



# Journal of the House

State of Indiana

118th General Assembly

Second Regular Session

Eighth Day

Tuesday Afternoon

January 21, 2014

The invocation was offered by Pastor Derald Ailes of the Virgie Christian Church in DeMotte, the guest of Representative Douglas L. Gutwein.

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 Douglas L. Gutwein.

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

Arnold	Kubacki
Austin	Lawson
Bacon	Lehe
Baird	Lehman
Bartlett	Leonard
Battles	Lucas
Bauer	Lutz
Behning	Macer
Beumer	Mahan
Braun	Mayfield
C. Brown	McMillan
T. Brown	McNamera
Burton	Messmer
Candelaria Reardon	Moed
Carbaugh	Morris
Cherry	Morrison
Clere	Moseley
Cox	Neese
Culver	Negele
Davisson <input type="checkbox"/>	Niemeyer
DeLaney	Niezdowski
Dermody	Ober
DeVon	Pelath
Dvorak	Pierce
Eberhart	Porter
Errington	Price
Forestal	Pryor
Friend	Rhoads
Frizzell	Richardson
Frye	Riecken
GiaQuinta	Saunders
Goodin	Shackleford
Gutwein	Slager
Hale	Smaltz
Hamm	M. Smith
Harman	V. Smith
Harris	Soliday
Heaton	Speedy
Heuer	Stemler <input type="checkbox"/>
Huston	Steuerwald <input type="checkbox"/>
Karickhoff	Sullivan
Kersey	Summers
Kirchhofer	Thompson
Klinker	Torr
Koch	Truitt

Turner  
Ubelhor  
VanDenburgh  
VanNatter  
Washburne

Wesco  
Wolkins  
Zent  
Ziemke  
Mr. Speaker

Roll Call 24: 97 present; 3 excused. The Speaker announced a quorum in attendance. [NOTE:  indicates those who were excused.]

[Journal Clerk's note: Rule Call 23 was a machine test]

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, January 23, 2014, at 10:00 a.m.

FRIEND

The motion was adopted by a constitutional majority.

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1013, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 12, delete "two (2)" and insert "**five (5)**".  
(Reference is to HB 1013 as introduced.)  
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

LEHE, Chair

Report adopted.

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1039, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 9, delete "marketing and" and insert "**marketing, promotions, or agritourism.**".

Page 2, delete line 10.  
Page 3, line 5, delete "commission." and insert "**department.**".

(Reference is to HB 1039 as introduced.)  
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

LEHE, Chair

Report adopted.

### COMMITTEE REPORT

Mr. Speaker Your Committee on Education, to which was referred House Bill 1047, 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 3, delete "public" and insert "**virtual**".

Page 1, line 4, after "school" insert "**(as defined in**

IC 20-24-7-13)".

Page 2, delete lines 10 through 12.  
 Page 2, line 15, delete "public" and insert "virtual".  
 Page 2, line 25, delete "public" and insert "virtual".  
 Page 2, line 29, delete "public" and insert "virtual".  
 (Reference is to HB 1047 as introduced.)

Committee Vote: Yeas 7, Nays 2.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

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

Page 3, between lines 28 and 29, begin a new line blocked left and insert:

**"The remaining amount of each fee paid under this section must be deposited in the motor vehicle highway account."**

(Reference is to HB 1059 as printed January 10, 2014.) and when so amended that said bill do pass.

Committee Vote: yeas 20, nays 2.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Education, to which was referred House Bill 1064 as had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1064 introduced.)

Committee Vote: Yeas 13 Nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1242, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1242 as introduced.)

Committee Vote: Yeas 10, Nays 0.

GUTWEIN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1301, 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 4, between lines 21 and 22, begin a new paragraph and insert:

**"(c) For purposes of subsection (a)(1), "townhouse" means a single-family dwelling unit constructed in a group of three (3) or more attached units in which each unit extends from foundation to roof and with open space on at least two (2) sides."**

Page 8, line 7, after "a" insert "registered or licensed".

Page 8, line 8, after "professional" insert "under IC 25-4 or IC 25-31, as appropriate,".

Page 9, line 37, delete "may" and insert "shall".

Page 11, line 18, after "10." insert "(a)".

Page 11, after line 42, begin a new paragraph and insert:

**"(b) A review under this section is limited to the corrections required by the division pursuant to notice sent under section 9(2) of this chapter or subsection (a)(2). All other parts of a project not directly related to corrections required by the division, including previously completed corrections that the division has already accepted, are deemed approved and may not be included in subsequent notice requests sent under this section. Except for a project reviewed under IC 22-15-3-6 and subject to the deadlines set forth in this chapter, the division may delay issuing a design release until all corrections to a project have been approved by the division."**

Page 12, line 2, delete "the" and insert "an engineer licensed under IC 25-31 or architect registered under IC 25-4 knowingly or recklessly submitted".

Page 12, line 2, delete "contain" and insert "containing".

Page 12, line 3, delete "Indiana building and fire code".

Page 12, line 3, after "violations" insert "of the rules of the commission".

Page 12, line 4, after "division" insert "and the commission".

Page 12, line 4, delete "substantial threat to" and insert "wanton and willful disregard for".

Page 12, line 13, delete "possible disciplinary action;" and insert "the purpose of conducting a hearing under IC 4-21.5 to determine if action under IC 4-21.5-3-8 is appropriate;".

Page 12, line 15, delete "contractor." and insert "contractor on whose behalf the application was submitted.".

(Reference is to HB 1301 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 1.

FRYE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1334, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1334 as introduced.)

Committee Vote: Yeas 12, Nays 0.

FRYE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1336, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1336 as introduced.)

Committee Vote: Yeas 12, Nays 0.

FRYE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1346, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1346 as introduced.)

Committee Vote: Yeas 7, Nays 4.

GUTWEIN, Chair

Report adopted.

## COMMITTEE REPORT

Mr. Speaker Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1361, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1361 as introduced.)

Committee Vote: Yeas 7, Nays 4.

GUTWEIN, Chair

Report adopted.

**RESOLUTIONS ON FIRST READING****House Concurrent Resolution 11**

Representatives Macer and Moed introduced House Concurrent Resolution 11:

A CONCURRENT RESOLUTION congratulating Dan Wilson on his selection as the 2014 Indiana Middle School Principal of the Year.

*Whereas, The people of Indiana take great pride in the educational system of Indiana and the faculty members who make it one of the finest systems in the nation;*

*Whereas, The Indiana Association of School Principals (IASP) selected Dan Wilson the 2014 Indiana Middle School Principal of the Year;*

*Whereas, A graduate of Indiana University with a bachelor's degree in Social Studies and a master's degree in Secondary Administration, Dan Wilson began his teaching career at Sam Houston High School in Houston, Texas;*

*Whereas, Before coming to Lynhurst 7th & 8th Grade Center, Dan Wilson was a Paraprofessional at Fulton Junior High School in the Metropolitan School District of Wayne Township and a teacher at Ben Davis Junior High School;*

*Whereas, Dan Wilson moved to the administrative department at South Wayne/Lynhurst 7th & 8th Grade Center in 2002 and was named the Principal at Lynhurst 7th & 8th Grade Center in 2006;*

*Whereas, Through hard work, dedication, and special devotion to the children of Lynhurst 7th & 8th Grade Center, Dan Wilson has transitioned the school from a low expectations institution to a school that pushes students to do their best and set high goals and supports them with love and a nurturing attitude; and*

*Whereas, The key to success for Dan Wilson has been his ability to make the children of Lynhurst 7th & 8th Grade Center his top priority: 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 Dan Wilson on his selection as Indiana's Middle School Principal of the Year and encourages him to continue the good work.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Dan Wilson and his family and Metropolitan School District of Wayne Township Superintendent Jeff 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 sponsors: Senators M. Young and Delph.

**House Resolution 4**

Representative Summer introduced House Resolution 4:

A HOUSE RESOLUTION urging the Legislative Council to assign the Criminal Law and Sentencing Policy Study Committee to meet with the Indiana Commission on Autism to study criminal justice issues concerning individuals with autism spectrum disorders.

*Whereas, Autism spectrum disorders are serious and disabling lifelong conditions that affect social behavior and communication;*

*Whereas, People affected by autism spectrum disorders experience emotional or physical violence and abuse at a rate of up to 12 times higher than their peers without such disorders;*

*Whereas, When persons affected by autism spectrum disorders come to the attention of the criminal justice system, it is often the result of their social and communication difficulties being misunderstood and because they are not given appropriate support;*

*Whereas, Police officers, attorneys, judges, and court officials need more information regarding autism spectrum disorders to develop effective strategies for dealing with people who have these disorders; and*

*Whereas, Because an autism spectrum disorder is not always easily recognized, cooperation between the Indiana Commission on Autism and the Criminal Law and Sentencing Policy Study Committee can help develop effective policies to ensure that people with autism spectrum disorders are treated justly and fairly in the criminal justice system: Therefore,*

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

SECTION 1. That the Indiana House of Representatives urges the Legislative Council to assign to the Criminal Law and Sentencing Policy Study Committee the duty of meeting with the Indiana Commission on Autism to study criminal justice issues concerning individuals with autism spectrum disorders.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the members of the Indiana Commission on Autism and the Criminal Law and Sentencing Policy Committee.

The resolution was read a first time and referred to the Committee on Courts and Criminal Codes.

**House Resolution 5**

Representative Riecken introduced House Resolution 5:

A HOUSE RESOLUTION urging the legislative council to assign the Child Services Oversight Committee to study duplication of, timing of, and costs associated with requiring national criminal background checks for certain entities by different agencies.

*Whereas, Numerous governmental and business entities have the need to perform accurate limited criminal history verification for employment and other purposes;*

*Whereas, A central repository of criminal history data would substantially enhance the ability of governmental and private entities to perform accurate criminal history verification; and*

*Whereas, It is urgent that the state come up with viable solutions to the problems facing governmental entities in gathering and maintaining complete criminal history data in an accessible format from a central data base, giving due consideration to the economics of gathering and maintaining such information: Therefore,*

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

SECTION 1. That the legislative council is urged to assign the Child Services Oversight Committee to study the problems facing governmental entities in gathering and maintaining criminal history data at a central repository for use by governmental and private entities for criminal history verification.

The resolution was read a first time and referred to the Committee on Family, Children and Human Affairs.

### House Resolution 6

Representative McNamara introduced House Resolution 6:

A HOUSE RESOLUTION honoring Nick Lee.

*Whereas, Evansville Mater Dei High School freshman Nick Lee recently won a gold medal in freestyle wrestling at the FILA Cadet Pan Am Games in Medellin, Colombia;*

*Whereas, Nick Lee became eligible for the Pan Am Games by winning a FILA Cadet qualifier in Akron, Ohio;*

*Whereas, Ranked among the top freshmen wrestlers in the country, Nick Lee enjoys the comradery of international wrestling meets that allows him to become friends with wrestlers and coaches from all over the country;*

*Whereas, Nick Lee is a model for other student athletes of what hard work and dedication can achieve;*

*Whereas, With continued dedication and hard work, Nick Lee may one day be in a category with Mater Dei's four-time state champion Blake Maurer and two-time state champion Matt Coughlin; and*

*Whereas, Outstanding athletic ability such as this deserves special recognition: Therefore,*

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

SECTION 1. That the Indiana House of Representatives congratulates Nick Lee on his freestyle wrestling victory in international competition and wishes him continued success in all his future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Nick Lee and his family.

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

### House Concurrent Resolution 13

Representative Pierce introduced House Concurrent Resolution 13:

A CONCURRENT RESOLUTION supporting an amendment to the Constitution of the United States to provide that corporations are not "people" and money is not "speech".

*Whereas, A representative government of, by, and for the people is at the core of our inalienable right to self-govern, the essence of "We The People";*

*Whereas, The right to freedom of speech is a fundamental freedom and an inalienable right;*

*Whereas, Self-governance and free speech are essential components of responsive and responsible policy making;*

*Whereas, Free and fair elections are essential to democracy and effective self-government;*

*Whereas, The Constitution of the United States and the Bill of Rights are intended to protect the rights of individual human*

*beings, known as "natural persons";*

*Whereas, Corporations are not mentioned in the Constitution of the United States and are human-created legal fictions manufactured by express permission of the people and our government;*

*Whereas, Corporations have special advantages not enjoyed by natural persons: they can exist in perpetuity, can exist simultaneously in many nations at once, may be managed and controlled by non-residents, need only profit for survival, and exist solely through the legal charter imposed by the government of the people;*

*Whereas, In 2010, the Supreme Court of the United States issued a 5-4 opinion in Citizens United v. Federal Election Commission holding that "independent expenditures" for political advertising by corporations could not be limited by government regulations and that corporations are afforded the same free speech protections as natural persons;*

*Whereas, Two propositions form the base of the Court's decision: that corporations have the same constitutional rights as natural persons and that when corporations spend money on political advertisements, they are engaging in protected "speech";*

*Whereas, While political advertising does not guarantee victory, it does shape and influence voters' perspectives and opinions;*

*Whereas, Citizens United creates an unequal playing field and allows unlimited spending by corporations and super political action committees to influence elections, candidate selection, lawmaking, and public policy decisions;*

*Whereas, In his dissent, Justice John Paul Stevens recognized that "corporations have no consciences, no beliefs, no feelings, no thoughts, no desires. Corporations help structure and facilitate the activities of human beings, to be sure, and their 'personhood' often serves as a useful legal fiction. But they are not themselves members of 'We the People' by whom and for whom our Constitution was established";*

*Whereas, Citizens United marked a significant doctrinal shift in first amendment law;*

*Whereas, This shift has been characterized by Justice Stevens as "judge-made doctrine" and a misinterpretation of constitutional text;*

*Whereas, Citizens United overturned longstanding precedent upholding laws prohibiting corporations from spending their general treasury funds on political advertising;*

*Whereas, In Austin v. Michigan Chamber of Commerce (1990), the Court pointed out the threat to a representative form of government posed by "the corrosive and distorting effects of immense aggregations of wealth that are accumulated with the help of the corporate form and that have little or no correlation to the public's support for the corporation's political ideas" and upheld limits on independent expenditures by corporations;*

*Whereas, In a 1938 opinion, United States Supreme Court Justice Hugo Black stated, "I do not believe the word 'person' in the Fourteenth Amendment includes corporations";*

*Whereas, In Nixon v. Shrink Missouri Government PAC (2000), United States Supreme Court Justice John Paul Stevens observed that "money is property, it is not speech";*

*Whereas, Citizens United severely hampers the ability of federal and state governments to enact reasonable regulations regarding corporate political advertising;*

*Whereas, Because Citizens United impairs free and fair elections and effective self-governance, it impairs the ability of*

*Hoosiers to govern through their elected representatives; and*

*Whereas, The Supreme Court of the United States should overturn its decision in Citizens United and the Constitution of the United States should be amended to make clear that corporations do not enjoy the same rights as natural persons: 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 supports amending the Constitution of the United States to establish that:

- (1) Corporations are not "people" and only natural persons are endowed with Constitutional rights;
- (2) Money is not "speech" and, therefore, regulating political contributions and spending is not equivalent to limiting political speech; and
- (3) Such an amendment should not be construed to abridge the freedom of the press.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the members of the Indiana Congressional delegation.

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

### House Resolution 9

Representative VanDenburgh introduced House Resolution 9

A HOUSE RESOLUTION congratulating Eric and Melissa Valsi on the birth of their son, Anthony.

*Whereas, Anthony Valsi entered the world at 12:37 a.m. on January 1, 2014, as the first baby to be born in Northwest Indiana;*

*Whereas, Anthony weighed 7 pounds, 9 ounces and was 19 inches long when he was born at Franciscan St. Anthony Health Hospital in Crown Point, Indiana;*

*Whereas, Parents Eric and Melissa Valsi of Crown Point had not expected Anthony to be born on New Year's Day because Melissa's due date was not until January 2;*

*Whereas, Eric and Melissa Valsi are overjoyed with the arrival of their child and feel that his birthday makes the event even more memorable and meaningful; and*

*Whereas, The birth of a child is always a miracle, but some special significance has been added to Anthony Valsi's birthday that will be remembered throughout his life: Therefore,*

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

SECTION 1. That the Indiana House of Representatives congratulates Eric and Melissa Valsi on the birth of their son, Anthony, and wishes them many years of happiness with their son.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Eric and Melissa Valsi.

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

### INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill List 8 were read a first time by title and referred to the respective committees:

**HB 1115** — Davisson, Clere  
Committee on Insurance

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

**HB 1296** — VanDenburgh  
Committee on Employment, Labor and Pensions  
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**HB 1302** — VanNatter, Heaton, Ubelhor  
Committee on Government and Regulatory Reform  
A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

**HB 1314** — Forestal, Moed  
Committee on Government and Regulatory Reform  
A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning local government.

**HB 1315** — Moed  
Committee on Local Government  
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**HB 1317** — Bartlett  
Committee on Education  
A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

**HB 1340** — Huston  
Committee on Ways and Means  
A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1367** — Truitt  
Committee on Ways and Means  
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

**HB 1373** — Pierce  
Committee on Government and Regulatory Reform  
A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

**HB 1375** — Mahan  
Committee on Elections and Apportionment  
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1384** — Speedy, McMillin  
Committee on Courts and Criminal Code  
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

**HB 1389** — Ober  
Committee on Judiciary  
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

**HB 1391** — Clere, C. Brown, Negele  
Committee on Family, Children and Human Affairs  
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**HB 1392** — Morris  
Committee on Courts and Criminal Code  
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

**HB 1423** — Rules  
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code.  
**HB 1424** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
**HB 1425** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
**HB 1426** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
**HB 1427** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
**HB 1428** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
**HB 1429** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
**HB 1430** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
**HB 1431** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
**HB 1432** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
**HB 1433** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
**HB 1434** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
**HB 1435** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
**HB 1436** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
**HB 1437** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
**HB 1438** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
 HB 1439 — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
 HB 1440 — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.

**HB 1441** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
**HB 1442** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
**HB 1443** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
**HB 1444** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
**HB 1445** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
**HB 1446** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.  
**HB 1447** — Rules  
 Committee on Rules and Legislative Procedures  
 A BILL FOR AN ACT to amend the Indiana Code.

**HOUSE BILLS ON SECOND READING**

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: House Bills 1095, 1096, 1110, 1119, 1132, 1140 and 1155.

The House recessed until the fall of the gavel.

**RECESS**

The House reconvened at 3:22 p.m. with the Speaker in the Chair.

Upon request of Representative Pelath, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 25: 71 present. The Speaker declared a quorum present.

**HOUSE BILLS ON SECOND READING**

**House Bill 1020**

Representative Koch called down House Bill 1020 for second reading. The bill was read a second time by title.

HOUSE MOTION  
 (Amendment 1020-1)

Mr. Speaker: I move that House Bill 1020 be amended to read as follows:

Page 5, between lines 22 and 23, begin a new paragraph and insert:

"SECTION 2. IC 3-9-2.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

**Chapter 2.5. Prohibition of Contributions by Applicants for and Recipients of Certain Economic Development Incentives**

**Sec. 1. As used in this chapter, "affiliated person" refers to any of the following:**

- (1) A person with any ownership interest or distributive share of a business entity of more than seven and one-half percent (7.5%).

- (2) An executive employee of a business entity.
- (3) The spouse of an individual described in subdivision (1) or (2).
- (4) The minor child of an individual described in subdivision (1) or (2).
- (5) A subsidiary of a business entity.
- (6) A member of the same unitary business group as a business entity.
- (7) An organization recognized by the United States Internal Revenue Service as a tax exempt organization described in Section 501(c) of the Internal Revenue Code that is established by:
  - (A) a business entity;
  - (B) a person described in subdivision (1), (2), (3), or (4); or
  - (C) an entity described in subdivision (5) or (6).
- (8) A political action committee for which:
  - (A) a business entity; or
  - (B) any Section 501(c) organization described in subdivision (7) related to that business entity; is a sponsor.

**Sec. 2.** As used in this chapter, "business entity" refers to any of the following doing business for profit:

- (1) A sole proprietorship.
- (2) A partnership.
- (3) A limited liability partnership.
- (4) A limited liability company.
- (5) A corporation.
- (6) Any other person doing business for profit, regardless of the person's legal organization.

**Sec. 3.** As used in this chapter, "economic development incentive" has the meaning set forth in IC 5-28-5.5-2.

**Sec. 4.** As used in this chapter, "executive employee" refers to any of the following:

- (1) The president of a business entity.
- (2) The chairman of a business entity.
- (3) The chief executive officer of a business entity.
- (4) An employee of a business entity who has executive decision making authority over the long term and day to day affairs of the business entity.

**Sec. 5.** As used in this chapter, "sponsor" refers to an individual or organization that contributes at least thirty-three percent (33%) of the total funding of a political action committee.

**Sec. 6. (a)** During the period described in subsection (b):

- (1) a person who is a recipient of an economic development incentive; and
- (2) an affiliated person of a person described in subdivision (1);

may not make a contribution to an individual who holds a state office or a legislative office or is a candidate for a state office or a legislative office.

**(b)** The prohibition on contributions under this section:

- (1) begins on the date of the award of the economic development incentive to the person; and
- (2) ends one (1) year after the date of the expiration or termination of the economic development incentive.

**Sec. 7. (a)** During the period described in subsection (b):

- (1) an applicant for an economic development incentive; and
- (2) affiliated persons of the applicant described in subdivision (1);

may not make a contribution to an individual who holds a state office or a legislative office or is a candidate for a state office or a legislative office.

**(b)** The prohibition on contributions under this section:

- (1) begins on the date that the applicant submits the application for the economic development incentive; and
- (2) ends on the day after the date:
  - (A) the economic development incentive is awarded;

or

**(B)** the application for the economic development incentive is withdrawn.

**Sec. 8. (a)** A candidate or a candidate's committee that receives a contribution from a person who is prohibited from making a contribution under section 6 or 7 of this chapter shall pay an amount equal to the value of the contribution to the election division not later than thirty (30) days after receiving the contribution.

**(b)** The election division shall deposit payments made under this section in the campaign finance enforcement account established by IC 3-6-4.1-24.

SECTION 3. IC 3-9-4-16, AS AMENDED BY P.L.225-2011, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 16. (a) In addition to any other penalty imposed, a person who does any of the following is subject to a civil penalty under this section:

- (1) Fails to file with the election division a report in the manner required under IC 3-9-5.
- (2) Fails to file a statement of organization required under IC 3-9-1.
- (3) Is a committee or a member of a committee who disburses or expends money or other property for any political purpose before the money or other property has passed through the hands of the treasurer of the committee.
- (4) Makes a contribution other than to a committee subject to this article or to a person authorized by law or a committee to receive contributions on the committee's behalf.
- (5) Is a corporation or labor organization that exceeds any of the limitations on contributions prescribed by IC 3-9-2-4.
- (6) Makes a contribution in the name of another person.
- (7) Accepts a contribution made by one (1) person in the name of another person.
- (8) Is not the treasurer of a committee subject to this article, and pays any expenses of an election or a caucus except as authorized by this article.
- (9) Commingles the funds of a committee with the personal funds of an officer, a member, or an associate of the committee.
- (10) Wrongfully uses campaign contributions in violation of IC 3-9-3-4.
- (11) Violates IC 3-9-2-12.
- (12) Fails to designate a contribution as required by IC 3-9-2-5(c).
- (13) Violates IC 3-9-3-5.
- (14) Serves as a treasurer of a committee in violation of any of the following:
  - (A) IC 3-9-1-13(1).
  - (B) IC 3-9-1-13(2).
  - (C) IC 3-9-1-18.
- (15) Fails to comply with section 4(d) of this chapter.
- (16) Violates IC 3-9-3-2.5 by making a communication that contains a disclaimer that is not presented in a clear and conspicuous manner required by IC 3-9-3-2.5(d) and IC 3-9-3-2.5(e). This subdivision does not apply to a person whose sole act is, in the normal course of business, participating in the preparation, printing, distribution, or broadcast of the communication containing the disclaimer.
- (17) Violates IC 3-9-2.5.

**(b)** This subsection applies to a person who is subject to a civil penalty under subsection (a)(1) or (a)(2) for filing a defective report or statement. If the commission determines that a person failed to file the amended report or statement of organization not later than noon five (5) days after being given notice under section 14 of this chapter, the commission may assess a civil penalty. The penalty is ten dollars (\$10) for each day the report is late after the expiration of the five (5) day

period, not to exceed one hundred dollars (\$100) plus any investigative costs incurred and documented by the election division. The civil penalty limit under this subsection applies to each report separately.

(c) This subsection applies to a person who is subject to a civil penalty under subsection (a)(1) or (a)(2) for a delinquent report or statement. If the commission determines that a person failed to file the report or statement of organization by the deadline prescribed under this article, the commission shall assess a civil penalty. The penalty is fifty dollars (\$50) for each day the report or statement is late, with the afternoon of the final date for filing the report or statement being calculated as the first day. The civil penalty under this subsection may not exceed one thousand dollars (\$1,000) plus any investigative costs incurred and documented by the election division. The civil penalty limit under this subsection applies to each report separately.

(d) This subsection applies to a person who is subject to a civil penalty under subsection (a)(3), (a)(4), (a)(6), (a)(7), (a)(8), (a)(9), or (a)(10). If the commission determines that a person is subject to a civil penalty under subsection (a), the commission may assess a civil penalty of not more than one thousand dollars (\$1,000), plus any investigative costs incurred and documented by the election division.

(e) This subsection applies to a person who is subject to a civil penalty under subsection (a)(5). If the commission determines that a person is subject to a civil penalty under subsection (a)(5), the commission may assess a civil penalty of not more than three (3) times the amount of the contribution in excess of the limit prescribed by IC 3-9-2-4, plus any investigative costs incurred and documented by the election division.

(f) This subsection applies to a person who is subject to a civil penalty under subsection (a)(11). If the commission determines that a candidate or the candidate's committee has violated IC 3-9-2-12, the commission shall assess a civil penalty equal to the greater of the following, plus any investigative costs incurred and documented by the election division:

- (1) Two (2) times the amount of any contributions received.
- (2) One thousand dollars (\$1,000).

(g) This subsection applies to a person who is subject to a civil penalty under subsection (a)(12). If the commission determines that a corporation or a labor organization has failed to designate a contribution in violation of IC 3-9-2-5(c), the commission shall assess a civil penalty equal to the greater of the following, plus any investigative costs incurred and documented by the election division:

- (1) Two (2) times the amount of the contributions undesignated.
- (2) One thousand dollars (\$1,000).

(h) This subsection applies to a person who is subject to a civil penalty under subsection (a)(13). If the commission determines, by unanimous vote of the entire membership of the commission, that a person has violated IC 3-9-3-5, the commission may assess a civil penalty of not more than five hundred dollars (\$500), plus any investigative costs incurred and documented by the election division.

(i) This subsection applies to a person who is subject to a civil penalty under subsection (a)(14). If the commission determines, by unanimous vote of the entire membership of the commission, that a person has served as the treasurer of a committee in violation of any of the statutes listed in subsection (a)(14), the commission may assess a civil penalty of not more than five hundred dollars (\$500), plus any investigative costs incurred and documented by the election division.

(j) This subsection applies to a person who is subject to a civil penalty under subsection (a)(15). The commission may assess a civil penalty equal to the costs incurred by the election division for the manual entry of the data contained in the report

or statement, plus any investigative costs incurred and documented by the election division.

(k) This subsection applies to a person who is subject to a civil penalty under subsection (a)(16). If the commission determines that a person is subject to a civil penalty under subsection (a)(16), the commission may assess a civil penalty of not more than one thousand dollars (\$1,000) for each communication circulated or published (but not for each of the copies of the communication actually circulated or published), plus any investigative costs incurred and documented by the election division.

**(l) This subsection applies to a person who is subject to a civil penalty under subsection (a)(17). The commission may assess a civil penalty of not more than one thousand dollars (\$1,000) for a violation of IC 3-9-2.5, plus any investigative costs incurred and documented by the election division.**

**(m)** All civil penalties collected under this section shall be deposited with the treasurer of state in the campaign finance enforcement account.

**(n)** Proceedings of the commission under this section are subject to IC 4-21.5.

SECTION 4. IC 3-14-1-18 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 18. A person who recklessly, knowingly, or intentionally makes a contribution in violation of IC 3-9-2.5 commits a Class B misdemeanor.**

SECTION 5. IC 5-28-5.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

**Chapter 5.5. Political Contributions of Applicants and Recipients of Economic Development Incentive**

**Sec. 1. This chapter applies to every application for, and award of, an economic development incentive after June 30, 2014.**

**Sec. 2. As used in this chapter, "economic development incentive" means a financial incentive or other assistance that is required to be awarded or approved by the corporation under this article, IC 6-3.1, or any other law, including any of the following:**

- (1) A tax credit, a tax deduction, or any other tax benefit.**
- (2) A grant.**
- (3) A loan.**
- (4) A loan guarantee.**

**Sec. 3. An economic development incentive is terminated by operation of law if the person awarded the economic development incentive or an affiliated person (as defined in IC 3-9-2.5-1) of the person awarded the economic development incentive violates IC 3-9-2.5-6 or IC 3-9-2.5-7."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1020 as printed January 17, 2014.)

FORESTAL

Upon request of Representatives Pelath and Porter, the Speaker ordered the roll of the House to be called. Roll Call 26: yeas 31, nays 62. Motion failed.

Representative Burton was excused.

HOUSE MOTION  
(Amendment 1020-2)

Mr. Speaker: I move that House Bill 1020 be amended to read as follows:

Page 5, between lines 22 and 23, begin a new paragraph and insert:

"SECTION 2. IC 5-28-17-1, AS AMENDED BY P.L.133-2012, SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) The corporation shall do the following to carry out this chapter:

- (1) Contribute to the strengthening of the economy of Indiana by encouraging the organization and development



of new business enterprises, including technologically oriented enterprises.

(2) Approve and administer loans from the small business development fund established by IC 5-28-18.

(3) Conduct activities for nontraditional entrepreneurs under IC 5-28-18.

(4) Establish and administer the small and minority business financial assistance program under IC 5-28-20.

(5) Assist small businesses in obtaining state and federal:

(A) tax incentives;

(B) grants, including grants awarded under the federal Small Business Innovation Research and Small Business Technology Transfer programs; and

(C) loans.

(6) Maintain, through the Small Business Development Centers, a statewide network of public, private, and educational resources to, among other things, inform small businesses of the state and federal programs under which they may obtain financial assistance or realize reduced costs through programs such as the small employer health insurance pooling program under IC 27-8-5-16(8).

(b) The corporation may do the following to carry out this chapter:

(1) Receive money from any source, enter into contracts, and expend money for any activities appropriate to its purpose.

(2) Do all other things necessary or incidental to carrying out the corporation's functions under this chapter.

(3) Establish programs to identify entrepreneurs with marketable ideas and to support the organization and development of new business enterprises, including technologically oriented enterprises.

(4) Conduct conferences and seminars to provide entrepreneurs with access to individuals and organizations with specialized expertise.

(5) Establish a statewide network of public, private, and educational resources to assist the organization and development of new enterprises.

(6) Operate a small business assistance center to provide small businesses, including minority owned businesses and businesses owned by women, with access to managerial and technical expertise and to provide assistance in resolving problems encountered by small businesses.

(7) Cooperate with public and private entities, including the Indiana Small Business Development Center Network and the federal government marketing program, in exercising the powers listed in this subsection.

(8) Establish and administer the small and minority business financial assistance program under IC 5-28-20.

(9) Approve and administer loans from the small business development fund established by IC 5-28-18.

(10) Coordinate state funded programs that assist the organization and development of new enterprises.

SECTION 4. IC 5-28-37 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2014 (RETROACTIVE)]:

**Chapter 37. Manufacturing Reinvestment Accounts**

**Sec. 1. The following definitions apply throughout this chapter:**

(1) "Authorized manufacturer" means an eligible manufacturer that has been authorized by the corporation to establish a manufacturing reinvestment account under section 2 of this chapter.

(2) "Eligible manufacturer" means a business entity:

(A) to which a North American Industry Classification System (NAICS) code in the manufacturing sector is properly attributable (codes beginning with the digits 31, 32, or 33); and

(B) that employs fifty (50) or fewer employees at the

time an application is made under section 2(a) of this chapter.

(3) "Manufacturing reinvestment account" means a deposit account established by an authorized manufacturer with a financial institution (as defined in IC 28-1-1-3(1)) in Indiana and designated by the authorized manufacturer as a manufacturing reinvestment account.

**Sec. 2. (a) An eligible manufacturer may apply to the corporation for authorization to establish a manufacturing reinvestment account under this chapter.**

(b) After the corporation receives an application under subsection (a), the corporation shall take reasonable steps to verify that the applicant is an eligible manufacturer. Subject to subsections (c) and (d), if the corporation verifies that an applicant is an eligible manufacturer, the corporation shall issue a letter of authorization to the applicant. If the corporation determines that an applicant is not an eligible manufacturer, the corporation is unable to verify whether the applicant is an eligible manufacturer, or the limit on the number of authorized manufacturers specified in subsection (d) has been reached before the applicant's application is received, the corporation shall issue a letter of denial to the applicant.

(c) The corporation shall review applications under subsection (b) in the order in which the applications are received until the limit specified in subsection (d) is reached.

(d) The corporation may not authorize more than one hundred (100) eligible manufacturers under this chapter.

**Sec. 3. After an authorized manufacturer has received a letter of authorization from the corporation under section 2 of this chapter, the authorized manufacturer may establish a manufacturing reinvestment account with a financial institution in Indiana. An authorized manufacturer may not use a deposit account established with a financial institution in Indiana before the date on which the letter of authorization was issued to the authorized manufacturer as the authorized manufacturer's manufacturing reinvestment account. An authorized manufacturer may establish only one (1) manufacturing reinvestment account.**

**Sec. 4. The purpose of a manufacturing reinvestment account and its associated tax advantages is to encourage an authorized manufacturer to accumulate money to be spent on the following items over the period of the authorized manufacturer's five (5) consecutive taxable years beginning with the taxable year in which a letter of authorization is issued to the authorized manufacturer under section 2 of this chapter:**

(1) Manufacturing equipment.

(2) The training of workers in skills needed for manufacturing jobs.

(3) Acquisition of or improvements to real property to be used for manufacturing activities.

**Sec. 5. Money remaining in an authorized manufacturer's manufacturing reinvestment account on the final day of the authorized manufacturer's fifth consecutive taxable year beginning with the taxable year in which the authorized manufacturer was issued a letter of authorization under section 2 of this chapter is considered to have been spent for a purpose other than a purpose specified in section 4 of this chapter."**

Page 5, line 26, delete "one" and insert "seventy-five".

Page 5, line 27, delete "(1%)" and insert "(75%)".

Page 5, after line 37, begin a new paragraph and insert:

"SECTION 5. IC 6-3-1-3.5, AS AMENDED BY P.L.205-2013, SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2014 (RETROACTIVE)]: Sec. 3.5. When used in this article, the term "adjusted gross income" shall mean the following:

(a) In the case of all individuals, "adjusted gross income" (as

defined in Section 62 of the Internal Revenue Code), modified as follows:

- (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.
- (2) Add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 62 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state of the United States.
- (3) Subtract one thousand dollars (\$1,000), or in the case of a joint return filed by a husband and wife, subtract for each spouse one thousand dollars (\$1,000).
- (4) Subtract one thousand dollars (\$1,000) for:
  - (A) each of the exemptions provided by Section 151(c) of the Internal Revenue Code;
  - (B) each additional amount allowable under Section 63(f) of the Internal Revenue Code; and
  - (C) the spouse of the taxpayer if a separate return is made by the taxpayer and if the spouse, for the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not the dependent of another taxpayer.
- (5) Subtract:
  - (A) one thousand five hundred dollars (\$1,500) for each of the exemptions allowed under Section 151(c)(1)(B) of the Internal Revenue Code (as effective January 1, 2004); and
  - (B) five hundred dollars (\$500) for each additional amount allowable under Section 63(f)(1) of the Internal Revenue Code if the adjusted gross income of the taxpayer, or the taxpayer and the taxpayer's spouse in the case of a joint return, is less than forty thousand dollars (\$40,000).

This amount is in addition to the amount subtracted under subdivision (4).

- (6) Subtract an amount equal to the lesser of:
  - (A) that part of the individual's adjusted gross income (as defined in Section 62 of the Internal Revenue Code) for that taxable year that is subject to a tax that is imposed by a political subdivision of another state and that is imposed on or measured by income; or
  - (B) two thousand dollars (\$2,000).
- (7) Add an amount equal to the total capital gain portion of a lump sum distribution (as defined in Section 402(e)(4)(D) of the Internal Revenue Code) if the lump sum distribution is received by the individual during the taxable year and if the capital gain portion of the distribution is taxed in the manner provided in Section 402 of the Internal Revenue Code.
- (8) Subtract any amounts included in federal adjusted gross income under Section 111 of the Internal Revenue Code as a recovery of items previously deducted as an itemized deduction from adjusted gross income.
- (9) Subtract any amounts included in federal adjusted gross income under the Internal Revenue Code which amounts were received by the individual as supplemental railroad retirement annuities under 45 U.S.C. 231 and which are not deductible under subdivision (1).
- (10) Subtract an amount equal to the amount of federal Social Security and Railroad Retirement benefits included in a taxpayer's federal gross income by Section 86 of the Internal Revenue Code.
- (11) In the case of a nonresident taxpayer or a resident taxpayer residing in Indiana for a period of less than the taxpayer's entire taxable year, the total amount of the deductions allowed pursuant to subdivisions (3), (4), (5), and (6) shall be reduced to an amount which bears the same ratio to the total as the taxpayer's income taxable in Indiana bears to the taxpayer's total income.

- (12) In the case of an individual who is a recipient of assistance under IC 12-10-6-1, IC 12-10-6-2.1, IC 12-15-2-2, or IC 12-15-7, subtract an amount equal to that portion of the individual's adjusted gross income with respect to which the individual is not allowed under federal law to retain an amount to pay state and local income taxes.
- (13) In the case of an eligible individual, subtract the amount of a Holocaust victim's settlement payment included in the individual's federal adjusted gross income.
- (14) Subtract an amount equal to the portion of any premiums paid during the taxable year by the taxpayer for a qualified long term care policy (as defined in IC 12-15-39.6-5) for the taxpayer or the taxpayer's spouse, or both.
- (15) Subtract an amount equal to the lesser of:
  - (A) two thousand five hundred dollars (\$2,500); or
  - (B) the amount of property taxes that are paid during the taxable year in Indiana by the individual on the individual's principal place of residence.
- (16) Subtract an amount equal to the amount of a September 11 terrorist attack settlement payment included in the individual's federal adjusted gross income.
- (17) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.
- (18) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code.
- (19) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding twenty-five thousand dollars (\$25,000).
- (20) Add an amount equal to the amount that a taxpayer claimed as a deduction for domestic production activities for the taxable year under Section 199 of the Internal Revenue Code for federal income tax purposes.
- (21) Subtract an amount equal to the amount of the taxpayer's qualified military income that was not excluded from the taxpayer's gross income for federal income tax purposes under Section 112 of the Internal Revenue Code.
- (22) Subtract income that is:
  - (A) exempt from taxation under IC 6-3-2-21.7; and
  - (B) included in the individual's federal adjusted gross income under the Internal Revenue Code.
- (23) Subtract any amount of a credit (including an advance refund of the credit) that is provided to an individual under 26 U.S.C. 6428 (federal Economic Stimulus Act of 2008) and included in the individual's federal adjusted gross income.
- (24) Add any amount of unemployment compensation excluded from federal gross income, as defined in Section 61 of the Internal Revenue Code, under Section 85(c) of the Internal Revenue Code.
- (25) Add the amount excluded from gross income under Section 108(a)(1)(e) of the Internal Revenue Code for the discharge of debt on a qualified principal residence.
- (26) Add an amount equal to any income not included in

gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract the amount necessary from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(27) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that claimed the special allowance for qualified disaster assistance property under Section 168(n) of the Internal Revenue Code equal to the amount of adjusted gross income that would have been computed had the special allowance not been claimed for the property.

(28) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that made an election under Section 179C of the Internal Revenue Code to expense costs for qualified refinery property equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year.

(29) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that made an election under Section 181 of the Internal Revenue Code to expense costs for a qualified film or television production equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year.

(30) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that treated a loss from the sale or exchange of preferred stock in:

- (A) the Federal National Mortgage Association, established under the Federal National Mortgage Association Charter Act (12 U.S.C. 1716 et seq.); or
- (B) the Federal Home Loan Mortgage Corporation, established under the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1451 et seq.);

as an ordinary loss under Section 301 of the Emergency Economic Stabilization Act of 2008 in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had the loss not been treated as an ordinary loss.

(31) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(32) This subdivision does not apply to payments made for services provided to a business that was enrolled and participated 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. For a taxable year beginning after June 30, 2011, add the amount of any trade or business deduction allowed under the Internal Revenue Code for wages, reimbursements, or other payments made for services provided in Indiana by an individual for services as an employee, if the individual was, during the period of service, prohibited from being hired as an employee under 8 U.S.C. 1324a.

**(33) Add an amount equal to the sum of:**

- (A) fifty percent (50%) of the distributions from a manufacturing reinvestment account that are used by an authorized manufacturer for a purpose**

**specified in IC 5-28-37-4; and**  
**(B) one hundred percent (100%) of the distributions from a manufacturing reinvestment account that are used for a purpose other than a purpose specified in IC 5-28-37-4.**

(b) In the case of corporations, the same as "taxable income" (as defined in Section 63 of the Internal Revenue Code) adjusted as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 170 of the Internal Revenue Code.

(3) Add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 63 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state of the United States.

(4) Subtract an amount equal to the amount included in the corporation's taxable income under Section 78 of the Internal Revenue Code.

(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code.

(7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding twenty-five thousand dollars (\$25,000).

(8) Add an amount equal to the amount that a taxpayer claimed as a deduction for domestic production activities for the taxable year under Section 199 of the Internal Revenue Code for federal income tax purposes.

(9) Add to the extent required by IC 6-3-2-20 the amount of intangible expenses (as defined in IC 6-3-2-20) and any directly related intangible interest expenses (as defined in IC 6-3-2-20) for the taxable year that reduced the corporation's taxable income (as defined in Section 63 of the Internal Revenue Code) for federal income tax purposes.

(10) Add an amount equal to any deduction for dividends paid (as defined in Section 561 of the Internal Revenue Code) to shareholders of a captive real estate investment trust (as defined in section 34.5 of this chapter).

(11) Subtract income that is:

- (A) exempt from taxation under IC 6-3-2-21.7; and
- (B) included in the corporation's taxable income under the Internal Revenue Code.

(12) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer

that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(13) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that claimed the special allowance for qualified disaster assistance property under Section 168(n) of the Internal Revenue Code equal to the amount of adjusted gross income that would have been computed had the special allowance not been claimed for the property.

(14) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that made an election under Section 179C of the Internal Revenue Code to expense costs for qualified refinery property equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year.

(15) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that made an election under Section 181 of the Internal Revenue Code to expense costs for a qualified film or television production equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year.

(16) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that treated a loss from the sale or exchange of preferred stock in:

- (A) the Federal National Mortgage Association, established under the Federal National Mortgage Association Charter Act (12 U.S.C. 1716 et seq.); or
- (B) the Federal Home Loan Mortgage Corporation, established under the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1451 et seq.);

as an ordinary loss under Section 301 of the Emergency Economic Stabilization Act of 2008 in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had the loss not been treated as an ordinary loss.

(17) This subdivision does not apply to payments made for services provided to a business that was enrolled and participated 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. For a taxable year beginning after June 30, 2011, add the amount of any trade or business deduction allowed under the Internal Revenue Code for wages, reimbursements, or other payments made for services provided in Indiana by an individual for services as an employee, if the individual was, during the period of service, prohibited from being hired as an employee under 8 U.S.C. 1324a.

(18) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

**(19) Add an amount equal to the sum of:**

- (A) fifty percent (50%) of the distributions from a manufacturing reinvestment account that are used by an authorized manufacturer for a purpose specified in IC 5-28-37-4; and**
- (B) one hundred percent (100%) of the distributions from a manufacturing reinvestment account that are used for a purpose other than a purpose specified in IC 5-28-37-4.**

(c) In the case of life insurance companies (as defined in

Section 816(a) of the Internal Revenue Code) that are organized under Indiana law, the same as "life insurance company taxable income" (as defined in Section 801 of the Internal Revenue Code), adjusted as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Add an amount equal to any deduction allowed or allowable under Section 170 of the Internal Revenue Code.

(3) Add an amount equal to a deduction allowed or allowable under Section 805 or Section 831(c) of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state.

(4) Subtract an amount equal to the amount included in the company's taxable income under Section 78 of the Internal Revenue Code.

(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(6) Add an amount equal to any deduction allowed under Section 172 or Section 810 of the Internal Revenue Code.

(7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding twenty-five thousand dollars (\$25,000).

(8) Add an amount equal to the amount that a taxpayer claimed as a deduction for domestic production activities for the taxable year under Section 199 of the Internal Revenue Code for federal income tax purposes.

(9) Subtract income that is:

- (A) exempt from taxation under IC 6-3-2-21.7; and
- (B) included in the insurance company's taxable income under the Internal Revenue Code.

(10) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(11) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that claimed the special allowance for qualified disaster assistance property under Section 168(n) of the Internal Revenue Code equal to the amount of adjusted gross income that would have been computed had the special allowance not been claimed for the property.

(12) Add or subtract the amount necessary to make the

adjusted gross income of any taxpayer that made an election under Section 179C of the Internal Revenue Code to expense costs for qualified refinery property equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year.

(13) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that made an election under Section 181 of the Internal Revenue Code to expense costs for a qualified film or television production equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year.

(14) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that treated a loss from the sale or exchange of preferred stock in:

(A) the Federal National Mortgage Association, established under the Federal National Mortgage Association Charter Act (12 U.S.C. 1716 et seq.); or

(B) the Federal Home Loan Mortgage Corporation, established under the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1451 et seq.);

as an ordinary loss under Section 301 of the Emergency Economic Stabilization Act of 2008 in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had the loss not been treated as an ordinary loss.

(15) Add an amount equal to any exempt insurance income under Section 953(e) of the Internal Revenue Code that is active financing income under Subpart F of Subtitle A, Chapter 1, Subchapter N of the Internal Revenue Code.

(16) This subdivision does not apply to payments made for services provided to a business that was enrolled and participated 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. For a taxable year beginning after June 30, 2011, add the amount of any trade or business deduction allowed under the Internal Revenue Code for wages, reimbursements, or other payments made for services provided in Indiana by an individual for services as an employee, if the individual was, during the period of service, prohibited from being hired as an employee under 8 U.S.C. 1324a.

(17) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(d) In the case of insurance companies subject to tax under Section 831 of the Internal Revenue Code and organized under Indiana law, the same as "taxable income" (as defined in Section 832 of the Internal Revenue Code), adjusted as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Add an amount equal to any deduction allowed or allowable under Section 170 of the Internal Revenue Code.

(3) Add an amount equal to a deduction allowed or allowable under Section 805 or Section 831(c) of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state.

(4) Subtract an amount equal to the amount included in the company's taxable income under Section 78 of the Internal Revenue Code.

(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the

amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code.

(7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding twenty-five thousand dollars (\$25,000).

(8) Add an amount equal to the amount that a taxpayer claimed as a deduction for domestic production activities for the taxable year under Section 199 of the Internal Revenue Code for federal income tax purposes.

(9) Subtract income that is:

(A) exempt from taxation under IC 6-3-2-21.7; and

(B) included in the insurance company's taxable income under the Internal Revenue Code.

(10) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(11) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that claimed the special allowance for qualified disaster assistance property under Section 168(n) of the Internal Revenue Code equal to the amount of adjusted gross income that would have been computed had the special allowance not been claimed for the property.

(12) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that made an election under Section 179C of the Internal Revenue Code to expense costs for qualified refinery property equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year.

(13) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that made an election under Section 181 of the Internal Revenue Code to expense costs for a qualified film or television production equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year.

(14) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that treated a loss from the sale or exchange of preferred stock in:

(A) the Federal National Mortgage Association, established under the Federal National Mortgage Association Charter Act (12 U.S.C. 1716 et seq.); or

(B) the Federal Home Loan Mortgage Corporation, established under the Federal Home Loan Mortgage

Corporation Act (12 U.S.C. 1451 et seq.); as an ordinary loss under Section 301 of the Emergency Economic Stabilization Act of 2008 in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had the loss not been treated as an ordinary loss.

(15) Add an amount equal to any exempt insurance income under Section 953(e) of the Internal Revenue Code that is active financing income under Subpart F of Subtitle A, Chapter 1, Subchapter N of the Internal Revenue Code.

(16) This subdivision does not apply to payments made for services provided to a business that was enrolled and participated 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. For a taxable year beginning after June 30, 2011, add the amount of any trade or business deduction allowed under the Internal Revenue Code for wages, reimbursements, or other payments made for services provided in Indiana by an individual for services as an employee, if the individual was, during the period of service, prohibited from being hired as an employee under 8 U.S.C. 1324a.

(17) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(e) In the case of trusts and estates, "taxable income" (as defined for trusts and estates in Section 641(b) of the Internal Revenue Code) adjusted as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Subtract an amount equal to the amount of a September 11 terrorist attack settlement payment included in the federal adjusted gross income of the estate of a victim of the September 11 terrorist attack or a trust to the extent the trust benefits a victim of the September 11 terrorist attack.

(3) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(4) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code.

(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding twenty-five thousand dollars (\$25,000).

(6) Add an amount equal to the amount that a taxpayer claimed as a deduction for domestic production activities for the taxable year under Section 199 of the Internal Revenue Code for federal income tax purposes.

(7) Subtract income that is:

(A) exempt from taxation under IC 6-3-2-21.7; and

(B) included in the taxpayer's taxable income under the Internal Revenue Code.

(8) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(9) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that claimed the special allowance for qualified disaster assistance property under Section 168(n) of the Internal Revenue Code equal to the amount of adjusted gross income that would have been computed had the special allowance not been claimed for the property.

(10) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that made an election under Section 179C of the Internal Revenue Code to expense costs for qualified refinery property equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year.

(11) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that made an election under Section 181 of the Internal Revenue Code to expense costs for a qualified film or television production equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year.

(12) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that treated a loss from the sale or exchange of preferred stock in:

(A) the Federal National Mortgage Association, established under the Federal National Mortgage Association Charter Act (12 U.S.C. 1716 et seq.); or

(B) the Federal Home Loan Mortgage Corporation, established under the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1451 et seq.);

as an ordinary loss under Section 301 of the Emergency Economic Stabilization Act of 2008 in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had the loss not been treated as an ordinary loss.

(13) Add the amount excluded from gross income under Section 108(a)(1)(e) of the Internal Revenue Code for the discharge of debt on a qualified principal residence.

(14) This subdivision does not apply to payments made for services provided to a business that was enrolled and participated 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. For a taxable year beginning after June 30, 2011, add the amount of any trade or business deduction allowed under the Internal Revenue Code for wages, reimbursements, or other payments made for services provided in Indiana by an individual for services as an employee, if the individual was, during the period of service, prohibited from being hired as an employee under 8 U.S.C. 1324a.

(15) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(16) Add an amount equal to the sum of:

- (A) fifty percent (50%) of the distributions from a manufacturing reinvestment account that are used by an authorized manufacturer for a purpose specified in IC 5-28-37-4; and
- (B) one hundred percent (100%) of the distributions from a manufacturing reinvestment account that are used for a purpose other than a purpose specified in IC 5-28-37-4.

SECTION 6. IC 6-3-2-26 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2014 (RETROACTIVE)]: **Sec. 26.** (a) This section applies only to taxable years beginning after December 31, 2013.

(b) The following definitions apply throughout this section:

- (1) "Authorized manufacturer" has the meaning set forth in IC 5-28-37-1(1).
- (2) "Manufacturing reinvestment account" has the meaning set forth in IC 5-28-37-1(3).

(c) An authorized manufacturer is entitled to a deduction from adjusted gross income in each of the authorized manufacturer's five (5) consecutive taxable years beginning with the authorized manufacturer's taxable year in which the authorized manufacturer obtains authorization under IC 5-28-37 to establish a manufacturing reinvestment account for the lesser of:

- (1) the amount that the authorized manufacturer deposits in the authorized manufacturer's manufacturing reinvestment account during the taxable year; or
- (2) one hundred thousand dollars (\$100,000).

(d) Interest that is earned on money on deposit in an authorized manufacturer's manufacturing reinvestment account is considered to be a deposit in the manufacturing reinvestment account for the taxable year in which the interest is earned.

(e) An authorized manufacturer that wishes to claim the deduction provided by this section shall submit any documentation about the authorized manufacturer's manufacturing reinvestment account that the department reasonably requires to determine the authorized manufacturer's eligibility to claim the deduction.

SECTION 7. IC 6-3.1-34 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2014 (RETROACTIVE)]:

**Chapter 34. The Indiana Goes Back to Work Tax Credit**  
**Sec. 1.** This chapter applies only to taxable years beginning after December 31, 2013.

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

- (1) "Eligible unemployed individual" means an individual who is:
  - (A) a resident of Indiana; and
  - (B) is totally unemployed; at the time the individual is hired by a taxpayer.
- (2) "State tax liability" means a taxpayer's total tax liability that is incurred under:
  - (A) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);
  - (B) IC 6-5.5 (the financial institutions tax); and
  - (C) IC 27-1-18-2 (the insurance premiums tax);
 as computed after the application of the credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter.
- (3) "Taxpayer" means a person, corporation, partnership, or other entity that has any state tax liability.
- (4) "Totally unemployed" has the meaning set forth in IC 22-4-3-1, including any limitations on the term under IC 22-4-3.

**Sec. 3. (a)** Each taxable year, except as otherwise provided in this chapter, a taxpayer is entitled to a credit against the taxpayer's state tax liability for each eligible unemployed individual the taxpayer hires during the taxable year for employment in Indiana. For each eligible unemployed individual hired by the taxpayer during the taxable year for employment in Indiana, the amount of the credit is equal to the product of:

- (1) two thousand dollars (\$2,000); multiplied by
- (2) the lesser of:
  - (A) a fraction equal to:
    - (i) the number of hours actually worked by the eligible unemployed individual for the taxpayer during the taxable year; divided by
    - (ii) two thousand (2,000) hours; or
  - (B) one (1).

(b) A taxpayer may not claim the credit provided by subsection (a) for hiring an eligible unemployed individual to the extent the taxpayer uses the employment of the eligible unemployed individual as the basis for claiming any other credit under this article.

**Sec. 4.** If a pass through entity does not have state tax liability for a taxable year but is otherwise entitled to the tax credit provided by this chapter, each shareholder, partner, or member of the pass through entity is entitled to a share of the tax credit equal to:

- (1) the amount of the tax credit determined for the pass through entity for the taxable year; multiplied by
- (2) the percentage of the pass through entity's distributive income to which the shareholder, partner, or member is entitled.

**Sec. 5. (a)** If the credit provided by this chapter exceeds a taxpayer's state tax liability for the taxable year for which the credit is first claimed, the excess may be carried forward to succeeding taxable years and used as a credit against the taxpayer's state tax liability during those taxable years. Each time the credit is carried forward to a succeeding taxable year, the credit is to be reduced by the amount that was used as a credit during the immediately preceding taxable year. The credit provided by this chapter may be carried forward and applied to succeeding taxable years for not more than four (4) taxable years following the first year for which the credit is claimed.

(b) A taxpayer is not entitled to a carryback or refund of any unused credit under this chapter.

**Sec. 6.** To receive the tax credit under this chapter, a taxpayer must claim the credit on the taxpayer's annual state tax return or returns in the manner prescribed by the department.

SECTION 8. [EFFECTIVE JANUARY 1, 2014 (RETROACTIVE)] (a) IC 6-3-1-3.5, as amended by this act, applies only to taxable years beginning after December 31, 2013.

(b) IC 6-3-2-26 and IC 6-3.1-34, as added by this act, apply only to taxable years beginning after December 31, 2013.

(c) This SECTION expires July 1, 2018.

SECTION 9. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

(Reference is to HB 1020 as printed January 17, 2014.)

FORESTAL

Representative Torr 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.

#### APPEAL OF THE RULING OF THE CHAIR

Mr. Speaker: We hereby appeal the ruling of the Chair that Representative Forestal's amendment (1020-2) violates House Rule 80. The amendment addresses job creation and is germane to the bill's subject matter of economic development.

FORESTAL  
PIERCE

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Turner.

The question was, Shall the ruling of the Chair be sustained? Roll Call 27: yeas 65, nays 30. The ruling of the Chair was sustained.

There being no further amendments, the bill was ordered engrossed.

The Speaker Pro Tempore yielded the gavel to the Speaker.

**House Bill 1104**

Representative Soliday called down House Bill 1104 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 1104-1)

Mr. Speaker: I move that House Bill 1104 be amended to read as follows:

Page 1, line 9, after "2." insert "(a)".

Page 1, line 9, delete "contract with a third party to".

Page 1, line 10, after "The" insert "**department may contract with a third party to conduct the study. The third party must be:**

- (1) **an Indiana business; or**
- (2) **a state educational institution (as defined in IC 21-7-13-32).**

(b) A".

Page 2, delete lines 15 through 16.

Page 2, line 17, delete "(3)" and insert "(2)".

Page 2, line 21, delete "(4)" and insert "(3)".

(Reference is to HB 1104 as printed January 17, 2014.)

FORESTAL

Upon request of Representatives Pelath and Porter, the Speaker ordered the roll of the House to be called. Roll Call 28: yeas 31, nays 64. Motion failed. The bill was ordered engrossed.

**House Bill 1126**

Representative Ober called down House Bill 1126 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 1126-1)

Mr. Speaker: I move that House Bill 1126 be amended to read as follows:

Page 3, line 32, after "purchase;" insert "or".

Page 3, delete line 33.

Page 3, line 34, delete "(C)" and insert "(B)".

Page 3, line 36, after "employment." insert "**The total amount of the wages assigned may not exceed two thousand five hundred dollars (\$2,500) per year.**"

(Reference is to HB 1126 as printed January 14, 2014.)

OBER

Motion prevailed.

Representative Burton, who was excused is now present.

HOUSE MOTION  
(Amendment 1126-2)

Mr. Speaker: I move that House Bill 1126 be amended to read as follows:

Page 3, after line 41, begin a new paragraph and insert:

"SECTION 3. [EFFECTIVE UPON PASSAGE] (a) **The county election board of each county shall place on the ballot at the November 2014 general election the following public question:**

**"Should the Indiana General Assembly enact a law that would increase the minimum wage required to be paid in Indiana by one dollar (\$1) per hour?"**

(b) **The county election board shall print the following**

**immediately below the public question stated in subsection (a):**

**"The vote on this question is advisory only. The result of the vote on this public question is not binding on the General Assembly or the governor."**

(c) **Each county election board shall:**

(1) **tabulate the votes cast on the public question stated in subsection (a); and**

(2) **certify the results under IC 3-12-4-9.**

(d) **IC 3 applies to the public question required by this SECTION except where IC 3 conflicts with this SECTION.**

(e) **The secretary of state shall certify the results of the vote in each county on the public question required by this SECTION to each of the following:**

(1) **The speaker of the house of representatives.**

(2) **The minority leader of the house of representatives.**

(3) **The president pro tempore of the senate.**

(4) **The minority leader of the senate.**

(5) **The governor.**

(f) **This SECTION expires July 1, 2015.**

**SECTION 4. An emergency is declared for this act."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1126 as printed January 14, 2014.)

BARTLETT

Upon request of Representatives Pelath and Porter, the Speaker ordered the roll of the House to be called. Roll Call 29: yeas 30, nays 67. Motion failed.

HOUSE MOTION  
(Amendment 1126-3)

Mr. Speaker: I move that House Bill 1126 be amended to read as follows:

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

"SECTION 1. IC 22-2-2-4, AS AMENDED BY P.L.165-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) Every employer employing four (4) or more employees during a work week shall:

(1) in any work week beginning on or after July 1, 1968, in which the employer is subject to the provisions of this chapter, pay each of the employer's employees wages of not less than one dollar and twenty-five cents (\$1.25) per hour;

(2) in any work week beginning on or after July 1, 1977, in which the employer is subject to this chapter, pay each of the employer's employees wages of not less than one dollar and fifty cents (\$1.50) per hour;

(3) in any work week beginning on or after January 1, 1978, in which the employer is subject to this chapter, pay each of the employer's employees wages of not less than one dollar and seventy-five cents (\$1.75) per hour; and

(4) in any work week beginning on or after January 1, 1979, in which the employer is subject to this chapter, pay each of the employer's employees wages of not less than two dollars (\$2) per hour.

(b) Except as provided in subsection (c), every employer employing at least two (2) employees during a work week shall, in any work week in which the employer is subject to this chapter, pay each of the employees in any work week beginning on and after July 1, 1990, and before October 1, 1998, wages of not less than three dollars and thirty-five cents (\$3.35) per hour.

(c) An employer subject to subsection (b) is permitted to apply a "tip credit" in determining the amount of cash wage paid to tipped employees. In determining the wage an employer is required to pay a tipped employee, the amount paid the employee by the employer shall be an amount equal to:

(1) the cash wage paid the employee, which for purposes of the determination shall be:



**(A) before July 1, 2014**, not less than the cash wage required to be paid to employees covered under the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 203(m)(1)) on August 20, 1996, which amount is two dollars and thirteen cents (\$2.13) an hour; and

**(B) after June 30, 2014, not less than fifty percent (50%) of the greater of:**

**(i) the minimum wage payable on July 1, 2014, under Section 206(a)(1) of the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 206(a)(1)); or**

**(ii) the minimum wage payable after July 1, 2014, because of an increase under Section 206(a)(1) of the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201 et seq.); and**

(2) an additional amount on account of the tips received by the employee, which amount is equal to the difference between the wage specified in subdivision (1) and the wage in effect under subsections (b), (f), (g), and (h).

An employer is responsible for supporting the amount of tip credit taken through reported tips by the employees.

(d) No employer having employees subject to any provisions of this section shall discriminate, within any establishment in which employees are employed, between employees on the basis of sex by paying to employees in such establishment a rate less than the rate at which the employer pays wages to employees of the opposite sex in such establishment for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to:

- (1) a seniority system;
- (2) a merit system;
- (3) a system which measures earnings by quantity or quality of production; or
- (4) a differential based on any other factor other than sex.

(e) An employer who is paying a wage rate differential in violation of subsection (d) shall not, in order to comply with subsection (d), reduce the wage rate of any employee, and no labor organization, or its agents, representing employees of an employer having employees subject to subsection (d) shall cause or attempt to cause such an employer to discriminate against an employee in violation of subsection (d).

(f) Except as provided in subsection (c), every employer employing at least two (2) employees during a work week shall, in any work week in which the employer is subject to this chapter, pay each of the employees in any work week beginning on or after October 1, 1998, and before March 1, 1999, wages of not less than four dollars and twenty-five cents (\$4.25) per hour.

(g) Except as provided in subsections (c) and (j), every employer employing at least two (2) employees during a work week shall, in any work week in which the employer is subject to this chapter, pay each of the employees in any work week beginning on or after March 1, 1999, and before July 1, 2007, wages of not less than five dollars and fifteen cents (\$5.15) an hour.

(h) Except as provided in subsections (c) and (j), every employer employing at least two (2) employees during a work week shall, in any work week in which the employer is subject to this chapter, pay each of the employees in any work week beginning on or after June 30, 2007, wages of not less than the minimum wage payable under the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201 et seq.).

(i) This section does not apply if an employee:

- (1) provides companionship services to the aged and infirm (as defined in 29 CFR 552.6); and
- (2) is employed by an employer or agency other than the family or household using the companionship services, as provided in 29 CFR 552.109 (a).

(j) This subsection applies only to an employee who has not attained the age of twenty (20) years. Instead of the rates prescribed by subsections (c), (f), (g), and (h), an employer may pay an employee of the employer, during the first ninety (90) consecutive calendar days after the employee is initially employed by the employer, a wage which is not less than:

(1) four dollars and twenty-five cents (\$4.25) per hour, effective March 1, 1999; and

(2) the amount payable under the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201 et seq.), during the first ninety (90) consecutive calendar days after initial employment to an employee who has not attained twenty (20) years of age, effective July 1, 2007.

However, no employer may take any action to displace employees (including partial displacements such as reduction in hours, wages, or employment benefits) for purposes of hiring individuals at the wage authorized in this subsection.

(k) Except as otherwise provided in this section, no employer shall employ any employee for a work week longer than forty (40) hours unless the employee receives compensation for employment in excess of the hours above specified at a rate not less than one and one-half (1.5) times the regular rate at which the employee is employed.

(l) For purposes of this section the following apply:

(1) "Overtime compensation" means the compensation required by subsection (k).

(2) "Compensatory time" and "compensatory time off" mean hours during which an employee is not working, which are not counted as hours worked during the applicable work week or other work period for purposes of overtime compensation, and for which the employee is compensated at the employee's regular rate.

(3) "Regular rate" means the rate at which an employee is employed is considered to include all remuneration for employment paid to, or on behalf of, the employee, but is not considered to include the following:

(A) Sums paid as gifts, payments in the nature of gifts made at Christmas time or on other special occasions, as a reward for service, the amounts of which are not measured by or dependent on hours worked, production, or efficiency.

(B) Payments made for occasional periods when no work is performed due to vacation, holiday, illness, failure of the employer to provide sufficient work, or other similar cause, reasonable payments for traveling expenses, or other expenses, incurred by an employee in the furtherance of the employer's interests and properly reimbursable by the employer, and other similar payments to an employee which are not made as compensation for the employee's hours of employment.

(C) Sums paid in recognition of services performed during a given period if:

(i) both the fact that payment is to be made and the amount of the payment are determined at the sole discretion of the employer at or near the end of the period and not pursuant to any prior contract, agreement, or promise causing the employee to expect the payments regularly;

(ii) the payments are made pursuant to a bona fide profit sharing plan or trust or bona fide thrift or savings plan, meeting the requirements of the administrator set forth in appropriately issued regulations, having due regard among other relevant factors, to the extent to which the amounts paid to the employee are determined without regard to hours of work, production, or efficiency; or

(iii) the payments are talent fees paid to performers, including announcers, on radio and television programs.

(D) Contributions irrevocably made by an employer to

a trustee or third person pursuant to a bona fide plan for providing old age, retirement, life, accident, or health insurance or similar benefits for employees.

(E) Extra compensation provided by a premium rate paid for certain hours worked by the employee in any day or work week because those hours are hours worked in excess of eight (8) in a day or in excess of the maximum work week applicable to the employee under subsection (k) or in excess of the employee's normal working hours or regular working hours, as the case may be.

(F) Extra compensation provided by a premium rate paid for work by the employee on Saturdays, Sundays, holidays, or regular days of rest, or on the sixth or seventh day of the work week, where the premium rate is not less than one and one-half (1.5) times the rate established in good faith for like work performed in nonovertime hours on other days.

(G) Extra compensation provided by a premium rate paid to the employee, in pursuance of an applicable employment contract or collective bargaining agreement, for work outside of the hours established in good faith by the contract or agreement as the basic, normal, or regular workday (not exceeding eight (8) hours) or work week (not exceeding the maximum work week applicable to the employee under subsection (k)) where the premium rate is not less than one and one-half (1.5) times the rate established in good faith by the contract or agreement for like work performed during the workday or work week.

(m) No employer shall be considered to have violated subsection (k) by employing any employee for a work week in excess of that specified in subsection (k) without paying the compensation for overtime employment prescribed therein if the employee is so employed:

(1) in pursuance of an agreement, made as a result of collective bargaining by representatives of employees certified as bona fide by the National Labor Relations Board, which provides that no employee shall be employed more than one thousand forty (1,040) hours during any period of twenty-six (26) consecutive weeks; or

(2) in pursuance of an agreement, made as a result of collective bargaining by representatives of employees certified as bona fide by the National Labor Relations Board, which provides that during a specified period of fifty-two (52) consecutive weeks the employee shall be employed not more than two thousand two hundred forty (2,240) hours and shall be guaranteed not less than one thousand eight hundred forty (1,840) hours (or not less than forty-six (46) weeks at the normal number of hours worked per week, but not less than thirty (30) hours per week) and not more than two thousand eighty (2,080) hours of employment for which the employee shall receive compensation for all hours guaranteed or worked at rates not less than those applicable under the agreement to the work performed and for all hours in excess of the guaranty which are also in excess of the maximum work week applicable to the employee under subsection (k) or two thousand eighty (2,080) in that period at rates not less than one and one-half (1.5) times the regular rate at which the employee is employed.

(n) No employer shall be considered to have violated subsection (k) by employing any employee for a work week in excess of the maximum work week applicable to the employee under subsection (k) if the employee is employed pursuant to a bona fide individual contract, or pursuant to an agreement made as a result of collective bargaining by representatives of employees, if the duties of the employee necessitate irregular hours of work, and the contract or agreement includes the

following:

(1) Specifies a regular rate of pay of not less than the minimum hourly rate provided in subsections (c), (h), and (j) (whichever is applicable) and compensation at not less than one and one-half (1.5) times that rate for all hours worked in excess of the maximum work week.

(2) Provides a weekly guaranty of pay for not more than sixty (60) hours based on the rates so specified.

(o) No employer shall be considered to have violated subsection (k) by employing any employee for a work week in excess of the maximum work week applicable to the employee under that subsection if, pursuant to an agreement or understanding arrived at between the employer and the employee before performance of the work, the amount paid to the employee for the number of hours worked by the employee in the work week in excess of the maximum work week applicable to the employee under that subsection:

(1) in the case of an employee employed at piece rates, is computed at piece rates not less than one and one-half (1.5) times the bona fide piece rates applicable to the same work when performed during nonovertime hours;

(2) in the case of an employee performing two (2) or more kinds of work for which different hourly or piece rates have been established, is computed at rates not less than one and one-half (1.5) times those bona fide rates applicable to the same work when performed during nonovertime hours; or

(3) is computed at a rate not less than one and one-half (1.5) times the rate established by the agreement or understanding as the basic rate to be used in computing overtime compensation thereunder, provided that the rate so established shall be substantially equivalent to the average hourly earnings of the employee, exclusive of overtime premiums, in the particular work over a representative period of time;

and if the employee's average hourly earnings for the work week exclusive of payments described in this section are not less than the minimum hourly rate required by applicable law, and extra overtime compensation is properly computed and paid on other forms of additional pay required to be included in computing the regular rate.

(p) Extra compensation paid as described in this section shall be creditable toward overtime compensation payable pursuant to this section.

(q) No employer shall be considered to have violated subsection (k) by employing any employee of a retail or service establishment for a work week in excess of the applicable work week specified therein, if:

(1) the regular rate of pay of the employee is in excess of one and one-half (1.5) times the minimum hourly rate applicable to the employee under section 2 of this chapter; and

(2) more than half of the employee's compensation for a representative period (not less than one (1) month) represents commissions on goods or services.

In determining the proportion of compensation representing commissions, all earnings resulting from the application of a bona fide commission rate shall be considered commissions on goods or services without regard to whether the computed commissions exceed the draw or guarantee.

(r) No employer engaged in the operation of a hospital or an establishment which is an institution primarily engaged in the care of the sick, the aged, or individuals with a mental illness or defect who reside on the premises shall be considered to have violated subsection (k) if, pursuant to an agreement or understanding arrived at between the employer and the employee before performance of the work, a work period of fourteen (14) consecutive days is accepted in lieu of the work week of seven (7) consecutive days for purposes of overtime computation and if, for the employee's employment in excess of

eight (8) hours in any workday and in excess of eighty (80) hours in that fourteen (14) day period, the employee receives compensation at a rate not less than one and one-half (1.5) times the regular rate at which the employee is employed.

(s) No employer shall employ any employee in domestic service in one (1) or more households for a work week longer than forty (40) hours unless the employee receives compensation for that employment in accordance with subsection (k).

(t) In the case of an employee of an employer engaged in the business of operating a street, a suburban or interurban electric railway, or a local trolley or motorbus carrier (regardless of whether or not the railway or carrier is public or private or operated for profit or not for profit), in determining the hours of employment of such an employee to which the rate prescribed by subsection (k) applies, there shall be excluded the hours the employee was employed in charter activities by the employer if both of the following apply:

(1) The employee's employment in the charter activities was pursuant to an agreement or understanding with the employer arrived at before engaging in that employment.

(2) If employment in the charter activities is not part of the employee's regular employment.

(u) Any employer may employ any employee for a period or periods of not more than ten (10) hours in the aggregate in any work week in excess of the maximum work week specified in subsection (k) without paying the compensation for overtime employment prescribed in subsection (k), if during that period or periods the employee is receiving remedial education that:

(1) is provided to employees who lack a high school diploma or educational attainment at the eighth grade level;

(2) is designed to provide reading and other basic skills at an eighth grade level or below; and

(3) does not include job specific training.

(v) Subsection (k) does not apply to an employee of a motion picture theater.

(w) Subsection (k) does not apply to an employee of a seasonal amusement or recreational establishment, an organized camp, or a religious or nonprofit educational conference center that is exempt under the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 213)."

Renumber all SECTIONS consecutively.

(Reference is to HB 1126 as printed January 14, 2014.)

BARTLETT

Upon request of Representatives Pelath and GiaQuinta, the Speaker ordered the roll of the House to be called. Roll Call 30: yeas 30, nays 66. Motion failed.

#### HOUSE MOTION (Amendment 1126-4)

Mr. Speaker: I move that House Bill 1126 be amended to read as follows:

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

"SECTION 1. IC 22-2-2-4, AS AMENDED BY P.L.165-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) Every employer employing four (4) or more employees during a work week shall:

(1) in any work week beginning on or after July 1, 1968, in which the employer is subject to the provisions of this chapter, pay each of the employer's employees wages of not less than one dollar and twenty-five cents (\$1.25) per hour;

(2) in any work week beginning on or after July 1, 1977, in which the employer is subject to this chapter, pay each of the employer's employees wages of not less than one dollar and fifty cents (\$1.50) per hour;

(3) in any work week beginning on or after January 1,

1978, in which the employer is subject to this chapter, pay each of the employer's employees wages of not less than one dollar and seventy-five cents (\$1.75) per hour; and (4) in any work week beginning on or after January 1, 1979, in which the employer is subject to this chapter, pay each of the employer's employees wages of not less than two dollars (\$2) per hour.

(b) Except as provided in subsection (c), every employer employing at least two (2) employees during a work week shall, in any work week in which the employer is subject to this chapter, pay each of the employees in any work week beginning on and after July 1, 1990, and before October 1, 1998, wages of not less than three dollars and thirty-five cents (\$3.35) per hour.

(c) An employer subject to subsection (b) is permitted to apply a "tip credit" in determining the amount of cash wage paid to tipped employees. In determining the wage an employer is required to pay a tipped employee, the amount paid the employee by the employer shall be an amount equal to:

(1) the cash wage paid the employee, which for purposes of the determination shall be not less than the cash wage required to be paid to employees covered under the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 203(m)(1)) on August 20, 1996, which amount is two dollars and thirteen cents (\$2.13) an hour; and

(2) an additional amount on account of the tips received by the employee, which amount is equal to the difference between the wage specified in subdivision (1) and the wage in effect under subsections (b), (f), (g), and (h), and (i).

An employer is responsible for supporting the amount of tip credit taken through reported tips by the employees.

(d) No employer having employees subject to any provisions of this section shall discriminate, within any establishment in which employees are employed, between employees on the basis of sex by paying to employees in such establishment a rate less than the rate at which the employer pays wages to employees of the opposite sex in such establishment for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to:

(1) a seniority system;

(2) a merit system;

(3) a system which measures earnings by quantity or quality of production; or

(4) a differential based on any other factor other than sex.

(e) An employer who is paying a wage rate differential in violation of subsection (d) shall not, in order to comply with subsection (d), reduce the wage rate of any employee, and no labor organization, or its agents, representing employees of an employer having employees subject to subsection (d) shall cause or attempt to cause such an employer to discriminate against an employee in violation of subsection (d).

(f) Except as provided in subsection (c), every employer employing at least two (2) employees during a work week shall, in any work week in which the employer is subject to this chapter, pay each of the employees in any work week beginning on or after October 1, 1998, and before March 1, 1999, wages of not less than four dollars and twenty-five cents (\$4.25) per hour.

(g) Except as provided in subsections (c) and (f); (k), every employer employing at least two (2) employees during a work week shall, in any work week in which the employer is subject to this chapter, pay each of the employees in any work week beginning on or after March 1, 1999, and before July 1, 2007, wages of not less than five dollars and fifteen cents (\$5.15) an hour.

(h) Except as provided in subsections (c) and (f); (k), every employer employing at least two (2) employees during a work week shall, in any work week in which the employer is subject

to this chapter, pay each of the employees in any work week beginning on or after June 30, 2007, **and before July 1, 2014**, wages of not less than the minimum wage payable under the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201 et seq.).

**(i) Except as provided in subsections (c) and (k), every employer employing at least two (2) employees during a work week shall, in any work week in which the employer is subject to this chapter, pay each of the employees in any work week beginning on or after July 1, 2014, wages of not less than eight dollars and twenty-five cents (\$8.25) an hour.**

~~(j)~~ **(j)** This section does not apply if an employee:

(1) provides companionship services to the aged and infirm (as defined in 29 CFR 552.6); and

(2) is employed by an employer or agency other than the family or household using the companionship services, as provided in 29 CFR 552.109 (a).

~~(k)~~ **(k)** This subsection applies only to an employee who has not attained the age of twenty (20) years. Instead of the rates prescribed by subsections (c), (f), (g), ~~and (h)~~, **and (i)**, an employer may pay an employee of the employer, during the first ninety (90) consecutive calendar days after the employee is initially employed by the employer, a wage which is not less than:

(1) four dollars and twenty-five cents (\$4.25) per hour, effective March 1, 1999; and

(2) the amount payable under the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201 et seq.), during the first ninety (90) consecutive calendar days after initial employment to an employee who has not attained twenty (20) years of age, effective July 1, 2007.

However, no employer may take any action to displace employees (including partial displacements such as reduction in hours, wages, or employment benefits) for purposes of hiring individuals at the wage authorized in this subsection.

~~(l)~~ **(l)** Except as otherwise provided in this section, no employer shall employ any employee for a work week longer than forty (40) hours unless the employee receives compensation for employment in excess of the hours above specified at a rate not less than one and one-half (1.5) times the regular rate at which the employee is employed.

~~(m)~~ **(m)** For purposes of this section the following apply:

(1) "Overtime compensation" means the compensation required by subsection ~~(k)~~ **(l)**.

(2) "Compensatory time" and "compensatory time off" mean hours during which an employee is not working, which are not counted as hours worked during the applicable work week or other work period for purposes of overtime compensation, and for which the employee is compensated at the employee's regular rate.

(3) "Regular rate" means the rate at which an employee is employed is considered to include all remuneration for employment paid to, or on behalf of, the employee, but is not considered to include the following:

(A) Sums paid as gifts, payments in the nature of gifts made at Christmas time or on other special occasions, as a reward for service, the amounts of which are not measured by or dependent on hours worked, production, or efficiency.

(B) Payments made for occasional periods when no work is performed due to vacation, holiday, illness, failure of the employer to provide sufficient work, or other similar cause, reasonable payments for traveling expenses, or other expenses, incurred by an employee in the furtherance of the employer's interests and properly reimbursable by the employer, and other similar payments to an employee which are not made as compensation for the employee's hours of employment.

(C) Sums paid in recognition of services performed during a given period if:

(i) both the fact that payment is to be made and the amount of the payment are determined at the sole discretion of the employer at or near the end of the period and not pursuant to any prior contract, agreement, or promise causing the employee to expect the payments regularly;

(ii) the payments are made pursuant to a bona fide profit sharing plan or trust or bona fide thrift or savings plan, meeting the requirements of the administrator set forth in appropriately issued regulations, having due regard among other relevant factors, to the extent to which the amounts paid to the employee are determined without regard to hours of work, production, or efficiency; or

(iii) the payments are talent fees paid to performers, including announcers, on radio and television programs.

**(D)** Contributions irrevocably made by an employer to a trustee or third person pursuant to a bona fide plan for providing old age, retirement, life, accident, or health insurance or similar benefits for employees.

**(E)** Extra compensation provided by a premium rate paid for certain hours worked by the employee in any day or work week because those hours are hours worked in excess of eight (8) in a day or in excess of the maximum work week applicable to the employee under subsection ~~(k)~~ **(l)** or in excess of the employee's normal working hours or regular working hours, as the case may be.

**(F)** Extra compensation provided by a premium rate paid for work by the employee on Saturdays, Sundays, holidays, or regular days of rest, or on the sixth or seventh day of the work week, where the premium rate is not less than one and one-half (1.5) times the rate established in good faith for like work performed in nonovertime hours on other days.

**(G)** Extra compensation provided by a premium rate paid to the employee, in pursuance of an applicable employment contract or collective bargaining agreement, for work outside of the hours established in good faith by the contract or agreement as the basic, normal, or regular workday (not exceeding eight (8) hours) or work week (not exceeding the maximum work week applicable to the employee under subsection ~~(k)~~ **(l)**) where the premium rate is not less than one and one-half (1.5) times the rate established in good faith by the contract or agreement for like work performed during the workday or work week.

~~(n)~~ **(n)** No employer shall be considered to have violated subsection ~~(k)~~ **(l)** by employing any employee for a work week in excess of that specified in subsection ~~(k)~~ **(l)** without paying the compensation for overtime employment prescribed therein if the employee is so employed:

(1) in pursuance of an agreement, made as a result of collective bargaining by representatives of employees certified as bona fide by the National Labor Relations Board, which provides that no employee shall be employed more than one thousand forty (1,040) hours during any period of twenty-six (26) consecutive weeks; or

(2) in pursuance of an agreement, made as a result of collective bargaining by representatives of employees certified as bona fide by the National Labor Relations Board, which provides that during a specified period of fifty-two (52) consecutive weeks the employee shall be employed not more than two thousand two hundred forty (2,240) hours and shall be guaranteed not less than one thousand eight hundred forty (1,840) hours (or not less than forty-six (46) weeks at the normal number of hours worked per week, but not less than thirty (30) hours per

week) and not more than two thousand eighty (2,080) hours of employment for which the employee shall receive compensation for all hours guaranteed or worked at rates not less than those applicable under the agreement to the work performed and for all hours in excess of the guaranty which are also in excess of the maximum work week applicable to the employee under subsection ~~(k)~~ (l) or two thousand eighty (2,080) in that period at rates not less than one and one-half (1.5) times the regular rate at which the employee is employed.

~~(n)~~ (o) No employer shall be considered to have violated subsection ~~(k)~~ (l) by employing any employee for a work week in excess of the maximum work week applicable to the employee under subsection ~~(k)~~ (l) if the employee is employed pursuant to a bona fide individual contract, or pursuant to an agreement made as a result of collective bargaining by representatives of employees, if the duties of the employee necessitate irregular hours of work, and the contract or agreement includes the following:

(1) Specifies a regular rate of pay of not less than the minimum hourly rate provided in subsections (c), ~~(h)~~, (i), and ~~(j)~~ (k) (whichever is applicable) and compensation at not less than one and one-half (1.5) times that rate for all hours worked in excess of the maximum work week.

(2) Provides a weekly guaranty of pay for not more than sixty (60) hours based on the rates so specified.

~~(o)~~ (p) No employer shall be considered to have violated subsection ~~(k)~~ (l) by employing any employee for a work week in excess of the maximum work week applicable to the employee under that subsection if, pursuant to an agreement or understanding arrived at between the employer and the employee before performance of the work, the amount paid to the employee for the number of hours worked by the employee in the work week in excess of the maximum work week applicable to the employee under that subsection:

(1) in the case of an employee employed at piece rates, is computed at piece rates not less than one and one-half (1.5) times the bona fide piece rates applicable to the same work when performed during nonovertime hours;

(2) in the case of an employee performing two (2) or more kinds of work for which different hourly or piece rates have been established, is computed at rates not less than one and one-half (1.5) times those bona fide rates applicable to the same work when performed during nonovertime hours; or

(3) is computed at a rate not less than one and one-half (1.5) times the rate established by the agreement or understanding as the basic rate to be used in computing overtime compensation thereunder, provided that the rate so established shall be substantially equivalent to the average hourly earnings of the employee, exclusive of overtime premiums, in the particular work over a representative period of time;

and if the employee's average hourly earnings for the work week exclusive of payments described in this section are not less than the minimum hourly rate required by applicable law, and extra overtime compensation is properly computed and paid on other forms of additional pay required to be included in computing the regular rate.

~~(p)~~ (q) Extra compensation paid as described in this section shall be creditable toward overtime compensation payable pursuant to this section.

~~(q)~~ (r) No employer shall be considered to have violated subsection ~~(k)~~ (l) by employing any employee of a retail or service establishment for a work week in excess of the applicable work week specified therein, if:

(1) the regular rate of pay of the employee is in excess of one and one-half (1.5) times the minimum hourly rate applicable to the employee under section 2 of this chapter; and

(2) more than half of the employee's compensation for a representative period (not less than one (1) month) represents commissions on goods or services.

In determining the proportion of compensation representing commissions, all earnings resulting from the application of a bona fide commission rate shall be considered commissions on goods or services without regard to whether the computed commissions exceed the draw or guarantee.

~~(r)~~ (s) No employer engaged in the operation of a hospital or an establishment which is an institution primarily engaged in the care of the sick, the aged, or individuals with a mental illness or defect who reside on the premises shall be considered to have violated subsection ~~(k)~~ (l) if, pursuant to an agreement or understanding arrived at between the employer and the employee before performance of the work, a work period of fourteen (14) consecutive days is accepted in lieu of the work week of seven (7) consecutive days for purposes of overtime computation and if, for the employee's employment in excess of eight (8) hours in any workday and in excess of eighty (80) hours in that fourteen (14) day period, the employee receives compensation at a rate not less than one and one-half (1.5) times the regular rate at which the employee is employed.

~~(s)~~ (t) No employer shall employ any employee in domestic service in one (1) or more households for a work week longer than forty (40) hours unless the employee receives compensation for that employment in accordance with subsection ~~(k)~~ (l).

~~(t)~~ (u) In the case of an employee of an employer engaged in the business of operating a street, a suburban or interurban electric railway, or a local trolley or motorbus carrier (regardless of whether or not the railway or carrier is public or private or operated for profit or not for profit), in determining the hours of employment of such an employee to which the rate prescribed by subsection ~~(k)~~ (l) applies, there shall be excluded the hours the employee was employed in charter activities by the employer if both of the following apply:

(1) The employee's employment in the charter activities was pursuant to an agreement or understanding with the employer arrived at before engaging in that employment.

(2) If employment in the charter activities is not part of the employee's regular employment.

~~(u)~~ (v) Any employer may employ any employee for a period or periods of not more than ten (10) hours in the aggregate in any work week in excess of the maximum work week specified in subsection ~~(k)~~ (l) without paying the compensation for overtime employment prescribed in subsection ~~(k)~~ (l), if during that period or periods the employee is receiving remedial education that:

(1) is provided to employees who lack a high school diploma or educational attainment at the eighth grade level;

(2) is designed to provide reading and other basic skills at an eighth grade level or below; and

(3) does not include job specific training.

~~(v)~~ (w) Subsection ~~(k)~~ (l) does not apply to an employee of a motion picture theater.

~~(w)~~ (x) Subsection ~~(k)~~ (l) does not apply to an employee of a seasonal amusement or recreational establishment, an organized camp, or a religious or nonprofit educational conference center that is exempt under the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 213)."

Page 3, after line 41, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "commissioner" refers to the commissioner of labor appointed under IC 22-1-1-2.

(b) As used in this SECTION, "committee" refers to the equal pay committee established by this SECTION.

(c) As used in this SECTION, "department" refers to the department of labor created by IC 22-1-1-1.

(d) As used in this SECTION, "state labor federation"

means an organization that:

- (1) is chartered by a federation of national or international labor unions;
- (2) admits local labor unions to membership; and
- (3) exists primarily to carry out:
  - (A) educational;
  - (B) legislative; and
  - (C) coordinating; activities.
- (e) The equal pay committee is established.
- (f) The committee consists of the following members, whom the commissioner shall appoint before September 1, 2014:
  - (1) Two (2) members representing business in Indiana, who must be nominated by state business organizations or business trade organizations.
  - (2) Two (2) members representing labor organizations, who must be nominated by state labor federations.
  - (3) Two (2) members nominated by and representing organizations whose objectives include the elimination of pay disparities between the sexes and that have undertaken:
    - (A) advocacy;
    - (B) educational initiatives; or
    - (C) legislative initiatives;
 in pursuit of the objectives.
  - (4) Three (3) members representing:
    - (A) institutions of higher education; or
    - (B) research institutions;
 who have experience or expertise in the collection and analysis of data concerning pay disparities and whose research has been used in efforts to promote the elimination of pay disparities.
- (g) The commissioner shall appoint one (1) of the members as chairperson of the committee.
- (h) The department shall provide facilities and staff to carry out the responsibilities of the committee.
- (i) The expenses of the committee shall be paid from appropriations made to the department.
- (j) A member of the committee who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement for travel expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.
- (k) Each member of the committee who is a state employee is entitled to reimbursement for travel expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.
- (l) The affirmative votes of a majority of the members appointed to the committee are required for the committee to take action on any measure.
- (m) The committee shall complete a study of:
  - (1) the extent of wage disparities between the sexes in the public and private sectors;
  - (2) factors that cause or tend to cause wage disparities, including:
    - (A) segregation between sexes within and across occupations;
    - (B) payment of lower wages for work in occupations dominated by women;
    - (C) child rearing responsibilities; and
    - (D) education and training;
  - (3) the consequences of wage disparities on:
    - (A) the economy; and

- (B) affected families; and
- (4) actions that are likely to lead to the elimination and prevention of any wage disparities, including proposals for legislation.
- (n) The committee shall make its report not later than August 31, 2015, to:
  - (1) the commissioner, who shall transmit the report to the governor; and
  - (2) the legislative council in an electronic format under IC 5-14-6.
- (o) The report from the committee must include:
  - (1) the results of the study; and
  - (2) legislative and other recommendations for the elimination and prevention of disparities in wages between the sexes.
- (p) This SECTION expires December 31, 2015. SECTION 5. An emergency is declared for this act." Renumber all SECTIONS consecutively. (Reference is to HB 1126 as printed January 14, 2014.)

VANDENBURGH

Representative Torr rose to a point of order, citing Rule 118, stating that the motion was attempting to incorporate into Engrossed House Bill 1126 a bill pending before the House. The Speaker ruled the point was well taken and the motion was out of order.

APPEAL OF THE RULING OF THE CHAIR

Mr. Speaker: We hereby appeal the ruling of the Chair that Representative VanDenburgh's amendment (1126-4) violates House Rule 118 concerning bill pending which states that no bill may be amended by incorporating with it any other bill pending before the House.

VANDENBURGH  
PIERCE

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Turner.

The question was, Shall the ruling of the Chair be sustained? Roll Call 31: yeas 66, nays 28. The ruling of the Chair was sustained.

There being no further amendments, the bill was ordered engrossed.

The Speaker Pro Tempore yielded the gavel to the Speaker.

House Bill 1206

Representative Lehman called down House Bill 1206 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED HOUSE BILLS  
ON THIRD READING

Engrossed House Bill 1032

Representative Torr called down Engrossed House Bill 1032 for third reading:

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

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

Roll Call 32: yeas 77, nays 20. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Delph and Lanane.

Engrossed House Bill 1063

Representative Huston called down Engrossed House Bill 1063 for third reading:

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

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

Roll Call 33: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Yoder and Pete Miller.

#### Engrossed House Bill 1079

Representative Karickhoff called down Engrossed House Bill 1079 for third reading:

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

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

Roll Call 34: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Banks and Schneider.

#### Engrossed House Bill 1121

Representative Koch called down Engrossed House Bill 1121 for third reading:

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

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

Roll Call 35: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Hershman.

### OTHER BUSINESS ON THE SPEAKER'S TABLE

#### Reassignments

The Speaker announced the following reassignments:

House Bill 1308 from the Committee on Judiciary to the Committee on Insurance.

House Bill 1163 from the Committee on Public Health to the Committee on Public Policy.

House Bill 1153 and HJR 3 from the Committee on Judiciary to the Committee on Elections.

House Bill 1423 from the Committee on Rules and Legislative Procedures to the Committee on Utilities and Energy.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as coauthor of House Bill 1012.

MORRISON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Bacon and Klinker be added as coauthors of House Bill 1013.

MORRISON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Behning, Beumer

and Moed be added as coauthors of House Bill 1028.

DEVON

Motion prevailed.

HOUSE MOTION

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

TORR

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Culver be added as coauthor of House Bill 1035.

BRAUN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Ober be added as coauthor of House Bill 1038.

LEONARD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Battles be added as coauthor of House Bill 1039.

LEHMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as coauthor of House Bill 1045.

KIRCHHOFFER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Goodin, Harman and Ober be added as coauthors of House Bill 1048.

LUCAS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Slager be added as coauthor of House Bill 1061.

FRIZZELL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Harman and Battles be added as coauthors of House Bill 1078.

HAMM

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives VanNatter, Mahan and Goodin be added as coauthors of House Bill 1080.

KARICKHOFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Harman be added as coauthor of House Bill 1083.

TORR

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Huston be added as coauthor of House Bill 1095.

RICHARDSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Frye and Hale be added as coauthors of House Bill 1117.

MACER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Sullivan be added as coauthor of House Bill 1119.

HEATON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Sullivan be added as coauthor of House Bill 1145.

WASHBURNE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hale be added as coauthor of House Bill 1161.

PRICE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Negele be added as coauthor of House Bill 1162.

BRAUN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Kubacki and Hale be added as coauthors of House Bill 1184.

HEUER

HOUSE MOTION

Mr. Speaker: I move that Representative Turner be added as coauthor of House Bill 1211.

T. BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Niezgodski be added as coauthor of House Bill 1231.

GUTWEIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Moed and Hale be added as coauthors of House Bill 1245.

HEATON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Cherry and Forestal be added as coauthors of House Bill 1250.

BACON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Moed be added as coauthor of House Bill 1255.

PRICE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Torr be added as coauthor of House Bill 1267.

NEGELE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Speedy and DeVon be added as coauthors of House Bill 1282.

CULVER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Koch be added as coauthor of House Bill 1305.

VANNATTER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Price, Forestal and Hamm be added as coauthors of House Bill 1315.

MOED

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Baird be added as coauthor of House Bill 1317.

BARTLETT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Cherry be added as coauthor of House Bill 1325.

PRICE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Neese be added as coauthor of House Bill 1333.

M. SMITH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Austin be added as coauthor of House Bill 1338.

DERMODY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Koch, Kubacki, Messmer, Culver, Neese, Harman, Frye, Ober, Huston, Smaltz, Rhoads, DeVon, and Mahan be added as coauthors of House Bill 1351.

MCMILLIN

Motion prevailed.



HOUSE MOTION

Mr. Speaker: I move that Representative Karickhoff be added as coauthor of House Bill 1361.

MORRISON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Moseley and Speedy be added as coauthors of House Bill 1370.

BAIRD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Gutwein be added as coauthor of House Bill 1378.

COX

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Frye be added as coauthor of House Bill 1381.

SPEEDY

Motion prevailed.

HOUSE MOTION

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

SPEEDY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Culver and C. Brown be added as coauthors of House Bill 1394.

MORRIS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Niezgodski be added as coauthor of House Bill 1402.

DERMODY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative VanNatter be added as coauthor of House Bill 1417.

CANDELARIA REARDON

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Pelath, the House adjourned at 4:45 p.m., this twenty-first day of January, 2014, until Thursday, January 23, 2014, at 10:00 a.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives