,000);

(ii) fifty thousand (50,000) square feet in a county with a population of at least fifty thousand (50,000) but less than one hundred thousand (100,000); or

(iii) twenty-five thousand (25,000) square feet in a county with a population of less than fifty thousand (50,000);".

Page 27, line 3, after "chapter." insert **"The corporation may establish an application period for applying for awards. If an application period is established, the corporation shall establish policies and procedures necessary to administer the**

application period."

Page 27, line 14, delete "17(b)" and insert **"17(b) and 17(c)".**

Page 28, line 26, delete "A" and insert **"If a taxpayer is awarded a credit under this chapter before July 1, 2029, the"**.

Page 29, delete line 5.

Page 30, line 17, delete "subsection (b)." and insert **"subsections (b) and (c)."**

Page 30, line 21, after "However," insert **"and except as provided in subsection (c)."**

Page 31, between lines 7 and 8, begin a new paragraph and insert:

"(c) The corporation may increase the credit amount by not more than an additional five percent (5%) if:

(1) the qualified redevelopment site is located in a federally designated qualified opportunity zone (Section 1400Z-1 and 1400Z-2 of the Internal Revenue Code); or

(2) the project qualifies for federal new markets tax credits under Section 45D of the Internal Revenue Code."

Page 31, line 8, delete "(c)" and insert **"(d)".**

Page 32, line 37, before "proposed" delete "a".

Page 33, between lines 10 and 11, begin a new paragraph and insert:

"Sec. 22. (a) Except as provided in subsection (b), the total amount of credits that the corporation may award under this chapter for a state fiscal year for all taxpayers for all qualified investments is fifty million dollars (\$50,000,000). The portion of the credits that is subject to a repayment provision under section 18(b) or 18(c) of this chapter is not included in the calculation of the annual limit.

(b) If the corporation determines that a credit should be awarded under this chapter for a taxpayer's qualified investment but the award:

(1) will result in the corporation's cumulative credit awards under this chapter for a state fiscal year for all taxpayers for all qualified investments to exceed the limit established by subsection (a); or

(2) should not be considered when calculating the corporation's cumulative credit awards under this chapter for a state fiscal year for all taxpayers for all qualified investments;

the corporation may, after review by the budget committee, enter into an agreement with the taxpayer under section 17 of this chapter.

SECTION 28. IC 36-7-32-11, AS AMENDED BY P.L.259-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020]: Sec. 11. (a) After receipt of an application under section 10 of this chapter, and subject to subsection (b), the Indiana economic development corporation may designate a certified technology park if the corporation determines that the application demonstrates a firm commitment from at least one (1) business engaged in a high technology activity creating a significant number of jobs and satisfies one (1) or more of the following additional criteria:

(1) A demonstration of significant support from an institution of higher education, a private research based institute, or a military research and development or testing facility on an active United States government military base or other military installation located within, or in the vicinity of, the proposed certified technology park, as evidenced by the following criteria:

(A) Grants of preferences for access to and commercialization of intellectual

- property.
- (B) Access to laboratory and other facilities owned by or under the control of the postsecondary educational institution or private research based institute.
- (C) Donations of services.
- (D) Access to telecommunications facilities and other infrastructure.
- (E) Financial commitments.
- (F) Access to faculty, staff, and students.
- (G) Opportunities for adjunct faculty and other types of staff arrangements or affiliations.
- (H) Other criteria considered appropriate by the Indiana economic development corporation.
- (2) A demonstration of a significant commitment by the postsecondary educational institution, private research based institute, or military research and development or testing facility on an active United States government military base or other military installation to the commercialization of research produced at the certified technology park, as evidenced by the intellectual property and, if applicable, tenure policies that reward faculty and staff for commercialization and collaboration with private businesses.
- (3) A demonstration that the proposed certified technology park will be developed to take advantage of the unique characteristics and specialties offered by the public and private resources available in the area in which the proposed certified technology park will be located.
- (4) The existence of or proposed development of a business incubator within the proposed certified technology park that exhibits the following types of resources and organization:
- (A) Significant financial and other types of support from the public or private resources in the area in which the proposed certified technology park will be located.
- (B) A business plan exhibiting the economic utilization and availability of resources and a likelihood of successful development of technologies and research into viable business enterprises.
- (C) A commitment to the employment of a qualified full-time manager to supervise the development and operation of the business incubator.
- (5) The existence of a business plan for the proposed certified technology park that identifies its objectives in a clearly focused and measurable fashion and that addresses the following matters:
- (A) A commitment to new business formation.
- (B) The clustering of businesses, technology, and research.
- (C) The opportunity for and costs of development of properties under common ownership or control.
- (D) The availability of and method proposed for development of infrastructure and other improvements, including telecommunications technology, necessary for the development of the

proposed certified technology park.

(E) Assumptions of costs and revenues related to the development of the proposed certified technology park.

(6) A demonstrable and satisfactory assurance that the proposed certified technology park can be developed to principally contain property that is primarily used for, or will be primarily used for, a high technology activity or a business incubator.

(b) The Indiana economic development corporation may not approve an application that would result in a substantial reduction or cessation of operations in another location in Indiana in order to relocate them within the certified technology park. The Indiana economic development corporation may designate not more than two (2) new certified technology parks during any state fiscal year. The designation of a new certified technology park is subject to review and approval under section 11.5 of this chapter.

(c) A certified technology park designated under this section is subject to the review of the Indiana economic development corporation and must be recertified:

(1) every four (4) years, for a recertification occurring before January 1, 2018, **or after December 31, 2019**; and

(2) every three (3) years, for a recertification occurring after December 31, 2017, **and before January 1, 2020**.

(d) The corporation shall develop procedures and the criteria to be used in the review required under subsection (c). ~~Beginning after December 31, 2017~~, The procedures and criteria must include the metrics developed under subsection (h) for measuring the performance of a certified technology park.

(e) A certified technology park shall furnish to the corporation the following information to be used in the course of the review:

(1) Total employment and payroll levels for all businesses operating within the certified technology park.

(2) The nature and extent of any technology transfer activity occurring within the certified technology park.

(3) The nature and extent of any nontechnology businesses operating within the certified technology park.

(4) The use and outcomes of any state money made available to the certified technology park.

(5) An analysis of the certified technology park's overall contribution to the technology based economy in Indiana.

(f) ~~Beginning after December 31, 2017~~, A certified technology park must meet or exceed the minimum threshold requirements developed under subsection (h)(2) before the certified technology park may be recertified under this section. If a certified technology park is not recertified, the Indiana economic development corporation shall send a certified copy of a notice of the determination to the county auditor, the department of local government finance, and the department of state revenue.

(g) To the extent allowed under IC 5-14-3, the corporation shall maintain the confidentiality of any information that is:

(1) submitted as part of the review process under subsection (c); and

(2) marked as confidential;

by the certified technology park.

(h) ~~Before January 1, 2018~~, The corporation, in conjunction with the office of management and budget, shall develop metrics for measuring the performance of a certified technology park during the review period for recertification

under subsection (c). The corporation shall consult with local units of government in developing the metrics under this subsection. The metrics shall include at least the following elements:

- (1) Specific criteria to be used to analyze and evaluate each category of information furnished to the corporation under subsection (e)(1) through (e)(5).
- (2) Minimum threshold requirements for the performance of a certified technology park regarding each category of information furnished to the corporation under subsection (e)(1) through (e)(5) based on the criteria for the analysis and evaluation of the information under subdivision (1).

(i) The board of the Indiana economic development corporation shall adopt the metrics developed under subsection (h) as part of the criteria to be used in the corporation's review under subsection (c).

~~(j) Before July 1, 2018, the corporation shall submit a report to the legislative council and the interim study committee on fiscal policy established by IC 2-5-1.3-4 that describes the metrics adopted by the corporation under subsection (h). The report to the legislative council must be in an electronic format under IC 5-14-6.~~

SECTION 29. IC 36-7-32-22, AS AMENDED BY P.L.197-2016, SECTION 139, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 22. (a) The treasurer of state shall establish an incremental tax financing fund for each certified technology park designated under this chapter. The fund shall be administered by the treasurer of state. Money in the fund does not revert to the state general fund at the end of a state fiscal year.

(b) Subject to subsection (c), the following amounts shall be deposited during each state fiscal year in the incremental tax financing fund established for a certified technology park under subsection (a):

- (1) The aggregate amount of state gross retail and use taxes that are remitted under IC 6-2.5 by businesses operating in the certified technology park, until the amount of state gross retail and use taxes deposited equals the gross retail incremental amount for the certified technology park.
- (2) The aggregate amount of the following taxes paid by employees employed in the certified technology park with respect to wages earned for work in the certified technology park, until the amount deposited equals the income tax incremental amount:
 - (A) The adjusted gross income tax.
 - (B) The local income tax (IC 6-3.6).

(c) Except as provided in ~~subsection (d) and~~ **subsections (d) and (e)**, not more than a total of five million dollars (\$5,000,000) may be deposited in a particular incremental tax financing fund for a certified technology park over the life of the certified technology park.

(d) **Except as provided in subsection (e)**, in the case of a certified technology park that is operating under a written agreement entered into by two (2) or more redevelopment commissions, and subject to section 26(b)(4) of this chapter:

- (1) not more than a total of five million dollars (\$5,000,000) may be deposited over the life of the certified technology park in the incremental tax financing fund of each redevelopment commission participating in the operation of the certified technology park; and
- (2) the total amount that may be deposited in all incremental tax financing funds, over the life of the certified technology park, in aggregate, may

not exceed the result of:

- (A) five million dollars (\$5,000,000); multiplied by
- (B) the number of redevelopment commissions that have entered into a written agreement for the operation of the certified technology park.

(e) If the certified technology park maintains its certification under section 11(c) of this chapter and the limit on deposits under subsection (c) or (d) has been reached for a period, an additional annual deposit amount equal to the following, as applicable, shall be deposited in a particular incremental tax financing fund for a certified technology park:

(1) For a certified technology park to which subsection (c) applies, the lesser of:

- (A) the annual income tax incremental amount described in subsection (b)(2); or**
- (B) five hundred thousand dollars (\$500,000).**

(2) For certified technology parks to which subsection (d) applies, the lesser of:

- (A) the aggregate collected under subsection (b) by the redevelopment commissions that have entered into a written agreement for the operation of the certified technology park; or**
- (B) five hundred thousand dollars (\$500,000) multiplied by the number of redevelopment commissions that have entered into a written agreement for the operation of the certified technology park.**

~~(e)~~ **(f)** On or before the twentieth day of each month, all amounts held in the incremental tax financing fund established for a certified technology park shall be distributed to the redevelopment commission for deposit in the certified technology park fund established under section 23 of this chapter.

SECTION 30. IC 36-7-32-23, AS AMENDED BY P.L.1-2006, SECTION 571, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 23. (a) Each redevelopment commission that establishes a certified technology park under this chapter shall establish a certified technology park fund to receive:

- (1) property tax proceeds allocated under section 17 of this chapter; and
- (2) money distributed to the redevelopment commission under section 22 of this chapter.

(b) Money deposited in the certified technology park fund may be used by the redevelopment commission only for one (1) or more of the following purposes:

- (1) Acquisition, improvement, preparation, demolition, disposal, construction, reconstruction, remediation, rehabilitation, restoration, preservation, maintenance, repair, furnishing, and equipping of public facilities.
- (2) Operation of public facilities described in section 9(2) of this chapter.
- (3) Payment of the principal of and interest on any obligations that are payable solely or in part from money deposited in the fund and that are incurred by the redevelopment commission for the purpose of financing or refinancing the development of public facilities in the certified technology park.
- (4) Establishment, augmentation, or restoration of the debt service reserve for obligations described in subdivision (3).

(5) Payment of the principal of and interest on bonds issued by the unit to pay for public facilities in or serving the certified technology park.

(6) Payment of premiums on the redemption before maturity of bonds described in subdivision (3).

(7) Payment of amounts due under leases payable from money deposited in the fund.

(8) Reimbursement to the unit for expenditures made by it for public facilities in or serving the certified technology park.

(9) Payment of expenses incurred by the redevelopment commission for public facilities that are in the certified technology park or serving the certified technology park.

(10) For any purpose authorized by an agreement between redevelopment commissions entered into under section 26 of this chapter.

(c) The certified technology park fund may not be used for operating expenses of the redevelopment commission.

(d) If a redevelopment commission has designated a third party manager or operator of the certified technology park, the redevelopment commission shall transfer the appropriate amount from the certified technology park fund to the manager or operator within thirty (30) days of receiving a distribution under section 22 of this chapter."

Page 33, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 31. [EFFECTIVE JANUARY 1, 2019 (RETROACTIVE)] (a) IC 6-3-1-24, IC 6-3-2-2, and IC 6-3-2-2.2, all as amended by this act, and IC 6-3-1-37 and IC 6-3-1-38, both as added by this act, apply to taxable years beginning after December 31, 2018.

(b) This SECTION expires June 30, 2022."

Renumber all SECTIONS consecutively.

(Reference is to SB 563 as printed February 20, 2019.)

and when so amended that said bill do pass.

Committee Vote: yeas 23, nays 0.

HUSTON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 566, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 6-1.1-33.5-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7.5. (a) The department shall do the following if a redevelopment department contemplating the creation of a tax increment financing allocation area requests a report regarding the requirements of the residential housing development program described in IC 36-7-14-53:

(1) Prepare a report for the previous calendar year that includes for each taxing unit within the redevelopment department's county a calculation of:

(A) the total property tax levy from the assessed value in the taxing unit and the amount of loss due to the credit for the excessive property taxes under IC 6-1.1-20.6;

(B) the total property tax proceeds from the assessed value that exceeds the

base assessed value in all allocation areas established within the taxing unit for the purpose of the allocation and distribution of property taxes;

(C) the effect, if any, on the amount of the tax levy or proceeds and the credit for excessive property taxes under IC 6-1.1-20.6 for the taxing unit and for the allocation areas if the allocation and distribution of tax proceeds in the allocation areas described in clause (B) were:

(i) eliminated;

(ii) reduced by ten percent (10%);

(iii) reduced by twenty percent (20%); or

(iv) reduced by thirty percent (30%); and

(D) a comparison of the county's calculations in clauses (A), (B), and (C) with statewide average percentages and totals for the same calculations.

(2) Submit an electronic copy of the report within six (6) months after receiving the request under this section to:

(A) the redevelopment commission; and

(B) all of the taxing units within the redevelopment commission's county.

(3) Post the report on the Internet web site maintained by the department.

(b) If a redevelopment commission requests a report described in subsection (a), the department shall:

(1) provide the report to all taxing units that would be affected by the establishment of an allocation area within the contemplated residential housing development program; and

(2) make the report available to interested parties during the hearing on a resolution containing an allocation provision for the residential housing development program under IC 36-7-14-17."

Page 2, delete lines 1 through 34, begin a new paragraph and insert:

"SECTION 3. IC 36-7-14-53 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 53. (a) A commission may establish a residential housing development program by resolution for the construction of new residential housing or the renovation of existing residential housing. The program, which may include any relevant elements the commission considers appropriate, may be adopted as part of a redevelopment plan or amendment to a redevelopment plan.

(b) The commission must propose an allocation area for purposes of sections 39 and 56 of this chapter for the accomplishment of the program.

(c) The department of redevelopment shall submit a request to the department of local government finance for a report described under IC 6-1.1-33.5-7.5 together with whatever details of the residential housing development program and proposed allocation area the department of local government finance determines are necessary to accomplish the requirements of the report and this chapter.

(d) The program must be approved by the municipal legislative body or county executive as specified in section 17 of this chapter.

(e) The notice and hearing provisions of sections 17 and 17.5 of this chapter, including notice under section 17(c) of this chapter to a taxing unit that is wholly or partly located within an allocation area, apply to the resolution

adopted under subsection (a). The commission shall also submit the report described under IC 6-1.1-33.5-7.5 and subsection (c) with each taxing unit that is wholly or partly located within the allocation area. Judicial review of the resolution may be made under section 18 of this chapter.

(f) Before formal submission to the commission of any residential housing development program allocation provision for a residential housing development program, if an allocation provision is sought after the establishment of a residential housing development program, the department of redevelopment shall:

- (1) consult with persons interested in or affected by the proposed program;
- (2) provide the affected neighborhood associations, residents, township assessors, and school corporation organizations with an adequate opportunity to participate in an advisory role in planning, implementing, and evaluating the proposed program;
- (3) hold public meetings in the affected neighborhood to obtain the views of neighborhood associations and residents; and
- (4) consult with the leadership and governing body of each school corporation affected by the program, including the holding of public meetings at the request of each affected school corporation's governing body.

(g) The program established under subsection (a) may not take effect until the governing body of each school corporation affected by the program passes a resolution approving the program.

(h) The department of local government finance shall determine whether a county or municipality meets the requirements under subsection (b), subsection (c), and the requirements under IC 6-1.1-33.5-7.5.

(i) A residential housing development program established under this section must terminate not later than twenty (20) years after the date the program is established under subsection (a)."

Page 2, line 37, delete "This section applies only to counties having a".

Page 2, delete line 38.

Page 2, line 39, delete "(b)".

Page 2, run in lines 37 through 39.

Page 2, line 39, delete "(c)" and insert "(b), (c)".

Page 3, line 18, delete "(c)" and insert "(b)".

Page 3, line 20, delete "(d)" and insert "(c)".

Page 3, between lines 22 and 23, begin a new paragraph and insert:

"(d) A lien may not be placed upon any residential housing in a residential housing development program in order to provide security for repayment of a bond that is issued or a lease that is entered into for or in connection with the residential housing development program."

Page 3, line 39, delete "This section applies only to counties having a".

Page 3, delete line 40.

Page 3, line 41, delete "(b)".

Page 3, run in lines 39 through 41.

Page 4, line 8, delete "(c)" and insert "(b)".

Page 4, delete lines 18 through 19.

Page 4, line 20, delete "(3)" and insert "(2)".

Page 4, line 22, delete "(4)" and insert "(3)".

Page 5, line 8, delete "(d)" and insert "(c)".

Page 5, line 22, after "chapter;" insert "and".

Page 5, line 24, delete "chapter; and" and insert "chapter."

Page 5, delete lines 25 through 26.

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

Page 6, line 13, delete "(d)(2)." and insert "(c)(2)."

Page 6, line 16, delete "(d)(2)." and insert "(c)(2)."

Page 6, line 17, delete "(f)" and insert "(e)".

Page 6, after line 19, begin a new paragraph and insert:

"SECTION 7. IC 36-7-14-57 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 57. In addition to the other requirements of this chapter, property tax proceeds allocated under a residential housing development program established under section 53 of this chapter to be expended for purposes related to the project that is located outside the boundaries of the residential housing redevelopment program allocation area may be expended for those purposes only if the redevelopment commission adopts a declaratory resolution that finds that it has been clearly demonstrated that the expenditure:**

- (1) will directly benefit the residential development program allocation area; or
- (2) will result in the creation or retention of jobs in the private sector."

Re-number all SECTIONS consecutively.

(Reference is to SB 566 as printed February 22, 2019.) and when so amended that said bill do pass.

Committee Vote: yeas 22, nays 1.

HUSTON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 567, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 15, after "mandatory" insert "annual".

Page 2, delete lines 9 through 12.

Page 2, line 13, after "implement an" insert "annual".

Page 2, line 14, delete "students" and insert "a parent of a student and a student".

Page 2, line 15, after "program." insert "As part of the annual onboarding process and orientation, the school corporation must provide to a parent of a student:

- (1) the student engagement and attendance requirements or policies of the virtual education program; and

- (2) notice that a person who knowingly or intentionally deprives a dependent of education commits a violation under IC 35-46-1-4."

Page 2, line 17, delete "2019," and insert "2020,".

Page 2, line 17, after "the" insert "annual".

Page 2, line 19, after "(a)" insert "with the student's parent".

Page 2, line 21, after "student" insert "or student's parent".

Page 2, line 21, after "corporation's" insert "annual".

Page 2, between lines 30 and 31, begin a new paragraph and insert:

"(d) An individual who is employed as a licensed teacher for a virtual education program must comply with any mandatory licensed teacher training that is required under this title."

Page 2, line 33, delete "twenty-five percent (25%)" and insert "thirty percent (30%)".

Page 2, between lines 37 and 38, begin a new paragraph and insert:

"Sec. 5. A school corporation that operates a virtual education program must require that if a student who attends a school corporation's virtual education program accumulates the number of unexcused absences sufficient to

result in the student's classification as a habitual truant (as described in IC 20-20-8-8(a)(17)), the student must be withdrawn from enrollment in the school corporation's virtual education program.

Sec. 6. A school corporation that operates a virtual education program may not enroll a student unless the student is an Indiana resident. If the school corporation that operates a virtual education program is unable to verify that a student who attends the school corporation's virtual education program is an Indiana resident, the school corporation must pay back to the department the state tuition support distribution in an amount determined by the department that the school corporation received for that student."

Page 3, delete lines 4 through 42, begin a new paragraph and insert:

"SECTION 4. IC 20-24-2.2-2, AS AMENDED BY P.L.250-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) The minimum standard for renewal and the standard to avoid closure imposed by authorizers on a charter school is a requirement that the charter school not remain in the lowest category or designation of school improvement, including any alternative accountability category or designation, in the third year after initial placement in the lowest category or designation established under IC 20-31-8-4.

(b) An authorizer of a charter school that does not meet the minimum standard for charter school renewal described in subsection (a) may petition the state board at any time to request permission to renew the charter school's charter notwithstanding the fact that the charter school does not meet the minimum standard. If timely notification is made, the state board shall hold a hearing **under section 2.5 of this chapter** to consider the authorizer's request at the state board's next regularly scheduled board meeting.

(c) In determining whether to grant a request under subsection (b), the state board shall consider the following:

- (1) Enrollment of students with special challenges, such as drug or alcohol addiction, prior withdrawal from school, prior incarceration, or other special circumstances.
- (2) High mobility of the student population resulting from the specific purpose of the charter school.
- (3) Annual improvement in the performance of students enrolled in the charter school, as measured by IC 20-31-8-1, compared with the performance of students enrolled in the charter school in the immediately preceding school year.

(d) ~~After the hearing, the state board must implement one (+) or more of the following actions:~~

- (1) ~~Grant the authorizer's request to renew the charter of the charter school. The state board may determine the length of the renewal and any conditions of the renewal placed upon either the charter school or the authorizer.~~
- (2) ~~Order the closure of the charter school at the end of the current school year.~~
- (3) ~~Order the reduction of any administrative fee collected under IC 20-24-7-4 that is applicable to the charter school identified in subsection (b). The reduction must become effective at the beginning of the month following the month of the authorizer's hearing before the state board.~~

~~A charter school that is closed by the state board under this section may not be granted a charter by any authorizer."~~

Delete pages 4 through 5.

Page 6, delete lines 1 through 34.

Page 6, line 37, delete "a charter school is" and insert **"the state board grants a petition request under section 2.2 of this chapter, the state"**.

Page 6, delete lines 38 through 41.

Page 7, line 2, after "(1)" insert **"or more"**.

Page 11, line 31, after "an" insert **"annual"**.

Page 11, line 32, delete "." and insert **"and the students' parents. As part of the annual onboarding process and orientation, the virtual charter school must provide to a parent of a student:**

(1) the student engagement and attendance requirements or policies of the virtual charter school; and

(2) notice that a person who knowingly or intentionally deprives a dependent of education commits a violation under IC 35-46-1-4."

Page 11, line 34, delete "2019," and insert **"2020,"**.

Page 11, line 34, after "the" insert **"annual"**.

Page 11, line 36, after "(a)" insert **"with the student's parent"**.

Page 11, line 37, after "student" insert **"or student's parent"**.

Page 11, line 38, after "school's" insert **"annual"**.

Page 11, delete lines 41 through 42.

Page 12, delete lines 1 through 4.

Page 12, line 5, delete "(d)" and insert **"(c)"**.

Page 12, between lines 7 and 8, begin a new paragraph and insert:

"(d) An individual who is employed as a licensed teacher at a virtual charter school must comply with any mandatory licensed teacher training that is required under this title.

(e) A virtual charter school must require that if a student who attends a virtual charter school accumulates the number of unexcused absences sufficient to result in the student's classification as a habitual truant (as described in IC 20-20-8-8(a)(17)), the student must be withdrawn from enrollment in the virtual charter school.

(f) A virtual charter school may not enroll a student unless the student is an Indiana resident. If the virtual charter school is unable to verify that a student who attends the virtual charter school is an Indiana resident, the virtual charter school must pay back to the department the state tuition support distribution in an amount determined by the department that the virtual charter school received for that student."

Page 12, delete lines 8 through 15.

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

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

Page 14, line 4, after "guidelines." insert **"After June 30, 2019, a virtual charter school that has a charter on June 30, 2019, may renew a charter only with a statewide authorizer. An authorizer described in IC 20-24-1-2.5(1) and IC 20-24-1-2.5(3) is not considered a statewide authorizer."**

Page 14, line 26, delete "The rules adopted under this".

Page 14, delete line 27, begin a new paragraph and insert:

"(d) Each authorizer of a virtual charter school shall establish requirements or guidelines for virtual charter schools authorized by the authorizer that include the following:"

Page 14, line 28, after "mandatory" insert **"annual"**.

Page 14, line 29, delete "IC 20-24-5-4.5." and insert **"IC 20-24-5-4.5, which shall include a requirement that a virtual charter school must provide to a parent of a student:**

(A) the student engagement and attendance requirements or policies of the virtual charter school; and

(B) notice that a person who knowingly

or intentionally deprives a dependent of education commits a violation under IC 35-46-1-4."

- Page 14, delete lines 36 through 39.
- Page 14, line 40, delete "(d)" and insert "(e)".
- Page 15, line 1, delete "(e)" and insert "(f)".
- Page 15, line 5, delete "(f)" and insert "(g)".
- Page 15, line 14, strike "of education".
- Page 15, line 16, delete "(g)" and insert "(h)".
- Page 15, line 28, delete "(h)" and insert "(i)".
- Page 15, line 32, delete "(i)" and insert "(j)".
- Page 15, line 34, delete "(g) and" and insert "**(h) and**

(i)."
 Page 15, delete lines 35 through 38, begin a new paragraph and insert:

"SECTION 12. IC 20-24-9-2, AS AMENDED BY P.L.192-2018, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. An annual report under this chapter must contain the following information:

- (1) Results of statewide assessment program measures.
- (2) Student growth and improvement data for each authorized school.
- (3) Attendance rates for each authorized school. **In the case of a virtual charter school, the virtual charter school must include the methodology used to determine attendance rate with the attendance rate.**
- (4) Graduation rates (if appropriate), including attainment of Indiana diplomas with a Core 40 designation and Indiana diplomas with Core 40 with academic honors designations for each authorized school.
- (5) Student enrollment data for each authorized school, including the following:
 - (A) The number of students enrolled.
 - (B) The number of students expelled.
- (6) Status of the authorizer's charter schools, identifying each of the authorizer's charter schools that are in the following categories:
 - (A) Approved but not yet open.
 - (B) Open and operating.
 - (C) Closed or having a charter that was not renewed, including:
 - (i) the year closed or not renewed; and
 - (ii) the reason for the closure or nonrenewal.
- (7) Names of the authorizer's board members or ultimate decision making body.
- (8) Evidence that the authorizer is in compliance with IC 20-24-2.2-1.5.
- (9) A report summarizing the total amount of administrative fees collected by the authorizer and how the fees were expended, if applicable.
- (10) Total amount of other fees or funds not included in the report under subdivision (9) received by the authorizer from a charter school and how the fees or funds were expended.
- (11) The most recent audits for each authorized school submitted to the authorizer under IC 5-11-1-9.
- (12) For a virtual charter school, the student engagement requirements or policies.**

SECTION 13. IC 20-24-9-5, AS AMENDED BY P.L.280-2013, SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. A charter school shall report the following to the authorizer:

- (1) Attendance records. **In the case of a virtual charter school, the virtual charter school**

must include the methodology used to determine attendance with the attendance record.

- (2) Student performance data.
- (3) Financial information.
- (4) Any information necessary to comply with state and federal government requirements.
- (5) Any other information specified in the charter.

SECTION 14. IC 20-26-13-10, AS AMENDED BY P.L.268-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 10. Except as provided in section 11 of this chapter, the four (4) year graduation rate for a cohort in a high school is the percentage determined under STEP FIVE of the following formula:

STEP ONE: Determine the grade 9 enrollment at the beginning of the reporting year three (3) years before the reporting year for which the graduation rate is being determined.

- STEP TWO: Add:
- (A) the number determined under STEP ONE; and
 - (B) the number of students who:
 - (i) have enrolled in the high school after the date on which the number determined under STEP ONE was determined; and
 - (ii) have the same expected graduation year as the cohort.

STEP THREE: Subtract from the sum determined under STEP TWO the number of students who have left the cohort for any of the following reasons:

- (A) Transfer to another public or nonpublic school.
- ~~(B) Except as provided in IC 20-33-2-28.6, removal by the student's parents under IC 20-33-2-28 to provide instruction equivalent to that given in the public schools.~~
- ~~(C) (B) Withdrawal because of a long term medical condition or death.~~
- ~~(D) (C) Detention by a law enforcement agency or the department of correction.~~
- ~~(E) (D) Placement by a court order or the department of child services.~~
- ~~(F) (E) Enrollment in a virtual school.~~
- ~~(G) (F) Leaving school, if the student attended school in Indiana for less than one (1) school year and the location of the student cannot be determined.~~
- ~~(H) (G) Leaving school, if the location of the student cannot be determined and the student has been reported to the Indiana clearinghouse for information on missing children and missing endangered adults.~~
- ~~(I) (H) Withdrawing from school before graduation, if the student is a high ability student (as defined in IC 20-36-1-3) who is a full-time student at an accredited institution of higher education during the semester in which the cohort graduates.~~

STEP FOUR: Determine the total number of students determined under STEP TWO who have graduated during the current reporting year or a previous reporting year.

- STEP FIVE: Divide:
- (A) the number determined under STEP FOUR; by
 - (B) the remainder determined under

STEP THREE.

SECTION 15. IC 20-26-13-11, AS AMENDED BY P.L.251-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 11. (a) A student who has left school is not included in clauses (A) through ~~(F)~~ **(H)** of STEP THREE of the formula established in section 10 of this chapter unless the school can provide written proof that the student has left the school for one (1) of the reasons set forth in clauses (A) through ~~(F)~~ **(H)** of STEP THREE of section 10 of this chapter. If the location of the student is unknown to the school, the principal of the school shall send a certified letter to the last known address of the student, inquiring about the student's whereabouts and status. If the student is not located after the certified letter is delivered or if no response is received, the principal may submit the student's information, including last known address, parent or guardian name, student testing number, and other pertinent data to the state attendance officer. The state attendance officer, using all available state data and any other means available, shall attempt to locate the student and report the student's location and school enrollment status to the principal so that the principal can appropriately send student records to the new school or otherwise document the student's status.

(b) The department shall conduct a review of each school's graduation cohort on a schedule determined by the department.

(c) If a school cannot provide written proof that a student should be included in clauses (A) through ~~(F)~~ **(H)** of STEP THREE of section 10 of this chapter, the student is considered a dropout.

SECTION 16. IC 20-26-13-11.3 IS REPEALED [EFFECTIVE JULY 1, 2019]. ~~Sec. 11.3: (a) A school may not classify a student as; or apply an exit code or description to a student that indicates that the student is; leaving a cohort for the reason described in section 10 STEP THREE clause (B) of this chapter unless the school has substantial evidence that the parent or guardian of the student initiated the student leaving the cohort.~~

~~(b) Upon request by the department, the school shall provide a copy of evidence described in subsection (a) for any student the school classifies; or to whom the school applies an exit code or description; as described in subsection (a).~~

SECTION 17. IC 20-26-13-13, AS AMENDED BY P.L.229-2007, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 13. For any school that cannot provide written proof supporting the school's determination to include a student under any one (1) of clauses (A) through ~~(F)~~ **(H)** of STEP THREE of section 10 of this chapter, the department shall require the publication of the corrected graduation rate in the next school year's report required under IC 20-20-8-3."

Renumber all SECTIONS consecutively.

(Reference is to SB 567 as printed February 22, 2019.) and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 582, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective date in SECTION 1 with "[EFFECTIVE JULY 1, 2017 (RETROACTIVE)]:".

Page 3, delete lines 10 through 42, begin a new line block indented and insert:

"(1) a user fee (as defined in IC 33-23-1-10.5);

(2) any other charge, fee, or rate imposed by a political subdivision under any other law; or

(3) any tax imposed by a political subdivision other than a property tax.

SECTION 2. IC 33-23-1-10.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE DECEMBER 1, 2015 (RETROACTIVE)]: Sec. 10.5. (a) "User fee" means a fee, rate, or charge imposed by a political subdivision that:

(1) represents a just, reasonable, and proportionate approximation of the:

(A) use or privilege for use of a service;

(B) benefit conferred by the use or privilege for use of a service; and

(C) costs incurred by a political subdivision for providing the service or availability of the service; and

(2) is not excessive in relation to the costs incurred for providing the service.

(b) The term includes but is not limited to the following:

(1) Rates and charges established under IC 8-1.5-3.

(2) Rates and charges established under IC 8-1.5-4.

(3) User fees assessed under IC 8-1.5-5.

(4) Final disposal fees established under IC 13-21-13.

(5) Solid waste management fees established under IC 13-21-14.

(6) Rates and charges established under IC 13-26-11.

(7) Rates and charges established under IC 14-33-5.

(8) Fees established or charged under IC 36-9-23.

(9) Fees fixed or established under IC 36-9-25.

(10) Fees established under IC 36-9-27.

(11) Fees established under IC 36-9-30.

(12) Fees established under IC 36-9-31.

(13) Fees imposed under IC 36-7-4-1311.

SECTION 3. IC 33-23-17-4, AS AMENDED BY P.L.161-2018, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) The committee shall do the following:

(1) Conduct a continuous study of information technology applications for Indiana's judicial system, including an analysis of appropriate and equitable funding, automated ~~recordkeeping~~ **record keeping** fees and record perpetuation costs, and their allocation between state and local governmental entities.

(2) Develop a long range strategy for technology and automation in Indiana's judicial system, including:

(A) establishing plans for funding and implementing technology and automation;

(B) making recommendations to the office of judicial administration for the establishment of a pilot program concerning electronic filing;

(C) allowing public court records to be available on the Internet;

(D) studying the appropriate use of private sector vendors that offer similar interfacing or complementary systems; and

(E) studying any other issues the committee considers appropriate; and
(F) development and preparation of, before January 1, 2020, a plan for a standard protocol that:

- (i) allows the office of judicial administration and a clerk of court to electronically send, receive, or exchange information concerning judgments and pending cases;
- (ii) allows a member of the public to search for information concerning judgments and pending cases;
- (iii) provides the judgment docket information described under IC 33-32-3-2 to a person making use of the protocol described in this clause;
- (iv) allows a person to search for information concerning a judgment or pending case by the name of any party related to the case, through use of a partial name match involving the party's first name or last name or a complex name, or through use of a partial name match involving an entity's name or an entity's complex name;
- (v) provides the functionality described in items (i) through (iv) through exclusive use of the protocol described in this clause; and
- (vi) is accessible to clerks of courts in clerks of court offices.

Any implementation of the protocol described in this clause shall include the clerks of court being provided with all necessary training and education concerning the availability of the protocol described in this clause and the ability of the protocol to comply with IC 33-32-3-2.

(3) Make recommendations to the supreme court concerning the implementation of policies, standards, and rules that promote the effective use of technology and automation in Indiana courts.

(b) The committee may employ an independent consultant to assist with its study.

SECTION 4. IC 33-28-1-2, AS AMENDED BY P.L.201-2011, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) All circuit courts have:

- (1) original and concurrent jurisdiction in all civil cases and in all criminal cases;
- (2) original and concurrent jurisdiction with the superior courts in all user fee cases;**
- ~~(2)~~ **(3)** de novo appellate jurisdiction of appeals from city and town courts; and
- ~~(3)~~ **(4)** in Marion County, de novo appellate jurisdiction of appeals from township small claims courts established under IC 33-34.

(b) The circuit court also has the appellate jurisdiction that may be conferred by law upon it.

SECTION 5. IC 33-29-1-1.5, AS ADDED BY P.L.201-2011, SECTION 25, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.5. All standard superior courts have:

- (1) original and concurrent jurisdiction in all civil cases and in all criminal cases;
- (2) original and concurrent jurisdiction with the circuit courts in all user fee cases;**
- ~~(2)~~ **(3)** de novo appellate jurisdiction of appeals from city and town courts; and
- ~~(3)~~ **(4)** in Marion County, de novo appellate jurisdiction of appeals from township small claims courts established under IC 33-34.

SECTION 6. IC 33-29-1.5-2, AS ADDED BY P.L.201-2011, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. All superior courts have:

- (1) original and concurrent jurisdiction in all civil cases and in all criminal cases;
- (2) original and concurrent jurisdiction with the circuit courts in all user fee cases;**
- ~~(2)~~ **(3)** de novo appellate jurisdiction of appeals from city and town courts; and
- ~~(3)~~ **(4)** in Marion County, de novo appellate jurisdiction of appeals from township small claims courts established under IC 33-34.

SECTION 6. [EFFECTIVE UPON PASSAGE] (a) **Notwithstanding any other law, IC 6-1.1-15-1(h), as added by this act, applies to a notice of appeal filed under IC 6-1.1-15-1 (before its repeal) before July 1, 2017.**

(b) This SECTION expires July 1, 2022."

Page 4, delete lines 1 through 34.

Renumber all SECTIONS consecutively.

(Reference is to SB 582 as printed January 23, 2019.)

and when so amended that said bill do pass.

Committee Vote: yeas 7, nays 1.

TORR, Chair

Report adopted.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 498

Representative T. Brown called down Engrossed Senate Bill 498 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 516

Representative Eberhart called down Engrossed Senate Bill 516 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 516-3)

Mr. Speaker: I move that Engrossed Bill 516 be amended to read as follows:

Page 16, line 10, delete "to" and insert "**to**:"

(1)."

Page 16, line 11, delete "States." and insert "**States; or (2) any agency or instrumentality of any state or the United States.**"

(Reference is to ESB 516 as printed April 5, 2019.)

LEHE

Motion prevailed.

HOUSE MOTION (Amendment 516-1)

Mr. Speaker: I move that Engrossed Senate Bill 516 be amended to read as follows:

Page 13, line 29, reset in roman "(a)".

Page 13, line 29, after "(b)," insert "**As used in this**

section, "ppm" means parts per million.

(b) As used in this section, "CFU" means colony forming units.

(c).

Page 13, line 32, delete "showing:" and insert "showing".

Page 13, line 32, after "that:" insert "**the following:**".

Page 13, line 33, delete "that" and insert "**That**".

Page 13, line 34, delete "laboratory;" and insert "laboratory."

Page 13, line 35, after "(2)" delete "that" and insert "**That**".

Page 13, line 36, after "contained" insert "**the following:**
(A)".

Page 13, line 36, delete "not" and insert "Not".

Page 13, line 38, delete "batch; and" and insert "batch".

Page 13, between lines 38 and 39, begin a new line double block indented and insert:

"(B) A concentration of metals that is not more than any of the following:

(i) **Four-tenths (0.4) ppm of cadmium.**

(ii) **Five-tenths (0.5) ppm of lead.**

(iii) **Four-tenths (0.4) ppm of arsenic.**

(iv) **Two-tenths (0.2) ppm of mercury.**

(C) A concentration of microbiological units that is not more than any of the following:

(i) **One (1) CFU per gram of Shiga-Toxin Escherichia coli.**

(ii) **One (1) CFU per gram of Salmonella spp.**

(iii) **Ten thousand (10,000) CFU of culturable mold.**

(iv) **Two percent (2%), by weight, of filth and foreign material, including hair, insects, feces, packaging contaminants, manufacturing waste and byproducts, and any organic based residual solids.**

(D) A concentration of residual solvents and chemicals that is not more than any of the following:

(i) **Five thousand (5,000) ppm of butane.**

(ii) **Two (2) ppm of benzene.**

(iii) **Five thousand (5,000) ppm of heptane.**

(iv) **Two hundred ninety (290) ppm of hexane.**

(v) **Eight hundred ninety (890) ppm of toluene.**

(vi) **One (1) ppm of the total xylenes, including ortho-xylene, meta-xylene, and para-xylene."**

Page 13, line 39, after "(3)" delete "the" and insert "**The**".
(Reference is to ESB 516 as printed April 5, 2019.)

EBERHART

Motion prevailed.

HOUSE MOTION
(Amendment 516-2)

Mr. Speaker: I move that Engrossed Senate Bill 516 be amended to read as follows:

Page 2, delete lines 3 through 6.

Page 2, line 7, delete "(6)" and insert "**(4)**".

Page 2, line 9, delete "(7)" and insert "**(5)**".

Page 2, line 11, delete "(8)" and insert "**(6)**".

Page 2, line 14, delete "(9)" and insert "**(7)**".

Page 2, line 17, delete "(10)" and insert "**(8)**".

Page 2, line 21, delete "(11)" and insert "**(9)**".

(Reference is to ESB 516 as printed April 5, 2019.)

EBERHART

Motion prevailed.

HOUSE MOTION
(Amendment 516-4)

Mr. Speaker: I move that Engrossed Senate Bill 516 be amended to read as follows:

Page 12, delete lines 16 through 22.

Page 12, line 37, delete "not including smokable hemp (as defined by IC 35-48-1-26.6)".

Page 12, line 38, delete "misdemeanor." and insert "**infraction.**".

Page 14, line 10, after "Sec. 17.5." delete "(a)"

Page 14, delete lines 19 through 22.

Page 14, line 39, reset in roman "or".

Page 14, line 40, delete "extract; or" and insert "extract."

Page 14, delete lines 41 through 42.

Delete page 15

Page 16, delete lines 1 through 31.

Page 16, delete lines 41 through 42.

Page 17, delete lines 1 through 2.

Re-number all SECTIONS consecutively.

(Reference is to ESB 516 as printed April 5, 2019.)

LUCAS

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 518

Representative Steuerwald called down Engrossed Senate Bill 518 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 518-1)

Mr. Speaker: I move that Engrossed Senate Bill 518 be amended to read as follows:

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

"SECTION 1. IC 2-5-1.3-4, AS AMENDED BY P.L.123-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. The following interim study committees are established:

(1) Agriculture and Natural Resources.

(2) Commerce and Economic Development.

(3) Corrections and Criminal Code.

(4) Courts and the Judiciary. ~~including the Probate Study subcommittee established under section 42 of this chapter.~~

(5) Education.

(6) Elections.

(7) Employment and Labor.

(8) Energy, Utilities, and Telecommunications.

(9) Environmental Affairs.

(10) Financial Institutions and Insurance.

(11) Government.

(12) Public Safety and Military Affairs.

(13) Pension Management Oversight.

(14) Public Health, Behavioral Health, and Human Services.

(15) Public Policy.

(16) Roads and Transportation.

(17) Fiscal Policy.

SECTION 2. IC 2-5-1.3-12, AS AMENDED BY P.L.123-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 12. (a) ~~Except as provided by subsection (b),~~ The chair of a study committee may establish not more than two (2) subcommittees in an

interim to assist the study committee. The chair of a study committee establishing a subcommittee shall appoint the members of the subcommittee from among the members of the study committee. Notwithstanding IC 2-5-1.2-8.5, the chair of the study committee shall appoint the chair of the subcommittee. A nonvoting member on the study committee is a nonvoting member on a subcommittee. A subcommittee established by a chair of a study committee exists for the duration of only (1) interim.

(b) A probate study subcommittee is established for the interim study committee on courts and the judiciary. The chair of the interim study committee on courts and the judiciary may establish not more than one (1) other subcommittee under subsection (a). The probate study subcommittee consists of the following members:

(1) One (1) member, appointed by the president pro tempore of the senate, who is a member of the senate on the interim study committee on courts and the judiciary.

(2) One (1) member, appointed by the minority leader of the senate, who is a member of the senate on the interim study committee on courts and the judiciary.

(3) One (1) member, appointed by the speaker of the house of representatives, who is a member of the house of representatives on the interim study committee on courts and the judiciary.

(4) One (1) member, appointed by the minority leader of the house of representatives, who is a member of the house of representatives on the interim study committee on courts and the judiciary.

(5) Lay members appointed under section 6 of this chapter, if the legislative council authorizes the appointment of lay members to the probate study subcommittee. One (1) of the members appointed under this subdivision must be a resident of Indiana and work in the trust department of a bank, trust company, savings institution, or credit union chartered and supervised under IC 28 or federal law.

A member of the probate study subcommittee serves at the pleasure of the appointing authority. IC 2-5-1.2-8.5 applies to the appointment of a chair and vice-chair of the probate study subcommittee. The probate study subcommittee shall meet on the call of the chair of the probate study subcommittee with the consent of the chair of the interim study committee on courts and the judiciary. The probate study subcommittee shall carry out a program to study and recommend to the interim study committee on courts and the judiciary changes that are needed in the probate code (IC 29-1); the trust code (IC 30-4); and other statutes affecting guardianships, probate jurisdiction, trusts, or fiduciaries.

(c) (b) The expenses of a subcommittee, including per diem, mileage, and travel allowances payable under IC 2-5-1.2-11, shall be paid from money authorized by the legislative council for operation of the study committee. The amount authorized by the legislative council for expenditures of a study committee may not be increased to pay for the operation of a subcommittee.

SECTION 3. IC 2-5-16.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

Chapter 16.1. Probate Code Study Commission

Sec. 1. As used in this chapter, "commission" refers to the probate code study commission.

Sec. 2. The probate code study commission is established.

Sec. 3. (a) The commission has the following

membership:

(1) Ten (10) members appointed by the governor. Each Indiana congressional district must be represented by at least one (1) member appointed under this subdivision who is a resident of that congressional district.

(2) Three (3) members appointed by the president pro tempore of the senate from among the members of the senate, not more than two (2) of whom may be affiliated with the same political party.

(3) Three (3) members appointed by the speaker of the house of representatives from among the members of the house of representatives, not more than two (2) of whom may be affiliated with the same political party.

(b) If a legislative member of the commission ceases to be a member of the chamber from which the member was appointed, the person ceases to be a member of the commission.

(c) The term of a member is two (2) years.

(d) If:

(1) the term of a member expires;

(2) the member is not reappointed; and

(3) a successor is not appointed;

the term of the member continues until a successor is appointed.

Sec. 4. (a) For calendar year 2019 and every fourth year thereafter, the president pro tempore of the senate shall appoint a chairperson and a vice chairperson from among the commission's legislative members, each to serve a term of two (2) years.

(b) For calendar year 2021 and every fourth year thereafter, the speaker of the house of representatives shall appoint a chairperson and a vice chairperson from among the commission's legislative members, each to serve a term of two (2) years.

Sec. 5. (a) A vacancy on the commission shall be filled by the original appointing authority.

(b) If the office of chairperson or vice chairperson of the commission becomes vacant, the commission shall elect a person to fill the vacancy from among the legislative members of the commission.

Sec. 6. (a) A quorum for a meeting of the commission is determined as follows:

STEP ONE: Determine the total number of members currently serving on the commission.

STEP TWO: Divide the number determined in STEP ONE by two (2). If the quotient is not a whole number, round the quotient up to the nearest whole number.

STEP THREE: Add one (1) member to the quotient determined in STEP TWO.

(b) Before the commission takes any final action, the number of affirmative votes on the action must equal the number of members in a quorum.

Sec. 7. Subject to applicable statutes and policies established by the legislative council, the commission, by resolution, may adopt rules and create committees, consisting of its members, necessary for the proper conduct of its business.

Sec. 8. Each legislative member and each lay member of the commission is entitled to receive the same per diem, mileage, and travel allowances paid to individuals serving as legislative and lay members, respectively, on an interim study committee established by the legislative council.

Sec. 9. The legislative services agency shall provide staff to support the commission.

Sec. 10. Funds necessary to carry out this chapter shall be allotted to the commission from funds appropriated to the legislative council.

Sec. 11. Subject to standards set by statute and the policies established by the legislative council, the commission may accept money or services from any public or private source to carry out this chapter.

Sec. 12. The commission shall submit reports in an electronic format under IC 5-14-6 to the legislative council as and when requested by the council.

Sec. 13. The commission shall carry out a program to study and recommend to the general assembly needed changes in the following:

(1) The probate code (IC 29-1).

(2) The trust code (IC 30-4).

(3) Any other statute affecting the administration of a decedent's estate, guardianship, probate jurisdiction, trust, or fiduciary.

Sec. 14. The legislative council may refer any issue related to probate or trusts and fiduciaries to the commission for study. If a matter is referred to the commission under this section, the commission shall study that matter and report in an electronic format under IC 5-14-6 to the legislative council as requested by the council."

Renumber all SECTIONS consecutively.
(Reference is to ESB 518 as printed April 5, 2019.)
DELANEY

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 535

Representative Davisson called down Engrossed Senate Bill 535 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 535-1)

Mr. Speaker: I move that Engrossed Bill 535 be amended to read as follows:

Page 1, delete lines 1 through 15.

Delete pages 2 through 3.

Page 4, delete lines 1 through 7.

Renumber all SECTIONS consecutively.
(Reference is to ESB 535 as printed April 2, 2019.)
AUSTIN

Upon request of Representatives Austin and Summers, the Speaker ordered the roll of the House to be called. Roll Call 426: yeas 39, nays 54. Motion failed.

HOUSE MOTION
(Amendment 535-4)

Mr. Speaker: I move that Engrossed Senate Bill 535 be amended to read as follows:

Page 9, line 37, after "20." insert "(a)".

Page 10, between lines 8 and 9, begin a new paragraph and insert:

"(b) The repeal of section 19 of this chapter does not prohibit a municipality's ability to take water from a watercourse within the ten (10) mile area outside the municipality's corporate boundaries."

(Reference is to ESB 535 as printed April 2, 2019.)
HEINE

Motion prevailed.

HOUSE MOTION
(Amendment 535-5)

Mr. Speaker: I move that Engrossed Senate Bill 535 be amended to read as follows:

Page 13, between lines 11 and 12, begin a new line block indented and insert:

"(1) IC 36-1-4-5 (before its amendment July 1, 2019);"

Page 13, line 12, delete "(1)" and insert "(2)".

Page 13, line 13, delete "(2)" and insert "(3)".

Page 13, line 14, delete "(3)" and insert "(4)".

(Reference is to ESB 535 as printed April 2, 2019.)

GOODRICH

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 606

Representative Cook called down Engrossed Senate Bill 606 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Acts 1018, 1063, 1087, 1100, 1115, 1118, 1128, 1182, 1185, 1199, 1211, 1245, 1268, 1342, 1349, 1552 and 1600 on April 8.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed Senate Enrolled Acts 278, 381, 424, 471, 474, 513 and 533 on April 8.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative Karickhoff be added as coauthor of House Resolution 53.

VANNATER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Frye be added as cosponsor of Senate Concurrent Resolution 40.

GOODIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Wesco be added as cosponsor of Engrossed Senate Bill 131.

CHERRY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Goodin be added as cosponsor of Engrossed Senate Bill 172.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Dvorak be removed as cosponsor of Engrossed Senate Bill 265.

STEUERWALD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Bacon, Shackelford and Beck be added as cosponsors of Engrossed Senate Bill 359.

KIRCHHOFER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three cosponsors and that Representatives McNamara and Wright be added as cosponsors of Engrossed Senate Bill 365.

FRIZZELL

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Manning be added as cosponsor of Engrossed Senate Bill 393.

CLERE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Goodrich be added as cosponsor of Engrossed Senate Bill 420.

DEVON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pfaff be added as cosponsor of Engrossed Senate Bill 558.

WESCO

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Speedy be added as cosponsor of Engrossed Senate Bill 581.

MILLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Goodrich be added as cosponsor of Engrossed Senate Bill 631.

MCNAMARA

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bill 1125, 1209, 1248, 1347 and 1375 with amendments and the same are herewith returned to the House for concurrence.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bill 1349 and the same is herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has concurred in the House amendments to Engrossed Senate Bills 57, 230, 350 and 570.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 64 and the same is herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 14, 45, 47, 48, 49, 51 and 52 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 2:

Conferees: Head, Chairman; and Randolph
Advisors: Houchin, Taylor, Rogers and Bohacek

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 85:

Conferees: Ford, Jon, Chairman; and Tallian
Advisors: Niemeyer, Ford, J.D., Bohacek and Altin

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 228:

Conferees: Charbonneau, Chairman; and Breaux
Advisors: Crider and Stoops

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 363:

Conferees: Raatz, Chairman; and Taylor
Advisors: Doriot, Lanane and Garten

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 442:

Conferees: Ford, Jon., Chairman; and Niezgodski
Advisors: Tallian, Messmer, Zay and Spartz

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 459:

Conferees: Messmer, Chairman; and Ford, J.D.
Advisors: Stoops, Jon Ford, Koch

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 604:

Conferees: Doriot, Chairman; and Randolph
Advisors: Head, Taylor, Koch

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Schaibley, the House adjourned at 6:42 p.m., this eighth day of April, 2019, until Tuesday, April 9, 2019, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives