



# Journal of the Senate

State of Indiana

120th General Assembly

First Regular Session

Twentieth Meeting Day

Thursday Afternoon

February 16, 2017

The Senate convened at 1:30 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Pastor Matthew Barnes, Capitol Commission.

The Pledge of Allegiance to the Flag was led by Senator Jeffery S. Raatz.

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

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

Roll Call 125: present 49; excused 1. [Note: A  indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

## REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: Pursuant to Senate Rule 68(b), I hereby report that Senate Bill 283, currently assigned to the Committee on Corrections and Criminal Law, be reassigned to the Committee on Civil Law.

LONG

Report adopted.

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 62, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, delete lines 39 through 41.

Page 3, line 42, delete "(d)" and insert "(c)".

Page 4, line 3, delete "(e)" and insert "(d)".

Page 4, line 6, delete "(f)" and insert "(e)".

Page 4, line 8, delete "(e)" and insert "(d)".

Page 4, line 15, delete "(g)" and insert "(f)".

Page 4, line 34, delete "(h)" and insert "(g)".

Page 4, line 38, delete "(g);" and insert "(f);".

Page 5, delete lines 3 through 13, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE JULY 1, 2017] (a) There is appropriated from the state general fund to the school substance abuse prevention pilot program fund established by IC 20-34-9-2, as added by this act, three hundred thousand dollars (\$300,000) for the biennium beginning July 1, 2017, and ending June 30, 2019, to be used by the department of education for purposes of the school substance abuse prevention pilot program under IC 20-34-9, as added by this act."

(Reference is to SB 62 as printed January 13, 2017.)  
and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 3.

KENLEY, Chair

Report adopted.

### COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 63, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

CHARBONNEAU, Chair

Report adopted.

### COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 108, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 20-26-11-32, AS AMENDED BY P.L.39-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 32. (a) This section does not apply to a school corporation if the governing body has adopted a policy of not accepting the transfer of any student who does not have legal settlement within the school corporation.

(b) The governing body of a school corporation shall annually establish:

(1) except as provided in subsection (m), the number of transfer students the school corporation has the capacity to accept in each grade level; and

(2) the date by which requests to transfer into the school corporation must be received by the governing body.

(c) After establishing the date under subsection (b)(2), the governing body shall:

(1) publish the date on the school corporation's Internet web site; and

(2) report the date to the department.

(d) The department shall publish the dates received from school corporations under subsection (c)(2) on the department's Internet web site.

(e) A student to whom this section applies may not request to transfer under this section primarily for athletic reasons to a school corporation in which the student does not have legal settlement.

(f) If the number of requests to transfer into a school corporation received by the date established for the school corporation under subsection (b)(2) exceeds the capacity established for the school corporation under subsection (b)(1), each timely request must be given an equal chance to be accepted, with the exception that a student described in subsection (h) shall be given priority. The governing body must determine which students will be admitted as transfer students to each school building and each grade level within the school corporation by a random drawing in a public meeting.

(g) Except as provided in subsections (i), (j), (k), and (m), the governing body of a school corporation may not deny a request for a student to transfer into the school corporation based upon the student's academic record, scores on ISTEP tests, disciplinary record, or disability, or upon any other factor not related to the school corporation's capacity.

(h) Except as provided in subsections (i), (j), and (k), the governing body of a school corporation may not deny a request for a student to transfer into the school corporation if the student requesting to transfer:

(1) is a member of a household in which any other member of the household is a student in the transferee school; or

(2) has a parent who is an employee of the school corporation.

(i) A governing body of a school corporation may limit the number of new transfers to a school building or grade level in the school corporation:

(1) to ensure that a student who attends a school within the school corporation as a transfer student during a school

year may continue to attend the school in subsequent school years; and

(2) to allow a student described in subsection (h) to attend a school within the school corporation.

(j) Notwithstanding subsections ~~(f)~~, (g), and (h), a governing body of a school corporation may deny a request for a student to transfer to the school corporation **or may discontinue enrollment in a subsequent school year**, or establish terms or conditions for enrollment ~~that prevent a student from enrolling in a school; or for continued enrollment in a subsequent school year~~, if:

**(1)** the student has been suspended (as defined in IC 20-33-8-7) or expelled (as defined in IC 20-33-8-3) during the twelve (12) months preceding the student's request to transfer under this section:

~~(1)~~ **(A)** for ten (10) or more school days;

~~(2)~~ **(B)** for a violation under IC 20-33-8-16;

~~(3)~~ **(C)** for causing physical injury to a student, a school employee, or a visitor to the school; or

~~(4)~~ **(D)** for a violation of a school corporation's drug or alcohol rules; **or**

**(2) the student has had a history of unexcused absences and the governing body of the school corporation believes that, based upon the location of the student's residence, attendance would be a problem for the student if the student is enrolled with the school corporation.**

For purposes of subdivision ~~(1)~~, **(1)(A)**, student discipline received under IC 20-33-8-25(b)(7) for a violation described in ~~subdivisions (2) subdivision (1)(B) through (4) (1)(D)~~ shall be included in the calculation of the number of school days that a student has been suspended.

(k) The governing body of a school corporation with a school building that offers a special curriculum may require a student who transfers to the school building to meet the same eligibility criteria required of all students who attend the school building that offers the special curriculum.

(l) The parent of a student for whom a request to transfer is made is responsible for providing the school corporation to which the request is made with records or information necessary for the school corporation to determine whether the request to transfer may be denied under subsection (j).

(m) Notwithstanding this section, the governing body of a school corporation may authorize the school corporation to enter into an agreement with an accredited nonpublic school or charter school to allow students of the accredited nonpublic school or charter school to transfer to a school within the school corporation.

(n) A school corporation that has adopted a policy to not accept student transfers after June 30, 2013, is not prohibited from enrolling a:

(1) transfer student who attended a school within the school corporation during the 2012-2013 school year; or

(2) member of a household in which any other member of the household was a transfer student who attended a school within the school corporation during the 2012-2013 school year.

However, if a school corporation enrolls a student described in subdivision (1) or (2), the school corporation shall also allow a student or member of the same household of a student who attended an accredited nonpublic school within the attendance area of the school corporation during the 2012-2013 school year to enroll in a school within the school corporation.

SECTION 2. IC 20-28-9-1.5, AS AMENDED BY P.L.106-2016, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1.5. (a) This subsection governs salary increases for a teacher employed by a school corporation. Compensation attributable to additional degrees or graduate credits earned before the effective date of a local compensation plan created under this chapter before July 1, 2015, shall continue for school years beginning after June 30, 2015. Compensation attributable to additional degrees for which a teacher has started course work before July 1, 2011, and completed course work before September 2, 2014, shall also continue for school years beginning after June 30, 2015. For school years beginning after June 30, 2015, a school corporation may provide a supplemental payment to a teacher in excess of the salary specified in the school corporation's compensation plan if the teacher teaches an advanced placement course or has earned a master's degree from an accredited postsecondary educational institution in a content area directly related to the subject matter of:

- (1) a dual credit course; or
- (2) another course;

taught by the teacher. In addition, a supplemental payment may be made to an elementary school teacher who earns a master's degree in math or reading and literacy. A supplement provided under this subsection is not subject to collective bargaining, but a discussion of the supplement must be held. Such a supplement is in addition to any increase permitted under subsection (b).

(b) Increases or increments in a local salary range must be based upon a combination of the following factors:

- (1) A combination of the following factors taken together may account for not more than thirty-three percent (33%) of the calculation used to determine a teacher's increase or increment:
  - (A) The number of years of a teacher's experience.
  - (B) The attainment of either:
    - (i) additional content area degrees beyond the requirements for employment; or
    - (ii) additional content area degrees and credit hours beyond the requirements for employment, if required under an agreement bargained under IC 20-29.
- (2) The results of an evaluation conducted under IC 20-28-11.5.
- (3) The assignment of instructional leadership roles, including the responsibility for conducting evaluations under IC 20-28-11.5.
- (4) The academic needs of students in the school corporation.

(c) Except as provided in subsection (d), a teacher rated ineffective or improvement necessary under IC 20-28-11.5 may not receive any raise or increment for the following year if the teacher's employment contract is continued. The amount that

would otherwise have been allocated for the salary increase of teachers rated ineffective or improvement necessary shall be allocated for compensation of all teachers rated effective and highly effective based on the criteria in subsection (b).

(d) Subsection (c) does not apply to a teacher in the first two (2) full school years that the teacher provides instruction to students in elementary school or high school. If a teacher provides instruction to students in elementary school or high school in another state, any full school year, or its equivalent in the other state, that the teacher provides instruction counts toward the two (2) full school years under this subsection.

(e) A teacher who does not receive a raise or increment under subsection (c) may file a request with the superintendent or superintendent's designee not later than five (5) days after receiving notice that the teacher received a rating of ineffective. The teacher is entitled to a private conference with the superintendent or superintendent's designee.

(f) ~~The department~~ **Indiana education employment relations board established in IC 20-29-3-1** shall publish a model compensation plan with a model salary range that a school corporation may adopt. ~~Before July 1, 2015, the department may modify the model compensation plan, as needed, to comply with subsection (g):~~

(g) Each school corporation shall submit its local compensation plan to the ~~department~~ **Indiana education employment relations board**. For a school year beginning after June 30, 2015, a local compensation plan must specify the range for teacher salaries. The ~~department~~ **Indiana education employment relations board** shall publish the local compensation plans on the ~~department's~~ **Indiana education employment relations board's** Internet web site.

(h) ~~The department~~ **Indiana education employment relations board** shall ~~report any noncompliance with this section to the state board; review a compensation plan for compliance with this section as part of its review under IC 20-29-6-6.1. The Indiana education employment relations board has jurisdiction to determine compliance of a compensation plan submitted under this section, regardless of whether the compensation plan is included in or related to a collective bargaining agreement.~~

~~(i) The state board shall take appropriate action to ensure compliance with this section:~~

~~(j) (i)~~ This chapter may not be construed to require or allow a school corporation to decrease the salary of any teacher below the salary the teacher was earning on or before July 1, 2015, if that decrease would be made solely to conform to the new compensation plan.

~~(k) (j)~~ After June 30, 2011, all rights, duties, or obligations established under IC 20-28-9-1 before its repeal are considered rights, duties, or obligations under this section.

SECTION 3. IC 20-29-6-6.1, AS ADDED BY P.L.213-2015, SECTION 188, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6.1. (a) After ratification of a contract under section 6 of this chapter, a school employer shall submit the ratified collective bargaining agreement, including the compensation model developed under IC 20-28-9-1.5, to the board.

(b) The board shall appoint a staff member or an ad hoc panel member to review each submitted collective bargaining agreement and to make a written recommendation concerning the collective bargaining agreement's compliance with this chapter, including a penalty for any noncompliance. The review must be completed before March 30 of the year in which the current collective bargaining agreement expires.

(c) Not later than fifteen (15) days after a recommendation has been made under subsection (b), one (1) or both parties to a collective bargaining agreement may appeal to the board, in writing, the decision made in the recommendation. If the board does not receive an appeal not later than fifteen (15) days after issuing a recommendation, the recommendation becomes the final order of the board.

(d) If the board receives a timely appeal, the board may make a decision on the recommendation with or without oral argument. The board may request that the parties submit briefs. The board must issue a ruling on the appeal not later than thirty (30) days after the last of the following occurs:

- (1) The appeal is received.
- (2) Briefs are received.
- (3) Oral arguments are held.

(e) IC 4-21.5 does not apply to a review under subsection (b) or (d).

(f) If, following the review of a collective bargaining agreement, the board finds the collective bargaining agreement does not comply with this chapter, the board shall issue an order that may include one (1) or more of the following items:

- (1) Ordering the parties to cease and desist from all identified areas of noncompliance.
- (2) Preventing the parties from ratifying any subsequent collective bargaining agreements until the parties receive written approval from the board or the board's agent.
- (3) Requiring other action as deemed appropriate by the board as authorized by state law.

(g) The board may send the board's compliance findings to other state agencies as necessary.

(h) After a school employer has submitted a collective bargaining agreement under subsection (a), the school employer and an exclusive representative may not enter into a new collective bargaining agreement containing the noncompliant provision until the school employer has received either:

- (1) the board's order regarding the compliance of the submitted collective bargaining agreement with this chapter; or
- (2) other written approval from the board or an agent of the board.

(i) If any provision of the collective bargaining agreement is found not to be compliant with this chapter, the provision that is found to be noncompliant with this chapter shall not affect other provisions of the collective bargaining agreement that can be given effect without the noncompliant provision, and to this end the provisions of collective bargaining agreement are severable.

(j) The board:

- (1) shall adopt rules under IC 4-22; and
- (2) may adopt emergency rules in the manner provided under IC 4-22-2-37.1;

as necessary to implement this section.

**(k) An emergency rule adopted by the board under subsection (j) expires on the earliest of the following dates:**

- (1) The expiration date stated in the emergency rule.**
- (2) The date the emergency rule is amended or repealed by a later rule adopted under IC 4-22-2-22.5 through IC 4-22-2-36 or IC 4-22-2-37.1.**
- (3) One (1) year after the date the emergency rule is adopted.**

**(l) This subsection applies only to a school corporation that has a compensation plan developed under IC 20-28-9-1.5 but does not have a ratified collective bargaining agreement. A school corporation shall, not later than October 1 of the year in which the compensation plan becomes effective, submit the school corporation's compensation plan to the board.**

**(m) If a school corporation fails to timely file a compensation plan as required under subsection (l), the school corporation's compensation plan is considered not in compliance with IC 20-28-9-1.5 and this section unless a compliance officer of the board finds good cause shown for the delay."**

Delete page 2.

Page 3, delete lines 1 through 25.

Page 4, delete lines 12 through 42.

Page 5, delete lines 1 through 26.

Page 6, between lines 11 and 12, begin a new paragraph and insert:

**"SECTION 7. [EFFECTIVE UPON PASSAGE] (a) The definitions in IC 20 apply throughout this SECTION.**

**(b) The department, in collaboration with the state board, shall prepare a report that includes recommendations regarding certificated employees evaluations, including:**

- (1) recommended parameters for evaluating certificated employees;**
- (2) measures by which certificated employees should be evaluated; and**
- (3) any other recommendations that the department considers appropriate in evaluating certificated employees.**

**(c) The department shall, not later than November 1, 2017, submit the report described under subsection (b) to the general assembly in an electronic format under IC 5-14-6.**

**(d) This SECTION expires July 1, 2018."**

Renumber all SECTIONS consecutively.

(Reference is to SB 108 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

KRUSE, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 128, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

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

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

"SECTION 1. IC 4-4-10.9-1.2, AS AMENDED BY P.L.155-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.2. "Affected statutes" means all statutes that grant a power to or impose a duty on the authority, including but not limited to IC 4-4-11, IC 4-4-11.4, IC 4-4-11.6, IC 4-4-21, **IC 4-10-19**, IC 4-13.5, IC 5-1-16, IC 5-1-16.5, IC 5-1-17.5, IC 8-9.5, IC 8-14.5, IC 8-15, IC 8-15.5, IC 8-16, IC 13-18-13, IC 13-18-21, IC 13-19-5, IC 14-14, and IC 14-28-5.

SECTION 2. IC 4-4-11-2, AS AMENDED BY P.L.233-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The legislature makes the following findings of fact:

(1) That there currently exists in certain areas of the state critical conditions of unemployment, inadequate drinking water, inadequate wastewater and storm water management, or environmental pollution, including water pollution, air pollution, sewage and solid waste, radioactive waste, thermal pollution, radiation contamination, and noise pollution, and that these conditions may well exist, from time to time, in other areas of the state.

(2) That in some areas of the state such conditions are chronic and of long standing and that without remedial measures they may become so in other areas of the state.

(3) That economic insecurity due to unemployment, inadequate drinking water, inadequate wastewater and storm water management, or environmental pollution is a menace to the health, safety, morals, and general welfare of not only the people of the affected areas but of the people of the entire state.

(4) That involuntary unemployment and its resulting burden of indigency falls with crushing force upon the unemployed worker and ultimately upon the state in the form of public assistance and unemployment compensation.

(5) That security against unemployment and the resulting spread of indigency and economic stagnation in the areas affected can best be provided by:

(A) the promotion, attraction, stimulation, rehabilitation, and revitalization of industrial development projects, rural development projects, mining operations, and agricultural operations that involve the processing of agricultural products;

(B) the promotion and stimulation of international exports; and

(C) the education, both formal and informal, of people of all ages throughout the state by the promotion, attraction, construction, renovation, rehabilitation, and revitalization of and assistance to educational facility projects.

(6) That the present and prospective health, safety, morals, right to gainful employment, and general welfare of the people of the state require as a public purpose the provision

of safe drinking water, the provision of wastewater and storm water management, the abatement or control of pollution, the promotion of increased educational enrichment (including cultural, intellectual, scientific, or artistic opportunities) for people of all ages through new, expanded, or revitalized educational facility projects or through assisting educational facility projects, and the promotion of employment creation or retention through development of new and expanded industrial development projects, rural development projects, mining operations, and agricultural operations that involve the processing of agricultural products.

(7) That there is a need to stimulate a larger flow of private investment funds from commercial banks, investment bankers, insurance companies, other financial institutions, and individuals into such industrial development projects, rural development projects, mining operations, international exports, and agricultural operations that involve the processing of agricultural products in the state.

(8) That the authority can encourage the making of loans or leases for creation or expansion of industrial development projects, rural development projects, mining operations, international exports, and agricultural operations that involve the processing of agricultural products, thus putting a larger portion of the private capital available in Indiana for investment to use in the general economic development of the state.

(9) That the issuance of bonds of the authority to create a financing pool for industrial development projects and carrying out the purposes of IC 13-18-13 and IC 13-18-21 promoting a substantial likelihood of opportunities for:

(A) gainful employment;

(B) business opportunities;

(C) educational enrichment (including cultural, intellectual, scientific, or artistic opportunities);

(D) the abatement, reduction, or prevention of pollution;

(E) the provision of safe drinking water;

(F) the provision of wastewater and storm water management;

(G) the removal or treatment of any substances in materials being processed that otherwise would cause pollution when used; or

(H) increased options for and availability of child care; will improve the health, safety, morals, and general welfare of the people of the state and constitutes a public purpose for which the authority shall exist and operate.

(10) That the issuance of bonds of the authority to create a funding source for the making of guaranteed participating loans will promote and encourage an expanding international exports market and international exports sales and will promote the general welfare of all of the people of Indiana by assisting Indiana businesses through stimulation of the expansion of international exports sales for Indiana products and services, especially those of small and medium-sized businesses, by providing financial assistance through the authority.

(b) The Indiana finance authority shall exist and operate for the public purposes of:

(1) promoting opportunities for gainful employment and business opportunities by the promotion and development of industrial development projects, rural development projects, mining operations, international exports, and agricultural operations that involve the processing of agricultural products, in any areas of the state;

(2) promoting the educational enrichment (including cultural, intellectual, scientific, or artistic opportunities) of all the people of the state by the promotion, development, and assistance of educational facility projects;

(3) promoting affordable farm credit and agricultural loan financing at interest rates that are consistent with the needs of borrowers for farming and agricultural enterprises;

(4) preventing and remediating environmental pollution, including water pollution, air pollution, sewage and solid waste disposal, radioactive waste, thermal pollution, radiation contamination, and noise pollution affecting the health and well-being of the people of the state by:

(A) the promotion and development of industrial development projects; and

(B) carrying out the purposes of IC 13-18-13 and IC 13-18-21;

(5) promoting the provision of safe and adequate drinking water and wastewater and storm water management to positively affect the public health and well-being by carrying out the purposes of IC 13-18-13 and IC 13-18-21;

(6) otherwise positively affecting the public health and well-being by carrying out the purposes of IC 13-18-13 and IC 13-18-21;

(7) promoting affordable and accessible child care for the people of the state by the promotion and development of child care facilities; ~~and~~

(8) carrying out the purposes of IC 5-1-17.5 concerning a motorsports investment district; ~~and~~

**(9) administering a local infrastructure revolving fund established under IC 4-10-19.**

SECTION 3. IC 4-4-11-15.4, AS ADDED BY P.L.235-2005, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15.4. (a) The authority may issue bonds or notes and invest or loan the proceeds of those bonds or notes to a participant (as defined in IC 13-11-2-151.1) for the purposes of:

(1) the wastewater revolving loan program established by IC 13-18-13-1; ~~and~~

(2) the drinking water revolving loan program established by IC 13-18-21-1; ~~and~~

**(3) the local infrastructure revolving loan funds established under IC 4-10-19-3.**

(b) If the authority loans money to or purchases debt securities of a political subdivision (as defined in IC 13-11-2-164(a) and IC 13-11-2-164(b)), the authority may, by the resolution approving the bonds or notes, provide that subsection (c) is applicable to the political subdivision.

(c) Notwithstanding any other law, to the extent that any department or agency of the state, including the treasurer of state, is the custodian of money payable to the political subdivision

(other than for goods or services provided by the political subdivision), at any time after written notice to the department or agency head from the authority that the political subdivision is in default on the payment of principal or interest on the obligations then held or owned by or arising from an agreement with the authority, the department or agency shall withhold the payment of that money from that political subdivision and pay over the money to the authority for the purpose of paying principal of and interest on bonds or notes of the authority. However, the withholding of payment from the political subdivision and payment to the authority under this section must not adversely affect the validity of the obligation in default.

**(d) This subsection applies to securities of a political subdivision acquired by the authority, or arising from an agreement entered into with the authority, after June 30, 2017. Upon receiving notice from the authority that the political subdivision has failed to pay when due the principal or interest on the obligations of the political subdivision then held or owned by or arising from an agreement with the authority, the fiscal officer (as defined in IC 36-1-2-7) of the county, for any county in which the political subdivision is wholly or partially located, shall do the following:**

**(1) Reduce the amount of any revenues or other money or property that:**

**(A) is held, possessed, maintained, controlled, or otherwise in the custody of the county or a department, an agency, or an instrumentality of the county; and**

**(B) would otherwise be available for distribution to the political subdivision under any other law;**

**by an amount equal to the amount of the political subdivision's unpaid obligations.**

**(2) Pay the amount by which the revenues or other money or property is reduced under subdivision (1) to the authority to pay the principal of and interest on bonds or other obligations of the authority.**

**(3) Notify the political subdivision that the revenues or other money or property, which would otherwise be available for distribution to the political subdivision, has been reduced by an amount necessary to satisfy all or part of the political subdivision's unpaid obligations to the authority.**

**(e) This subsection applies to securities of a political subdivision acquired by the authority, or arising from an agreement with the authority, that is covered by subsection (d). A reduction under subsection (d) must be made as follows:**

**(1) First, from local income tax distributions under IC 6-3.6-9 that would otherwise be distributed to the political subdivision under the schedules in IC 6-3.6-9-12 and IC 6-3.6-9-16.**

**(2) Second, from any other revenues or other money or property that:**

**(A) is held, possessed, maintained, or controlled by, or otherwise in the custody of, the county or a department, an agency, or an instrumentality of the county; and**

**(B) would otherwise be available for distribution to the political subdivision under any other law.**

SECTION 4. IC 4-10-19-0.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 0.2. As used in this chapter, "authority" has the meaning specified in IC 4-4-10.9-1.5.**

SECTION 5. IC 4-10-19-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 0.5. As used in this chapter, "bonds" of the authority means any bonds, mortgage credit certificates, notes, debentures, interim certificates, revenue anticipation notes, warrants, or any other evidences of indebtedness of the authority. As used in this chapter with respect to a political subdivision, "bonds" means, to the extent otherwise authorized, bonds, mortgage credit certificates, notes, debentures, interim certificates, revenue anticipation notes, warrants, or any other evidences of indebtedness of a participant.**

SECTION 6. IC 4-10-19-0.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 0.7. As used in this chapter, "financing agreement" means an agreement that is between the authority and a participant concerning the financing of a local infrastructure project and that provides for payments to the authority in an amount sufficient to pay the principal of, premium on, if any, and interest on any bonds issued by the authority for the financing of a local infrastructure project or to repay loans from a fund for such a purpose.**

SECTION 7. IC 4-10-19-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1. As used in this chapter, "fund" refers to the any local infrastructure revolving fund established by this chapter.**

SECTION 8. IC 4-10-19-1.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1.3. As used in this chapter, "local infrastructure program" means a program to finance local infrastructure projects through loans, grants, bonds, and the applicable local infrastructure revolving fund.**

SECTION 9. IC 4-10-19-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1.5. As used in this chapter, "local infrastructure project" means a facility described in section 7(a) of this chapter.**

SECTION 10. IC 4-10-19-1.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1.7. As used in this chapter, "local infrastructure revolving fund" means a fund established under section 3 of this chapter.**

SECTION 11. IC 4-10-19-1.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1.8. As used in this chapter, "participant" means:**

- (1) a political subdivision;**
- (2) an agency, authority, department, or instrumentality, or body corporate and politic acting on behalf of a political subdivision; or**

**(3) a regional authority, instrumentality, or body corporate and politic acting on behalf of one (1) or more entities described in subdivision (1) or (2).**

SECTION 12. IC 4-10-19-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 3. The Local infrastructure revolving fund is funds may be established for the purpose of providing funds to local governments participants for local infrastructure projects. The A separate fund may be established for each purpose listed in section 7(a) of this chapter. Each fund shall be administered by the budget agency authority.**

SECTION 13. IC 4-10-19-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 4. (a) In administering the a fund, the budget agency authority shall do the following:**

- (1) Monitor applicable infrastructure finance needs and the availability and cost of capital.**
- (2) Provide financial management of investment pools and financial services associated with loans.**
- (3) Explore and evaluate capital financing techniques.**
- (4) Explore methods for the state to enhance the credit quality of municipal bond issues of participants at a minimum cost to the state.**

**(b) The Indiana department of transportation, the Indiana department of environmental management, and any other appropriate state agency, department, or instrumentality, in consultation with the budget agency authority, shall advise political subdivisions on methods for financing infrastructure.**

**(c) The budget agency authority shall annually present a report to the budget committee and the budget agency that describes the projects funded under this chapter during the year.**

SECTION 14. IC 4-10-19-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 5. Subject to the written procedures developed under section 6 of this chapter, the budget agency authority may do the following:**

**(1) Accept money from any agency, department, or instrumentality of the United States, the state, or another state for deposit in a fund.**

**(2) Issue bonds and deposit proceeds in a fund.**

**(+) (3) Loan money from the fund to a political subdivision participant.**

**(-) (4) Use the money in the a fund:**

- (A) for debt financing;**
- (B) for grants;**
- (C) for loan guarantees;**
- (D) to manage leverage loan programs for new construction of local infrastructure projects through recapitalization of funds;**
- (E) to refinance and purchase political subdivision participant debt;**
- (F) to guarantee political subdivision loans;**
- (G) to make bond and debt service reserve insurance payments; and**
- (H) to guarantee debt service reserve funds;**

**to or for a political subdivision participant.**

**(5) Deposit loan repayments by a participant in a fund.**

SECTION 15. IC 4-10-19-5.3 IS ADDED TO THE

INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 5.3.** The authority may borrow money and issue its bonds from time to time in such principal amounts as the authority determines is necessary to provide sufficient funds to:

- (1) carry out the powers stated in this chapter;
- (2) pay the principal of and premium on, if any, and interest on bonds of the authority;
- (3) establish reserves to secure the bonds; and
- (4) make all other expenditures of the authority incident to, necessary to, and convenient to carry out its purposes and powers under this chapter.

SECTION 16. IC 4-10-19-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 5.5.** (a) The authority may issue bonds or notes and invest in, or loan the proceeds of those bonds or notes to, a participant for the purposes of a local infrastructure program established under subsection (f).

(b) If the authority uses bond or note proceeds to loan money to or purchase bonds, notes, or obligations of a participant, the authority may, by the resolution approving the bonds or notes, provide that subsection (c) is applicable to the participant.

(c) Notwithstanding any other law, to the extent that any department or agency of the state, including the treasurer of state, is the custodian of money payable to the participant (other than for goods or services provided by the participant), at any time after written notice to the department or agency head from the authority that the participant is in default on the payment of principal or interest on the obligations then held or owned by or arising from an agreement with the authority, the department or agency shall withhold the payment of that money from that participant and pay over the money to the authority for the purpose of paying the principal of and interest on the related bonds or notes of the authority, if any. However, the withholding of payment from the political subdivision and payment to the authority under this section must not adversely affect the validity of the obligation in default.

(d) If the authority finds that the local infrastructure project:

- (1) will be of benefit to the health, safety, morals, and general welfare of the area where the local infrastructure project is to be located; and
- (2) complies with the purposes and provisions of this chapter;

the authority may by resolution approve the proposed financing agreement. This resolution may also authorize the issuance of bonds payable solely from revenues and receipts derived from the financing agreement or from payments made under an agreement to guarantee obligations of the participant that is a party to the financing agreement.

(e) A financing agreement approved under this section in connection with bonds of the authority must provide for payments in an amount sufficient to pay the principal of, premium on, if any, and interest on the bonds issued for the financing of the local infrastructure project. Interest

payments for the anticipated construction period, plus a period of not more than one (1) year, may be funded in the bond issue. The term of a financing agreement may not exceed twenty (20) years from the date of any bonds issued under the financing agreement. However, a financing agreement does not terminate after twenty (20) years if a default under that financing agreement remains uncured, unless the termination is authorized by the terms of the financing agreement.

(f) In addition to all other powers granted to the authority under this chapter, including the power to borrow money and to issue bonds to finance directly or indirectly the development of local infrastructure projects, the authority may initiate local infrastructure programs for participants through the issuance of bonds under this chapter. In furtherance of this objective, the authority may do any of the following:

(1) Establish eligibility standards for a participant and local infrastructure projects, without complying with IC 4-22-2. However, these standards have the force of law if the standards are adopted after a public hearing for which notice has been given by publication under IC 5-3-1.

(2) Contract with any entity securing the payment of bonds issued under this chapter and authorizing the entity to approve the participant that can finance or refinance local infrastructure projects with proceeds from the bond issue secured by that entity.

(3) Lend money, upon the terms and conditions as the authority considers proper, to a participant under an installment purchase contract or loan agreement to:

- (A) finance, reimburse, or refinance the cost of a local infrastructure project; and
- (B) take back a secured or unsecured promissory note evidencing such a loan or a security interest in the local infrastructure project financed or refinanced with the loan.

(4) Require any type of security that the authority considers reasonable and necessary.

(5) Enter into any agreement, contract, or other instrument with respect to any insurance, guarantee, letter of credit, or other form of credit enhancement, accepting payment in the manner and form as provided in the instrument if a participant defaults, and assign any such insurance, guarantee, letter of credit, or other form of credit enhancement as security for bonds issued by the authority.

(6) Finance for eligible participants in connection with their local infrastructure projects:

(A) the cost of their local infrastructure projects, including costs of planning, designing, feasibility studies, construction, expansion, renovation, or improvement;

(B) capitalized interest for the anticipated construction period plus one (1) year; and

(C) in the case of a program funded from the proceeds of taxable bonds or sources other than tax exempt bonds, working capital associated with the

operation of such local infrastructure projects; in amounts determined to be appropriate by the authority.

(7) Conduct all other activities that the authority considers necessary.

(g) Bonds issued to fund a program under this section are not in any respect a general obligation of the state, nor are they payable in any manner from revenues raised by taxation, other than any local tax revenue securing or used to repay bonds of a participant.

(h) The authority may make loans to participants for local infrastructure projects from proceeds of its bonds or from a fund.

(i) Any resolution adopted to authorize the issuance of bonds to fund a program under this section may provide that the bonds are payable solely from:

(1) revenues and receipts derived from the various financing agreements; or

(2) the payments made under any other agreements to secure the obligations of the participant, related persons, or the authority.

(j) The authority may provide financial assistance to participants in the form of forgiveness of principal of a loan.

SECTION 17. IC 4-10-19-5.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5.7. (a) The authority may issue, from time to time, bonds to refund or to pay bonds, including the interest on the bonds, if such refunded bonds have been issued to finance local infrastructure projects, and whenever the authority considers refunding expedient, to refund any bonds by the issuance of new bonds, whether the bonds to be refunded have or have not matured, and to issue bonds partly to refund outstanding bonds and partly for any other of the authority's corporate purposes as long as the bonds to be refunded were issued to finance local infrastructure projects. With respect to any bonds issued for a local infrastructure project under this chapter, the cumulative terms of bonds and refunding bonds may not exceed fifty (50) years for any local infrastructure project or group of local infrastructure projects financed at the same time.

(b) A savings to the authority or to the participant issuing the bonds to be refunded is not required for the issuance of the refunding bonds or the issuance of bonds to refund refunding bonds. Refunding bonds issued under this section are payable solely from revenues and receipts derived from:

(1) financing agreements with the participant or users or developers of the facilities originally financed by the outstanding bonds, or related persons; or

(2) payments made under guaranty agreements by developers, users, or related persons.

The financing agreements or guaranties may be new financing agreements or guaranties or amendments of the original financing agreements or guaranties.

(c) Refunding bonds issued under this section are not in any respect a general obligation of the authority, nor are the bonds payable in any manner from revenues raised by taxation, other than any local tax revenue securing or used

to repay bonds of a participant.

SECTION 18. IC 4-10-19-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) The ~~budget agency~~ **authority** shall establish a written procedure, **in coordination with a state agency, department, or instrumentality providing funds under section 5(1) of this chapter**, for allocating money to projects described in section 7 of this chapter.

(b) The procedure established under this section must include at least the following:

(1) An application procedure to identify projects that qualify for funding.

(2) Criteria for establishing priority of projects.

(3) Procedures for selecting projects.

(4) Procedures for reporting the results of the selection process and the status of projects to the budget committee.

(c) To apply for a loan or grant from ~~the a fund~~, a ~~political subdivision~~ **participant** must submit an application that contains at least the following information:

(1) A description of the infrastructure for which the loan or grant is sought.

(2) An estimate of the cost of constructing or improving the infrastructure, including the cost of designing the infrastructure.

(3) Any other information required by the ~~budget agency~~ **authority** in accordance with the procedure established under this section.

(d) **The authority may enter into agreements or memoranda of understanding or agreement with an entity described in subsection (a) without the requirement of approval of the form or execution and delivery of the instrument by either the authority or the entity other than provided for in this chapter.**

SECTION 19. IC 4-10-19-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) **A loan of proceeds of the authority's bonds or** a loan or grant from ~~the a fund~~ must be used by a ~~political subdivision~~ **participant** to establish or improve only the following infrastructure needs:

(1) Wastewater treatment projects, sewer systems, and drinking water systems, and extending water lines and installing hydrants for fire protection.

(2) Cargo, reliever, and general aviation airports, as classified by the Federal Aviation Administration on January 1, 1996.

(3) Juvenile detention centers.

(4) Infrastructure or local public improvements needed for the rehabilitation, redevelopment, economic development, and reuse of military base property acquired from the federal government by a reuse authority established under IC 36-7-30 or a redevelopment authority operating under IC 36-7-14.5-12.5.

(5) Highways, roads, streets, **bridges or any other public way**, and public mass transportation systems for communities.

(b) A grant from the fund must

~~(1) not exceed ten percent (10%) of the total project cost or five million dollars (\$5,000,000), whichever is less; and~~  
~~(2) be made in conjunction with the adoption of a resolution by a political subdivision that sets forth the political subdivision's commitment of revenues to the infrastructure project for which the grant is made.~~

SECTION 20. IC 4-10-19-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) A loan from ~~the a~~ fund must:

~~(1) have an interest rate of not more than a rate that the state board of finance determines does not exceed current market rates for that type of loan;~~

~~(2) (1) have a term of not more than twenty (20) years;~~

~~(3) except as provided in subsection (c); not exceed ten percent (10%) of the total project cost or five million dollars (\$5,000,000), whichever is less;~~

~~(4) (2) be made in conjunction with the adoption of a resolution by a political subdivision that sets forth the political subdivision's commitment of revenues to the infrastructure project for which the loan is made;~~

~~(5) (3) provide for amortization to begin not later than one (1) year after construction of the project ends;~~

~~(6) (4) be accompanied by:~~

~~(A) all papers and opinions required by the budget agency; authority;~~

~~(B) an opinion of a bond counsel;~~

~~(C) a certification and guarantee of signatures; and~~

~~(D) a certification that, as of the date of the loan, no litigation is pending challenging the validity of, or entry into, the loan or any security for the loan; and~~

~~(7) (5) be repaid; and~~

~~(6) have an interest rate established by the authority in accordance with subsection (c).~~

(b) Unless otherwise provided by the procedure established under section 6 of this chapter, a ~~political subdivision~~ **participant** that receives a loan from the fund shall enter into a loan agreement. A loan agreement is a valid, binding, and enforceable agreement of the ~~political subdivision~~ **participant**.

(c) ~~A loan from the fund that is associated with a project under Section 350 of the National Highway System Act of 1995, Public Law 104-59, or subsequent laws authorizing the state infrastructure bank program may exceed the loan amount limitations described in subsection (a)(3). The authority, in setting the interest rate or parameters for establishing the interest rate on each loan, may take into account the following:~~

~~(1) Credit risk.~~

~~(2) Affordability.~~

~~(3) Other fiscal factors the authority considers relevant, including the program's cost of funds.~~

**Based on the factors set forth in subdivisions (1) through (3), more than one (1) interest rate may be established and used for loans to different participants or for different loans or other financial assistance to the same participants.**

SECTION 21. IC 4-10-19-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. The expenses of administering ~~the a~~ fund shall be paid from money in ~~the that~~ fund.

SECTION 22. IC 4-10-19-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund: **authority may invest money in funds as provided in IC 4-4-11-15(a)(17) and IC 4-4-11-15(a)(50).**

SECTION 23. IC 4-10-19-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. Money in the **any** fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 24. IC 4-10-19-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 12. The following apply to bonds issued under this chapter for local infrastructure projects:**

**(1) IC 4-4-11-2.7.**

**(2) IC 4-4-11-21 through IC 4-4-11-30.**

**(3) IC 4-4-11-33 through IC 4-4-11-34.**

**(4) IC 4-4-11-36.5.**

**(5) IC 4-4-11-37.**

**(6) IC 4-4-11-39 through IC 4-4-11-41.**

SECTION 25. IC 4-10-19-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 13. The authority may do the following:**

**(1) Employ:**

**(A) fiscal consultants;**

**(B) engineers;**

**(C) bond counsel;**

**(D) special counsel;**

**(E) accountants; and**

**(F) any other consultants, employees, and agents;**

**that the authority considers necessary to carry out the purposes of this chapter.**

**(2) Fix and pay the compensation of persons employed in subdivision (1) from money:**

**(A) available in a fund; or**

**(B) otherwise made available for the program.**

**(3) Provide services to a participant in connection with a loan or other financial assistance, including advisory and other services.**

SECTION 26. IC 4-10-19-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 14. (a) The authority may:**

**(1) charge a fee for services provided; and**

**(2) charge a fee for costs and services incurred in the review or consideration of an application for a proposed loan or other financial assistance under this chapter to or for the benefit of a participant, regardless of whether the application is approved or rejected.**

**(b) A participant may pay fees charged under this section.**

SECTION 27. IC 4-10-19-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 15. (a) The authority may sell loans or bonds of participants evidencing the loans**

periodically at any price and on terms acceptable to the authority. Proceeds of sales under this section shall be deposited in the applicable fund.

(b) The authority may pledge loans or bonds of participants to secure other loans from a fund to or for the benefit of participants.

(c) The authority must approve the terms of a pledge under this section.

(d) Notwithstanding any other law, a pledge of property made by a participant, or a pledge of property made by the authority under this section, is binding from the time the pledge is made. Any pledge of property made by an entity described in section 6(a) of this chapter under this section is binding on the authority. Revenues, other money, or other property pledged and received is immediately subject to the lien of the pledge without any other act. The lien of a pledge is binding against all parties having claims of any kind in tort, contract, or otherwise against:

- (1) a participant;
- (2) the authority; or
- (3) a fund;

regardless of whether the parties have notice of any lien.

(e) A resolution, an indenture, or other instrument by which a pledge is created does not have to be filed or recorded, except in the records of the authority.

(f) Action taken to:

- (1) enforce a pledge under this section; and
- (2) realize the benefits of the pledge;

is limited to the property pledged.

(g) A pledge under this section does not create a liability or indebtedness of the state.

SECTION 28. IC 4-10-19-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 16. The authority's powers under this chapter shall be interpreted broadly to effectuate the purposes of this chapter and may not be construed as a limitation of powers. The omission of a power does not imply that the authority lacks that power. The authority may exercise any power that is not listed in this chapter but is consistent with the powers listed in this chapter to the extent that the power is not expressly denied by the Constitution of the State of Indiana or by another statute.**

SECTION 29. IC 6-1.1-18-12, AS AMENDED BY P.L.232-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 12. (a) For purposes of this section, "maximum rate" refers to the maximum:**

- (1) property tax rate or rates; or
- (2) special benefits tax rate or rates;

referred to in the statutes listed in subsection (d).

(b) The maximum rate for taxes first due and payable after 2003 is the maximum rate that would have been determined under subsection (e) for taxes first due and payable in 2003 if subsection (e) had applied for taxes first due and payable in 2003.

(c) The maximum rate must be adjusted each year to account for the change in assessed value of real property that results from:

- (1) an annual adjustment of the assessed value of real property under IC 6-1.1-4-4.5;
- (2) a general reassessment of real property under IC 6-1.1-4-4; or
- (3) a reassessment under a county's reassessment plan prepared under IC 6-1.1-4-4.2.

(d) The statutes to which subsection (a) refers are:

- (1) IC 8-10-5-17;
- (2) IC 8-22-3-11;
- (3) IC 8-22-3-25;
- (4) IC 12-29-1-1;
- (5) IC 12-29-1-2;
- (6) IC 12-29-1-3;
- (7) IC 12-29-3-6;
- (8) IC 13-21-3-12;
- (9) IC 13-21-3-15;
- (10) IC 14-27-6-30;
- (11) IC 14-33-7-3;
- (12) IC 14-33-21-5;
- (13) IC 15-14-7-4;
- (14) IC 15-14-9-1;
- (15) IC 15-14-9-2;
- (16) IC 16-20-2-18;
- (17) IC 16-20-4-27;
- (18) IC 16-20-7-2;
- (19) IC 16-22-14;
- (20) IC 16-23-1-29;
- (21) IC 16-23-3-6;
- (22) IC 16-23-4-2;
- (23) IC 16-23-5-6;
- (24) IC 16-23-7-2;
- (25) IC 16-23-8-2;
- (26) IC 16-23-9-2;
- (27) IC 16-41-15-5;
- (28) IC 16-41-33-4;
- (29) IC 20-46-2-3 (before its repeal on January 1, 2009);
- (30) IC 20-46-6-5;
- (31) IC 20-49-2-10;
- (32) IC 36-1-19-1;
- (33) IC 23-14-66-2;
- (34) IC 23-14-67-3;
- (35) IC 36-7-13-4;
- (36) IC 36-7-14-28;
- (37) IC 36-7-15.1-16;
- (38) IC 36-8-19-8.5;
- (39) IC 36-9-6.1-2;
- (40) IC 36-9-17.5-4;
- (41) IC 36-9-27-73;
- (42) IC 36-9-29-31;
- (43) IC 36-9-29.1-15;
- (44) IC 36-9-43-9;**
- ~~(44)~~ **(45)** IC 36-10-6-2;
- ~~(45)~~ **(46)** IC 36-10-7-7;
- ~~(46)~~ **(47)** IC 36-10-7-8;
- ~~(47)~~ **(48)** IC 36-10-7.5-19;
- ~~(48)~~ **(49)** IC 36-10-13-5;
- ~~(49)~~ **(50)** IC 36-10-13-7;

~~(50)~~ (51) IC 36-10-14-4;  
~~(51)~~ (52) IC 36-12-7-7;  
~~(52)~~ (53) IC 36-12-7-8;  
~~(53)~~ (54) IC 36-12-12-10;  
~~(54)~~ (55) a statute listed in IC 6-1.1-18.5-9.8; and  
~~(55)~~ (56) any statute enacted after December 31, 2003,  
that:

(A) establishes a maximum rate for any part of the:

- (i) property taxes; or
- (ii) special benefits taxes;

imposed by a political subdivision; and

(B) does not exempt the maximum rate from the adjustment under this section.

(e) For property tax rates imposed for property taxes first due and payable after December 31, 2013, the new maximum rate under a statute listed in subsection (d) is the tax rate determined under STEP EIGHT of the following STEPS:

STEP ONE: Except as provided in subsection (g), determine the maximum rate for the political subdivision levying a property tax or special benefits tax under the statute for the previous calendar year.

STEP TWO: Determine the actual percentage change (rounded to the nearest one-hundredth percent (0.01%)) in the assessed value of the taxable property from the previous calendar year to the year in which the affected property taxes will be imposed.

STEP THREE: Determine the three (3) calendar years that immediately precede the year in which the affected property taxes will be imposed.

STEP FOUR: Compute separately, for each of the calendar years determined in STEP THREE, the actual percentage change (rounded to the nearest one-hundredth percent (0.01%)) in the assessed value (before the adjustment, if any, under IC 6-1.1-4-4.5) of the taxable property from the preceding year.

STEP FIVE: Divide the sum of the three (3) quotients computed in STEP FOUR by three (3).

STEP SIX: Determine the greater of the following:

- (A) Zero (0).
- (B) The STEP FIVE result.

STEP SEVEN: Determine the greater of the following:

- (A) Zero (0).
- (B) The result of the STEP TWO percentage minus the STEP SIX percentage, if any.

STEP EIGHT: Determine the quotient of the STEP ONE tax rate divided by the sum of one (1) plus the STEP SEVEN percentage, if any.

(f) The department of local government finance shall compute the maximum rate allowed under subsection (e) and provide the rate to each political subdivision with authority to levy a tax under a statute listed in subsection (d).

(g) This subsection applies only when calculating the maximum rate for taxes due and payable in calendar year 2013. The STEP ONE result is the greater of the following:

- (1) The actual maximum rate established for property taxes first due and payable in calendar year 2012.
- (2) The maximum rate that would have been established for

property taxes first due and payable in calendar year 2012 if the maximum rate had been established under the formula under this section, as amended in the 2012 session of the general assembly.

(h) This subsection applies only when calculating the maximum rate allowed under subsection (e) for the Vincennes Community School Corporation with respect to property taxes first due and payable in 2014. The subsection (e) STEP ONE result for the school corporation's capital projects fund is nineteen and forty-two hundredths cents (\$0.1942).

(i) This subsection does not apply when calculating the maximum rate for the Vincennes Community School Corporation. This subsection applies only when calculating the maximum rate for a school corporation's capital projects fund for taxes due and payable in calendar year 2016. The subsection (e) STEP ONE result for purposes of the calculation of that maximum rate is the greater of the following:

(1) The actual maximum rate established for the school corporation's capital projects fund for property taxes first due and payable in calendar year 2015.

(2) The maximum rate that would have been established for the school corporation's capital projects fund for property taxes first due and payable in calendar year 2015 if the formula specified in subsection (e) had been in effect for the determination of maximum rates for each calendar year after 2006.

**SECTION 30. IC 6-1.1-18.5-10.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]: Sec. 10.7. (a) The ad valorem property tax levy limits imposed by section 3 of this chapter do not apply to ad valorem property taxes imposed by a county, city, or town under IC 36-9-43-9. However, the maximum amount that is exempt from the levy limits under this section may not exceed the property taxes that would be raised in the ensuing calendar year with a property tax rate of ten cents (\$0.10) on each one hundred dollars (\$100) on all taxable property within the county, city, or town.**

**(b) For purposes of computing the ad valorem property tax levy limit imposed on a county, city, or town under section 3 of this chapter, the county's, city's, or town's ad valorem property tax levy for a particular calendar year does not include that part of the levy imposed under IC 36-9-43-9 that is exempt from the ad valorem property tax levy limits under subsection (a)."**

Delete pages 2 through 7.

Page 8, delete lines 1 through 3.

Page 9, delete lines 16 through 42.

Delete pages 10 through 16.

Page 17, delete lines 1 through 11, begin a new paragraph and insert:

"SECTION 32. IC 8-16-3.1-4, AS AMENDED BY P.L.182-2009(ss), SECTION 265, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. (a) The executive of any eligible county may provide a major bridge fund in compliance with IC 6-1.1-41 to make available funding for the following purposes:

- (1) The construction of major bridges.
- (2) In Allen County, the construction, maintenance, and repair of bridges, approaches, and grade separations with respect to structures other than major bridges.
- (3) For an eligible county that is a member of a commuter transportation district established under IC 8-5-15, making grants to a commuter transportation system (as defined in IC 8-5-15-1).**

(b) The executive of any eligible county may levy a tax in compliance with IC 6-1.1-41 not to exceed three and thirty-three hundredths cents (\$.0333) on each one hundred dollars (\$100) assessed valuation of all taxable personal and real property within the county to provide for the major bridge fund.

(c) The general assembly finds the following:

- (1) Allen County eliminated its levy for a cumulative bridge fund to use its levy authority to fund a juvenile center.
- (2) Allen County has more bridges than any other county in Indiana, outside of Marion County: Marion County has five hundred twenty-two (522), Allen County has three hundred fifty-one (351), and Hamilton County has two hundred seventy-seven (277).
- (3) Allen County has the largest land area of any county in Indiana.
- (4) Allen County is the third largest populated county in Indiana.
- (5) Allen County has a heavy manufacturing and industrial base, increasing traffic and wear and tear on streets, roads, and bridges.
- (6) Allen County has large temperature fluctuations, leading to increased maintenance costs.
- (7) Allen County has three (3) major rivers that come together in the heart of Fort Wayne, which means more bridges are needed in the area due to the infrastructure that accommodates Fort Wayne, the second largest city in Indiana.
- (8) Allen County dissolved its cumulative bridge fund in 2002 to provide room in the levy for judicial mandates to build two (2) detention facilities, as the former jail was overcrowded due to the large population.
- (9) Allen County has a major bridge fund that is provided to maintain major bridges, but can be used to fund smaller bridges and will not harm the ability of Allen County to pay for obligations caused by judicial mandates.
- (10) Expansion of the purposes for Allen County's major bridge fund may be used in Allen County to meet the critical needs in Allen County for the maintenance of bridges other than major bridges in the unincorporated areas of the county.

(d) Because of the findings set forth in subsection (c), except as provided in subsection (e), beginning after June 30, 2009, in Allen County the county executive is responsible for providing funds for the following:

- (1) All bridges in unincorporated areas of the county.
- (2) All bridges in each municipality in the county that has entered into an interlocal agreement under IC 36-1-7 with the county to provide bridge funds.

(e) Subsection (d) does not apply to providing funds for

bridges on the state highway system."

Page 18, delete lines 34 through 36, begin a new line block indented and insert:

**"(17) Upon request, evaluate, negotiate, and enter into: (A) a supplemental funding agreement with a regional development authority under IC 36-9-43; or (B) an interlocal agreement with a regional development authority for purposes of IC 36-9-43."**

Page 19, line 13, delete "port" and insert "**regional development**".

Page 19, line 13, delete "highway" and insert "**regional transportation infrastructure**".

Page 19, line 14, delete "IC 8-10-5-8.3," and insert "**IC 36-9-43,**".

Page 19, line 15, delete "port authority and shall provide assistance to the port" and insert "**regional development authority.**".

Page 19, delete line 16.

Page 19, line 33, delete "shall" and insert "**may**".

Page 19, line 37, after "counties" insert "**participating in the regional development authority**".

Page 20, delete lines 27 through 39, begin a new paragraph and insert:

"SECTION 36. IC 36-1-8-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7.5. (a) The fiscal body of a county or municipality participating in a regional development authority may, by ordinance, transfer a prescribed amount, for a prescribed period, to a regional development authority to carry out the purposes of IC 36-9-43, including providing local funds to be used as part of a supplemental funding agreement under IC 36-9-43.**

**(b) The amounts transferred by a county or municipality under subsection (a) may be from:**

- (1) the general fund or rainy day fund of the county or municipality; or**
- (2) any other fund of the county or municipality that is not otherwise restricted by law for specified uses.**

SECTION 37. IC 36-7.5-2-1, AS AMENDED BY P.L.204-2016, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1.** The northwest Indiana regional development authority is established as a separate body corporate and politic to carry out the purposes of this article by:

- (1) acquiring, constructing, equipping, owning, leasing, and financing projects and facilities for lease to or for the benefit of eligible political subdivisions under this article in accordance with IC 36-7.5-3-1.5;
- (2) funding and developing the Gary/Chicago International Airport expansion and other airport authority projects, commuter transportation district and other rail projects and services, regional bus authority projects and services, regional transportation authority projects and services, Lake Michigan marina and shoreline development projects and activities, and economic development projects in northwestern Indiana;

(3) assisting with the funding of infrastructure needed to sustain development of an intermodal facility in northwestern Indiana;

**(4) funding and developing regional transportation infrastructure projects under IC 36-9-43; and**

~~(4)~~ **(5) studying and evaluating destination based economic development projects that have:**

(A) an identified market;

(B) identified funding sources and these funding sources include at least fifty percent (50%) from nongovernmental sources; and

(C) a demonstrable short and long term local and regional economic impact, as verified by an independent economic analysis.

An economic analysis conducted under clause (C) must be submitted to the budget committee at least thirty (30) days before review is sought for the project under IC 36-7.5-3-1.5.

SECTION 38. IC 36-7.5-3-2, AS AMENDED BY P.L.204-2016, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The development authority may do any of the following:

(1) Finance, improve, construct, reconstruct, renovate, purchase, lease, acquire, and equip land and projects located in an eligible county or eligible municipality.

(2) Lease land or a project to an eligible political subdivision.

(3) Finance and construct additional improvements to projects or other capital improvements owned by the development authority and lease them to or for the benefit of an eligible political subdivision.

(4) Acquire land or all or a portion of one (1) or more projects from an eligible political subdivision by purchase or lease and lease the land or projects back to the eligible political subdivision, with any additional improvements that may be made to the land or projects.

(5) Acquire all or a portion of one (1) or more projects from an eligible political subdivision by purchase or lease to fund or refund indebtedness incurred on account of the projects to enable the eligible political subdivision to make a savings in debt service obligations or lease rental obligations or to obtain relief from covenants that the eligible political subdivision considers to be unduly burdensome.

(6) Make loans, loan guarantees, and grants or provide other financial assistance to or on behalf of the following:

(A) A commuter transportation district.

(B) An airport authority or airport development authority.

(C) The Lake Michigan marina and shoreline development commission.

(D) A regional bus authority. A loan, loan guarantee, grant, or other financial assistance under this clause may be used by a regional bus authority for acquiring, improving, operating, maintaining, financing, and supporting the following:

(i) Bus services (including fixed route services and

flexible or demand-responsive services) that are a component of a public transportation system.

(ii) Bus terminals, stations, or facilities or other regional bus authority projects.

(E) A regional transportation authority.

(F) A member municipality that is eligible to make an appointment to the development board under IC 36-7.5-2-3(b)(2) and that has pledged admissions tax revenue for a bond anticipation note after March 31, 2014, and before June 30, 2015. However, a loan made to such a member municipality before June 30, 2016, under this clause must have a term of not more than ten (10) years, must require annual level debt service payments, and must have a market based interest rate. If a member municipality defaults on the repayment of a loan made under this clause, the development authority shall notify the treasurer of state of the default and the treasurer of state shall:

(i) withhold from any funds held for distribution to the municipality under IC 4-33-12, or IC 4-33-13 an amount sufficient to cure the default; and

(ii) pay that amount to the development authority.

(7) Provide funding to assist a railroad that is providing commuter transportation services in an eligible county or eligible municipality.

(8) Provide funding to assist an airport authority located in an eligible county or eligible municipality in the construction, reconstruction, renovation, purchase, lease, acquisition, and equipping of an airport facility or airport project.

(9) Provide funding to assist in the development of an intermodal facility to facilitate the interchange and movement of freight.

(10) Provide funding to assist the Lake Michigan marina and shoreline development commission in carrying out the purposes of IC 36-7-13.5.

(11) Provide funding for economic development projects in an eligible county or eligible municipality.

(12) Hold, use, lease, rent, purchase, acquire, and dispose of by purchase, exchange, gift, bequest, grant, condemnation, lease, or sublease, on the terms and conditions determined by the development authority, any real or personal property located in an eligible county or eligible municipality.

(13) After giving notice, enter upon any lots or lands for the purpose of surveying or examining them to determine the location of a project.

(14) Make or enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this article.

(15) Sue, be sued, plead, and be impleaded.

(16) Design, order, contract for, and construct, reconstruct, and renovate a project or improvements to a project.

(17) Appoint an executive director and employ appraisers, real estate experts, engineers, architects, surveyors, attorneys, accountants, auditors, clerks, construction managers, and any consultants or employees that are

necessary or desired by the development authority in exercising its powers or carrying out its duties under this article.

(18) Accept loans, grants, and other forms of financial assistance from the federal government, the state government, a political subdivision, or any other public or private source.

(19) Use the development authority's funds to match federal grants or make loans, loan guarantees, or grants to carry out the development authority's powers and duties under this article.

**(20) Provide funding for regional transportation infrastructure projects under IC 36-9-43.**

**(21) Apply for, accept, and expend funds from a federal grant award under 23 U.S.C. 117 for nationally significant freight and highway projects (commonly known as "FASTLANE" grants) or any other federal grant award that is authorized to be made directly to the development authority under any other federal grant program with a transportation infrastructure project component.**

~~(20)~~ **(22)** Except as prohibited by law, take any action necessary to carry out this article.

(b) If the development authority is unable to agree with the owners, lessees, or occupants of any real property selected for the purposes of this article, the development authority may proceed under IC 32-24-1 to procure the condemnation of the property. The development authority may not institute a proceeding until it has adopted a resolution that:

- (1) describes the real property sought to be acquired and the purpose for which the real property is to be used;
- (2) declares that the public interest and necessity require the acquisition by the development authority of the property involved; and
- (3) sets out any other facts that the development authority considers necessary or pertinent.

The resolution is conclusive evidence of the public necessity of the proposed acquisition.

SECTION 39. IC 36-7.6-2-2, AS AMENDED BY P.L.178-2015, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. A development authority established under this chapter is a separate body corporate and politic that shall carry out the purposes of this article by:

- (1) acquiring, constructing, equipping, owning, leasing, and financing projects and facilities for lease to or for the benefit of eligible political subdivisions under this article; and
- (2) funding and developing:
  - (A) airport authority projects;
  - (B) commuter transportation district and other rail projects and services;
  - (C) regional transportation authority projects and services;
  - (D) economic development projects;
  - (E) intermodal transportation projects;
  - (F) regional trail or greenway projects; ~~and~~

**(G) regional transportation infrastructure projects under IC 36-9-43; and**

~~(H)~~ **(H)** any project that enhances the region with the goal of attracting people or business; that are of regional importance.

SECTION 40. IC 36-7.6-3-2, AS ADDED BY P.L.232-2007, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) A development authority may do any of the following:

- (1) Finance, improve, construct, reconstruct, renovate, purchase, lease, acquire, and equip land and projects that are of regional importance.
- (2) Lease land or a project to an eligible political subdivision.
- (3) Finance and construct additional improvements to projects or other capital improvements owned by the development authority and lease them to or for the benefit of an eligible political subdivision.
- (4) Construct or reconstruct highways, roads, and bridges.
- (5) Acquire land or all or a part of one (1) or more projects from an eligible political subdivision by purchase or lease and lease the land or projects back to the eligible political subdivision, with any additional improvements that may be made to the land or projects.
- (6) Acquire all or a part of one (1) or more projects from an eligible political subdivision by purchase or lease to fund or refund indebtedness incurred on account of the projects to enable the eligible political subdivision to make a savings in debt service obligations or lease rental obligations or to obtain relief from covenants that the eligible political subdivision considers to be unduly burdensome.
- (7) Make loans, loan guarantees, and grants or provide other financial assistance to or on behalf of the following:
  - (A) A commuter transportation district.
  - (B) An airport authority.
  - (C) A regional transportation authority. A loan, a loan guarantee, a grant, or other financial assistance under this clause may be used by a regional transportation authority for acquiring, improving, operating, maintaining, financing, and supporting the following:
    - (i) Bus services (including fixed route services and flexible or demand-responsive services) that are a component of a public transportation system.
    - (ii) Bus terminals, stations, or facilities or other regional bus authority projects.
  - (D) A county.
  - (E) A municipality.
- (8) Provide funding to assist a railroad that is providing commuter transportation services in a county containing territory included in the development authority.
- (9) Provide funding to assist an airport authority located in a county containing territory included in the development authority in the construction, reconstruction, renovation, purchase, lease, acquisition, and equipping of an airport facility or airport project.

(10) Provide funding for intermodal transportation projects and facilities.

(11) Provide funding for regional trails and greenways.

(12) Provide funding for economic development projects.

**(13) Provide funding for regional transportation infrastructure projects under IC 36-9-43.**

~~(13)~~ **(14)** Hold, use, lease, rent, purchase, acquire, and dispose of by purchase, exchange, gift, bequest, grant, condemnation, lease, or sublease, on the terms and conditions determined by the development authority, any real or personal property.

~~(14)~~ **(15)** After giving notice, enter upon any lots or lands for the purpose of surveying or examining them to determine the location of a project.

~~(15)~~ **(16)** Make or enter into all contracts and agreements necessary or incidental to the performance of the development authority's duties and the execution of the development authority's powers under this article.

~~(16)~~ **(17)** Sue, be sued, plead, and be impleaded.

~~(17)~~ **(18)** Design, order, contract for, construct, reconstruct, and renovate a project or improvements to a project.

~~(18)~~ **(19)** Appoint an executive director and employ appraisers, real estate experts, engineers, architects, surveyors, attorneys, accountants, auditors, clerks, construction managers, and any consultants or employees that are necessary or desired by the development authority in exercising its powers or carrying out its duties under this article.

~~(19)~~ **(20)** Accept loans, grants, and other forms of financial assistance from the federal government, the state government, a political subdivision, or any other public or private source.

~~(20)~~ **(21)** Use the development authority's funds to match federal grants or make loans, loan guarantees, or grants to carry out the development authority's powers and duties under this article.

**(22) Apply for, accept, and expend funds from a federal grant award under 23 U.S.C. 117 for nationally significant freight and highway projects (commonly known as "FASTLANE" grants) or any other federal grant award that is authorized to be made directly to the development authority under any other federal grant program with a transportation infrastructure project component.**

~~(21)~~ **(23)** Except as prohibited by law, take any action necessary to carry out this article.

(b) Projects funded by a development authority must be of regional importance.

(c) If a development authority is unable to agree with the owners, lessees, or occupants of any real property selected for the purposes of this article, the development authority may proceed under IC 32-24-1 to procure the condemnation of the property. The development authority may not institute a proceeding until it has adopted a resolution that:

(1) describes the real property sought to be acquired and the purpose for which the real property is to be used;

(2) declares that the public interest and necessity require

the acquisition by the development authority of the property involved; and

(3) sets out any other facts that the development authority considers necessary or pertinent.

The resolution is conclusive evidence of the public necessity of the proposed acquisition."

Page 20, after line 42, begin a new paragraph and insert:

**"Chapter 43. Regional Funding of Transportation Infrastructure Projects**

**Sec. 1. As used in this chapter, "development board" means the following:**

**(1) In the case of a regional development authority established under IC 36-7.5, the governing body of the regional development authority appointed under IC 36-7.5-2-3.**

**(2) In the case of a regional development authority established under IC 36-7.6, the governing body of the regional development authority appointed under IC 36-7.6-2-3.**

**Sec. 2. As used in this chapter, "regional development authority" includes both:**

**(1) the northwest Indiana regional development authority established by IC 36-7.5-2-1; and**

**(2) a regional development authority established under IC 36-7.6-2-3.**

**Sec. 3. As used in this chapter, "regional transportation infrastructure project" means a project for the construction, reconstruction, rehabilitation, extension, or completion of:**

**(1) highways (including a state highway or bypass or an interstate highway or bypass), roads, streets, bridges, overpasses, interchanges, ramps, or access roads or service roads;**

**(2) rail lines, rail spurs, and sidings;**

**(3) airports, including runways, hangars, and other airport facilities; and**

**(4) a project that can be financed with the proceeds of bonds issued by a commuter transportation district under IC 8-5-15;**

**within a county or municipality participating in a regional development authority.**

**Sec. 4. As used in this chapter, "supplemental funding agreement" refers to a supplemental funding agreement entered into under section 8 of this chapter between:**

**(1) a regional development authority; and**

**(2) the Indiana department of transportation or a political subdivision.**

**Sec. 5. The powers granted to a regional development authority under this chapter are in addition to any powers granted to the regional development authority under IC 36-7.5 or IC 36-7.6.**

**Sec. 6. (a) A regional development authority may do the following:**

**(1) Apply for and accept federal funds from any of the following:**

**(A) A federal grant award under 23 U.S.C. 117 for nationally significant freight and highway projects (commonly known as "FASTLANE" grants).**

(B) A federal grant award that is authorized to be made directly to the authority under any other federal grant program with a transportation infrastructure component.

(2) Negotiate the terms of and enter into a supplemental funding agreement with the Indiana department of transportation or a political subdivision. Negotiation under this subsection may include the execution of a preliminary memorandum of understanding.

(3) Issue bonds or enter into leases as provided in IC 36-7.5 or IC 36-7.6 (as appropriate) for the purposes set forth in this chapter.

(b) A regional development authority may do all acts or things necessary or proper to carry out this chapter.

Sec. 7. (a) In coordination with the Indiana department of transportation, a regional development authority may do the following within any county or municipality participating in the regional development authority:

(1) Finance, construct, reconstruct, operate, and maintain regional transportation infrastructure projects or provide funding for such regional transportation infrastructure projects.

(2) Acquire land, easements, and rights-of-way for the purposes described in subdivision (1).

(b) To the extent required by federal law, a regional development authority that undertakes a highway project under this section shall comply with the laws, rules, and regulations applicable for the expenditure of federal money received from:

(1) the Highway Trust Fund (23 U.S.C.); or

(2) any other federal fund or program;

for projects within Indiana and within the boundaries of the regional development authority.

(c) If the proposed location of a regional transportation infrastructure project funded with a federal grant described in section 6 of this chapter is within the boundaries of a metropolitan planning commission, the regional development authority must first consult with the metropolitan planning commission before applying for the federal grant.

Sec. 8. (a) The development board of a regional development authority may negotiate and enter into a supplemental funding agreement with the Indiana department of transportation or a political subdivision to contribute local matching funds to the Indiana department of transportation or the political subdivision to be used by the Indiana department of transportation or the political subdivision to pay a part or all of the nonfederal share of the costs necessary to carry out a regional transportation infrastructure project, including the construction or reconstruction of a state highway or bypass or an interstate highway in a manner that will increase an existing state highway's traffic capacity within the boundaries of the counties participating in the regional development authority.

(b) A supplemental funding agreement must contain at least the following provisions:

(1) The Indiana department of transportation or the political subdivision must commit to using money it receives under a supplemental funding agreement only

for projects located within a county or municipality participating in the regional development authority.

(2) The source of the money committed and pledged by a regional developmental authority for local funding under a supplemental funding agreement shall be from funds provided to the regional development under section 9 of this chapter, IC 36-9-43.5, IC 36-9-43.7, or from other funds provided to the regional development authority for purposes of this chapter.

(3) The supplemental funding agreement must be signed by all members of the regional development authority and the Indiana department of transportation.

(4) The regional development authority must agree to be responsible to pay all cost increases or change orders associated with the project or projects using eligible local funding sources.

(5) The Indiana department of transportation shall treat and prosecute all projects in the same manner as other federal-aid projects or local federal-aid projects, and shall let projects in accordance with its usual procedures.

(6) For projects involving federal-aid funds, land acquisition activities, if any, must be completed in accordance with all applicable federal laws and regulations. The Indiana department of transportation is responsible for acquiring any real property needed for regional transportation infrastructure projects on state highways.

Sec. 9. (a) A development board may, by resolution, recommend to a county or municipality that is participating in a regional development authority that a cumulative regional transportation infrastructure project fund be established under IC 6-1.1-41 to provide funds for the purposes of providing funds for a supplemental funding agreement or funding transportation infrastructure projects as provided in this chapter.

(b) If a development board makes a recommendation to a county or municipality that is participating in a regional development authority that a cumulative regional transportation infrastructure project fund be established, the county or municipality may establish such a fund and may levy a tax in compliance with IC 6-1.1-41 not to exceed ten cents (\$0.10) on each one hundred dollars (\$100) on all taxable property within the county, city, or town.

(c) The revenue from a tax collected under subsection (b) shall be transferred to the regional development authority for use in providing funding under a supplemental funding agreement or funding transportation infrastructure projects as provided in this chapter."

Delete pages 21 through 24.

Page 25, delete lines 1 through 17.

Page 25, line 22, delete "Highway" and insert "Transport Infrastructure".

Page 25, line 23, after "applies" insert "in a county".

Page 25, delete lines 24 through 29, begin a new line block indented and insert:

"(1) The county is a participant in a regional development authority.

**(2) Either:**

**(A) the regional development authority has entered or will enter into a supplemental funding agreement under IC 36-9-43; or**

**(B) the regional development authority has issued or will issue bonds for the purpose of carrying out regional transportation infrastructure projects under IC 36-9-43 for which one (1) or more counties or municipalities have agreed to provide funds for purposes of IC 36-9-43."**

Page 25, line 34, delete "supplemental highway fund established under IC 36-9-43-14" and insert "**development authority**".

Page 25, line 37, delete "a" and insert "**the**".

Page 25, line 37, delete "supplemental highway funding authority" and insert "**development authority**".

Page 25, delete line 38.

Page 26, line 32, delete "The specified end date under this subdivision must".

Page 26, delete lines 33 through 40.

Page 27, line 25, delete "supplemental highway fund" and insert "**development authority in which the county is participating, to be used by the regional development authority for purposes of carrying transportation infrastructure projects under IC 36-9-43**".

Page 27, delete lines 26 through 28.

Page 27, line 32, delete "Highway" and insert "**Transportation Infrastructure**".

Page 27, line 34, after "applies" insert "**in a county**".

Page 27, delete lines 35 through 40, begin a new line block indented and insert:

**"(1) The county is a participant in a regional development authority.**

**(2) Either:**

**(A) the regional development authority has entered or will enter into a supplemental funding agreement under IC 36-9-43; or**

**(B) the regional development authority has issued or will issue bonds for the purpose of carrying out regional transportation infrastructure projects under IC 36-9-43 for which one (1) or more counties or municipalities have agreed to provide funds for purposes of IC 36-9-43."**

Page 28, line 11, delete "years for which the" and insert "**years**".

Page 28, delete line 12.

Page 28, line 13, delete "outstanding)".

Page 28, line 19, after "provide" insert "**funding to the regional redevelopment authority for the purpose of carrying out transportation infrastructure projects?**".

Page 28, delete lines 20 through 24.

Page 28, line 25, delete "The voters in a referendum under this chapter may".

Page 28, delete lines 26 through 27.

Page 28, line 28, delete "outstanding".

Page 30, line 3, after "years" insert "**specified in the referendum**".

Page 30, delete lines 4 through 6.

Page 30, line 27, delete "supplemental highway fund established" and insert "**redevelopment authority for the purpose of carrying out transportation infrastructure projects under IC 36-9-43 in the county**".

Page 30, delete lines 28 through 30.

Renumber all SECTIONS consecutively.

(Reference is to SB 128 as printed January 18, 2017.) and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

KENLEY, Chair

Report adopted.

## COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 189, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 1.

M. YOUNG, Chair

Report adopted.

## COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 198, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 20-19-2-19, AS AMENDED BY P.L.7-2011, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 19. (a) The ~~state board~~ **department of workforce development** shall receive, distribute, and account for all funds received for career and technical education under the Carl D. Perkins ~~Vocational and Applied Technology~~ **Career and Technical Education Improvement Act** (20 U.S.C. 2301 et seq.).

(b) The ~~state board~~ **department of workforce development** may not expend or distribute funds received under subsection (a) unless those funds have been allocated by the general assembly.

SECTION 2. IC 20-20-38-4, AS AMENDED BY P.L.141-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. (a) The state board shall develop and implement a long range state plan for a comprehensive secondary level career and technical education program in Indiana.

(b) The plan developed under this section must be updated as changes occur. The state board shall make the plan and any revisions made to the plan available to:

- (1) the governor;
- (2) the general assembly;
- (3) the department of workforce development;
- (4) the commission for higher education;
- (5) the council;
- (6) the state workforce innovation council;

- (7) the board for proprietary education; and
- (8) any other appropriate state or federal agency.

A plan or revised plan submitted under this section to the general assembly must be in an electronic format under IC 5-14-6.

(c) The plan developed under this section must set forth specific goals for secondary level public career and technical education and must include the following:

- (1) The preparation of each graduate for both employment and further education.
- (2) Accessibility of career and technical education to individuals of all ages who desire to explore and learn for economic and personal growth.
- (3) Projected employment opportunities in various career and technical education fields.
- (4) A study of the supply of and the demand for a labor force skilled in particular career and technical education areas.
- (5) A study of technological and economic change affecting Indiana.
- (6) An analysis of the private career and education sector in Indiana.
- (7) Recommendations for improvement in the state career and technical education program.
- (8) The educational levels expected of career and technical education programs proposed to meet the projected employment needs.

(d) When making any revisions to the plan, the state board shall consider the workforce needs and training and education needs identified in the occupational demand report prepared by the department of workforce development under IC 22-4.1-4-10.

**(e) The state board shall use data from the department of workforce development to develop and implement a plan or make revisions to a plan under this section.**

SECTION 3. IC 20-20-38-5, AS AMENDED BY P.L.69-2015, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. **(a)** The state board shall do the following:

- (1) Prepare biennially a plan for implementing career and technical education.
- (2) Implement, to the best of its ability, the career and technical education plan prepared under subdivision (1).
- (3) Investigate the funding of career and technical education on a cost basis.
- (4) Establish and monitor the operation of secondary level career and technical education in Indiana in accordance with the comprehensive long range state plan developed under section 4 of this chapter.
- (5) In consultation with the Indiana professional licensing agency, adopt rules concerning secondary level career and technical education programs, courses, and classes in the areas of cosmetology, electrology, esthetics, barbering, and manicuring.
- (6) To comply with this section and any federal law or regulation:
  - (A) adopt rules under IC 4-22-2; and
  - (B) develop policies and administrative procedures.

**(b) The state board shall use data from the department of workforce development to carry out the state board's duties**

**under this section.**

SECTION 4. IC 20-20-38-6, AS AMENDED BY P.L.107-2012, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. **(a)** The state board shall do the following:

- (1) Make recommendations to the general assembly concerning the development, duplication, and accessibility of employment training and career and technical education on a regional and statewide basis.
- (2) Consult with any state agency, commission, or organization that supervises or administers programs of career and technical education concerning the coordination of career and technical education, including the following:
  - (A) The Indiana economic development corporation.
  - (B) The council.
  - (C) A private industry council (as defined in 29 U.S.C. 1501 et seq.).
  - (D) The department of labor.
  - (E) The commission for higher education.
  - (F) The department of workforce development.
  - (G) The state workforce innovation council.
  - (H) The board for proprietary education.

(3) Review and make recommendations concerning plans submitted by the commission for higher education and the council. The state board may request the resubmission of plans or parts of plans that:

- (A) are not consistent with the long range state plan of the state board;
- (B) are incompatible with other plans within the system; or
- (C) duplicate existing services.

(4) Report to the general assembly on the state board's conclusions and recommendations concerning interagency cooperation, coordination, and articulation of career and technical education and employment training. A report under this subdivision must be in an electronic format under IC 5-14-6.

(5) Study and develop a plan concerning the transition between secondary level career and technical education and postsecondary level career and technical education.

(6) Enter into agreements with the federal government that may be required as a condition of receiving federal funds under the Carl D. Perkins Vocational and Applied Technology Act (20 U.S.C. 2301 et seq.). An agreement entered into under this subdivision is subject to the approval of the budget agency.

**(b) The state board shall use data from the department of workforce development in carrying out the state board's duties under this section.**

SECTION 5. IC 20-20-38-7, AS ADDED BY P.L.7-2011, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. **(a)** The state board may do the following:

- (1) Make recommendations, including recommendations for policies to encourage involvement of minority groups in the career and technical education system in Indiana, to:
  - (A) the governor;

(B) the general assembly, in an electronic format under IC 5-14-6; and

(C) the various agencies, commissions, or organizations that administer career and technical education programs concerning all facets of career and technical education programming.

(2) Establish a regional planning and coordination system for career and technical education and employment training that will, either in whole or in part, serve career and technical education and employment training in Indiana.

(3) Appoint advisory committees whenever necessary.

(4) Contract for services necessary to carry out this chapter.

(5) Provide information and advice on career and technical education to a business, an industry, or a labor organization operating a job training program in the private sector.

**(b) The state board shall use data from the department of workforce development in making recommendations, establishing a regional planning and coordination system, or providing information and advice under subsection (a).**

SECTION 6. IC 20-20-38-8, AS ADDED BY P.L.7-2011, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 8. (a) The state board shall adopt statewide systems or policies concerning the following as the systems or policies relate to the implementation of career and technical education programs:

(1) Student records.

(2) Data processing at the secondary level.

(3) An evaluation system that must be conducted by the state board at least annually and that evaluates the following as each relates to the career and technical education programs and courses offered at the secondary level:

(A) Graduation rates.

(B) Student placement rates.

(C) Retention rates.

(D) Enrollment.

(E) Student transfer rates to postsecondary educational institutions.

(F) When applicable, student performance on state licensing examinations or other external certification examinations.

(G) Cost data study.

(4) A system of financial audits to be conducted at least biennially at the secondary level.

**(b) The state board shall use data from the department of workforce development in adopting statewide systems or policies under subsection (a).**

SECTION 7. IC 20-20-38-9, AS ADDED BY P.L.7-2011, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. (a) The state board shall establish career and technical education evaluation criteria.

(b) Using the criteria established under subsection (a), the state board shall evaluate the effectiveness of career and technical education relative to the goals of the long range plan developed under section 4 of this chapter.

**(c) The state board shall use data from the department of workforce development in establishing career and technical education evaluation criteria under subsection (a).**

SECTION 8. IC 20-20-38-10, AS ADDED BY P.L.7-2011, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. (a) The state board shall develop a definition for and report biennially to:

(1) the general assembly; and

(2) the governor;

on attrition and persistence rates by students enrolled in secondary career and technical education. A biennial report under this section to the general assembly must be in an electronic format under IC 5-14-6.

**(b) The state board shall use data from the department of workforce development in developing a definition and a report under subsection (a).**

SECTION 9. IC 20-20-38-11, AS ADDED BY P.L.7-2011, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. (a) Upon request of the budget director, the state board shall prepare a legislative budget request for state and federal funds for secondary and postsecondary career and technical education. The budget director shall determine the period to be covered by the budget request. This budget request must be made available to the council before the request's review by the budget committee.

**(b) The state board shall use data from the department of workforce development to prepare a legislative budget request under this section.**

SECTION 10. IC 20-20-38-12, AS ADDED BY P.L.7-2011, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. (a) The state board shall review the legislative budget requests for secondary and postsecondary career and technical education prepared by the state educational institutions.

(b) After the review under subsection (a) and a review of any recommendations from the council, the state board shall make recommendations to the budget committee concerning the appropriation of state funds and the allocation of federal funds for secondary and postsecondary career and technical education, including federal funds available under the Carl D. Perkins Vocational and Applied Technology Act (20 U.S.C. 2301 et seq.). The state board's recommendations concerning appropriations and allocations for secondary and postsecondary career and technical education by secondary schools and state educational institutions must specify:

(1) the minimum funding levels required by 20 U.S.C. 2301 et seq.;

(2) the categories of expenditures and the distribution plan or formula for secondary schools; and

(3) the categories of expenditures for each state educational institution.

(c) After reviewing the state board's recommendations and each agency's budget request, the budget committee shall make recommendations to the general assembly for funding to implement secondary and postsecondary career and technical education. The general assembly shall biennially appropriate state funds for secondary and postsecondary career and technical education and allocate federal funds available under 20 U.S.C. 2301 et seq. for secondary and postsecondary career and technical education. At least sixty percent (60%) of the federal funds available under 20 U.S.C. 2301 et seq. must be allocated

to secondary level career and technical education to implement the long range state plan developed under section 4 of this chapter.

(d) The budget agency, with the advice of the state board and the budget committee, may augment or proportionately reduce an allocation of federal funds made under subsection (c).

**(e) The state board shall use data from the department of workforce development in making a recommendation under this section.**

SECTION 11. IC 20-24-7-13, AS AMENDED BY P.L.213-2015, SECTION 160, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. (a) As used in this section, "virtual charter school" means any charter school, including a conversion charter school, that provides for the delivery of more than fifty percent (50%) of instruction to students through:

- (1) virtual distance learning;
- (2) online technologies; or
- (3) computer based instruction.

(b) A virtual charter school may apply for authorization with any statewide authorizer in accordance with the authorizer's guidelines.

(c) For state fiscal years beginning after June 30, 2013, a virtual charter school is entitled to receive funding in a month from the state in an amount equal to the sum of:

- (1) the product of:
  - (A) the number of students included in the virtual charter school's current ADM; multiplied by
  - (B) the result of:
    - (i) ninety percent (90%) of the school's foundation amount determined under IC 20-43-5-4; divided by
    - (ii) twelve (12); plus
- (2) the total of any:
  - (A) special education grants under IC 20-43-7;
  - ~~(B) career and technical education grants under IC 20-43-8;~~
  - ~~(C) (B) honor grants under IC 20-43-10; and~~
  - ~~(D) (C) complexity grants under IC 20-43-13;~~

to which the virtual charter school is entitled for the month.

For state fiscal years beginning after June 30, 2013, a virtual charter school is entitled to receive special education grants under IC 20-43-7 calculated in the same manner as special education grants are calculated for other school corporations.

(d) The state board shall adopt rules under IC 4-22-2 to govern the operation of virtual charter schools.

(e) The department, with the approval of the state board, shall before December 1 of each year submit an annual report to the budget committee concerning the program under this section.

(f) Each school year, at least sixty percent (60%) of the students who are enrolled in virtual charter schools under this section for the first time must have been included in the state's fall count of ADM conducted in the previous school year.

SECTION 12. IC 20-26-5-37.3, AS ADDED BY P.L.141-2016, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 37.3. (a) Before November 1 of each year, the ~~department and the~~ department of workforce development shall prepare a report containing the following information for each high school and each school

corporation for the immediately preceding school year:

- (1) Career and technical education courses available to the students attending the high school.
- (2) The number of students enrolled in each course, by grade level.
- (3) The number of students successfully completing each course.
- (4) The number of students who:
  - (A) successfully completed a career and technical education course sequence; and
  - (B) obtained employment in the career or technical field for which the student successfully completed a course sequence.

~~(b) The report under subsection (a) must be submitted in the format agreed to by the department and the department of workforce development:~~

~~(c) (b) This section expires July 1, 2020.~~

SECTION 13. IC 20-30-5-14, AS ADDED BY P.L.246-2005, SECTION 171, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 14. **(a) As used in this section, "Indiana career explorer program and curriculum" refers to the Internet based system, approved by the department of workforce development, and the curriculum established by the department of workforce development, that provides students with career and college planning resources.**

~~(a) (b) To:~~

- (1) educate students on the importance of their future career choices;
- (2) prepare students for the realities inherent in the work environment; and
- (3) instill in students work values that will enable them to succeed in their respective careers;

each school within a school corporation shall include in the school's curriculum for all students in grades 1 through 12 instruction concerning employment matters and work values.

~~(b) (c) Each school shall:~~

- (1) integrate within the curriculum instruction that is; or
- (2) conduct activities or special events periodically that are;

designed to foster overall career awareness and career development as described in subsection ~~(a) (b)~~.

~~(c) (d) The department shall develop career awareness and career development models as described in subsection ~~(d) (e)~~ to assist schools in complying with this section.~~

~~(d) (e) The models described in this subsection must be developed in accordance with the following:~~

- (1) For grades 1 through 5, career awareness models to introduce students to work values and basic employment concepts.
- (2) For grades 6 through 8, initial career information models that focus on career choices as they relate to student interest and skills.
- (3) For grades 9 through 10, career exploration models that offer students insight into future employment options.
- (4) For grades 11 through 12, career preparation models that provide job or further education counseling, including the following:

(A) Initial job counseling, including the use of job service officers to provide school based assessment, information, and guidance on employment options and the rights of students as employees.

(B) Workplace orientation visits.

(C) On-the-job experience exercises.

(f) The department, with assistance from the department of labor and the department of workforce development, shall:

(1) develop and make available teacher guides; and

(2) conduct seminars or other teacher education activities; to assist teachers in providing the instruction described in this section.

(g) The department shall, with assistance from the department of workforce development, design and implement innovative career preparation demonstration projects for students in at least grade 9.

**(h) Beginning July 1, 2017, and ending July 1, 2018, the department shall implement a pilot program for instruction in and the use of the Indiana career explorer program and curriculum by all students in grade 8 attending schools in fifteen (15) school corporations selected by the department. The department shall select the following to participate in the pilot program:**

**(1) Five (5) urban school corporations.**

**(2) Five (5) rural school corporations.**

**(3) Five (5) suburban school corporations.**

**This subsection expires December 31, 2018.**

**(i) Beginning July 1, 2018, each school within a school corporation and charter school shall include in the school's curriculum for all students in grade 8 the instruction in and the use of the Indiana career explorer program and curriculum.**

SECTION 14. IC 20-43-1-30 IS REPEALED [EFFECTIVE JULY 1, 2017]. Sec. 30: "Career and technical education grant" refers to the amount determined under IC 20-43-8-9 as adjusted under IC 20-43-8-10.

SECTION 15. IC 20-43-4-4.6 IS REPEALED [EFFECTIVE JULY 1, 2017]. Sec. 4.6: IC 20-43-8-1 applies to a count of students for career and technical education grants.

SECTION 16. IC 20-43-8 IS REPEALED [EFFECTIVE JULY 1, 2017]. (Career and Technical Education Grants).

SECTION 17. IC 20-51-4-5, AS AMENDED BY P.L.106-2016, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. The state tuition support amount to be used in section 4(a)(1)(B) of this chapter for an eligible choice scholarship student is the amount determined under the last STEP of the following formula:

STEP ONE: Determine the school corporation in which the eligible choice scholarship student has legal settlement.

STEP TWO: Determine the amount of state tuition support that the school corporation identified under STEP ONE is eligible to receive under IC 20-43 for the state fiscal year in which the current school year begins, excluding amounts provided for special education grants under IC 20-43-7. and career and technical education grants under IC 20-43-8.

STEP THREE: Determine the result of:

(A) the STEP TWO amount; divided by

(B) the current ADM (as defined in IC 20-43-1-10) for the school corporation identified under STEP ONE for the state fiscal year used in STEP TWO.

SECTION 18. IC 22-4.1-4-9, AS AMENDED BY P.L.141-2016, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. (a) Before December 1 of each year, the department shall ~~provide the department of education (established by IC 20-19-3-1) with~~ **prepare** a report, to be used to determine career and technical education grant amounts **under IC 22-4.1-18.5** in the state fiscal year beginning after the year in which the report is ~~provided;~~ **prepared**, listing whether the labor market demand for each generally recognized labor category is more than moderate, moderate, or less than moderate. In the report, the department shall categorize each of the career and technical education programs using the following four (4) categories:

(1) Programs that address employment demand for individuals in labor market categories that are projected to need more than a moderate number of individuals.

(2) Programs that address employment demand for individuals in labor market categories that are projected to need a moderate number of individuals.

(3) Programs that address employment demand for individuals in labor market categories that are projected to need less than a moderate number of individuals.

(4) All programs not covered by the employment demand categories of subdivisions (1) through (3).

(b) ~~Before December 1 of each year,~~ The department shall ~~provide the department of education with a report, to be used~~ **use the report** to determine grant amounts that will be distributed under ~~IC 20-43-8~~ **IC 22-4.1-18.5** in the state fiscal year beginning after the year in which the report is ~~provided;~~ **prepared**, listing whether the average wage level for each generally recognized labor category for which career and technical education programs are offered is a high wage, a moderate wage, or a less than moderate wage.

(c) In preparing the labor market demand report under subsection (a) and the average wage level report under subsection (b), the department shall do the following:

(1) If possible, list the labor market demand and the average wage level for specific regions, counties, and municipalities.

(2) Consider the information included in the occupational demand report prepared by the department under section 10 of this chapter.

(d) If a new career and technical education program is created by rule of the state board of education, the department shall determine the category in which the program should be included.

**(e) The department shall provide the report prepared under this section to the department of education.**

SECTION 19. IC 22-4.1-18.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

#### **Chapter 18.5. Career and Technical Education Grants**

**Sec. 1. As used in this chapter, "ADM" refers to average daily membership determined under IC 20-43-4.**

**Sec. 2.** As used in this chapter, "career and technical education organization" refers to a school corporation, public career and technical education center or school, or other government organization approved by the department to receive a grant under this chapter.

**Sec. 3.** "Enrolled" means to be:

- (1) registered with a career and technical education organization to attend educational programs offered by or through the career and technical education organization; and
- (2) attending these educational programs or receiving educational services.

**Sec. 4.** As used in this chapter, "fall count" refers to the first count of ADM in a school year under IC 20-43-4-3, as finally adjusted under IC 20-43-4-2.

**Sec. 5.** As used in this chapter, "full-time equivalency" refers to the amount determined under IC 20-43-4-6.

**Sec. 6.** As used in this chapter, "high value program" means a career and technical education program that the department recognizes as having a high employment demand and a high average wage level.

**Sec. 7.** As used in this chapter, "less than moderate value program" means a career and technical education program that the department recognizes as having a moderate or low employment demand and a moderate or low average wage level.

**Sec. 8.** As used in this chapter, "moderate value program" means a career and technical education program that the department recognizes as having a high or moderate employment demand and a high or moderate average wage level.

**Sec. 9.** "Spring count" refers to the second count of ADM in a school year under IC 20-43-4-3, as subsequently adjusted under IC 20-43-4-2.

**Sec. 10.** (a) The department shall designate each career and technical education program as:

- (1) an apprenticeship program;
- (2) a cooperative education program;
- (3) a work based learning program;
- (4) a high value program;
- (5) a moderate value program;
- (6) a less than moderate value program;
- (7) an introductory program; or
- (8) a foundational career and technical education course.

(b) If a new career and technical education program is created by rule, the department shall determine the category in which the program should be designated under subsection (a).

(c) The department shall establish criteria for career and technical education programs to be designated as foundational career and technical courses or introductory programs.

**Sec. 11.** Except as otherwise provided by this chapter, pupil enrollment under this chapter shall be determined at the same time and in the same manner that a school corporation's fall count and spring count of ADM are determined.

**Sec. 12.** (a) Participation in a program is not required to the extent of full-time equivalency.

(b) The department shall adopt rules under IC 4-22-2 that further define the nature and extent of participation and the type of program qualifying for approval.

(c) A count may not be made on any program that has not been approved by the department or to the extent that a pupil is not participating to the extent required by any rule of the department.

**Sec. 13.** (a) Each career and technical education organization may receive a grant for career and technical education programs.

(b) For state fiscal years beginning after June 30, 2017, the amount of the grant is determined under sections 17 and 18 of this chapter.

**Sec. 14.** (a) A career and technical education organization shall count each pupil enrolled in a program designated under section 10(a) of this chapter for the purposes of determining a career and technical education organization's career and technical education enrollment grant under sections 17 and 18 of this chapter.

(b) A pupil may be counted in more than one (1) of the career and technical education programs if the pupil is enrolled in more than one (1) of the career and technical education programs at the time pupil enrollment is determined.

**Sec. 15.** (a) Before December 1 of each year, the department shall provide a report to all career and technical education organizations that includes the following information:

(1) A list of the career and technical education courses that are designated by the department as:

- (A) an apprenticeship program;
- (B) a cooperative education program;
- (C) a work based learning course;
- (D) a high value program;
- (E) a moderate value program;
- (F) a less than moderate value program;
- (G) an introductory program; or
- (H) a foundational career and technical education course.

(2) The labor market demand used to designate each career and technical education program under section 10(a) of this chapter.

(3) The average wage level used to designate each career and technical education program under section 10(a) of this chapter.

(4) If applicable, the labor market demand and average wage level data for specific regions, counties, and municipalities.

(5) Any other information pertinent to the methodology used by the department to designate each career and technical education program under section 10(a) of this chapter.

(b) The department shall publish, on the department's Internet web site, the list of career and technical education programs that are categorized by the department under section 10(a) of this chapter.

Sec. 16. (a) Not later than January 1 of each odd-numbered year, the department shall update wage threshold data used to categorize career and technical education programs under section 10(a) of this chapter for use in the two (2) subsequent school years.

(b) The department may not update wage threshold data as provided in subsection (a) more often than once each biennium.

Sec. 17. (a) This section applies to state fiscal years beginning after June 30, 2017.

(b) The department shall determine career and technical education grant amounts for the state fiscal year beginning July 1, 2017, and ending June 30, 2018, and for the state fiscal year beginning July 1, 2018, and ending June 30, 2019.

(c) A career and technical organization's career and technical education enrollment grant for the fall pupil enrollment count in each fiscal year is the sum of the following amounts:

**STEP ONE:** For each career and technical education program provided by the career and technical organization between August and December of the applicable calendar year:

(A) the number of credit hours of the program (either one (1) credit, two (2) credits, or three (3) credits); multiplied by

(B) the number of pupils enrolled in the program; multiplied by

(C) the following applicable amount:

(i) Three hundred forty dollars (\$340) for a career and technical education program designated by the department as a high value program under section 10(a) of this chapter.

(ii) Two hundred dollars (\$200) for a career and technical education program designated by the department as a moderate value program under section 10(a) of this chapter.

(iii) One hundred dollars (\$100) for a career and technical education program designated by the department as a less than moderate value program under section 10(a) of this chapter.

**STEP TWO:** The number of pupils enrolled in an apprenticeship program, a cooperative education program, a foundational career and technical education course, or a work based learning course designated under section 10(a) of this chapter multiplied by seventy-five dollars (\$75).

**STEP THREE:** The number of pupils enrolled in an introductory program designated under section 10(a) of this chapter multiplied by one hundred fifty dollars (\$150).

Sec. 18. (a) This section applies to state fiscal years beginning after June 30, 2017.

(b) The department shall determine career and technical education grant amounts in the state fiscal year beginning July 1, 2017, and ending June 30, 2018, and for the state fiscal year beginning July 1, 2018, and ending June 30, 2019.

(c) A career and technical education organization's career and technical education enrollment grant for the spring pupil

enrollment count in each fiscal year is the sum of the following amounts:

**STEP ONE:** For each career and technical education program provided by the career and technical education organization between January and May of the applicable calendar year:

(A) the number of credit hours of the program (either one (1) credit, two (2) credits, or three (3) credits); multiplied by

(B) the number of pupils enrolled in the program; multiplied by

(C) the following applicable amount:

(i) Three hundred forty dollars (\$340) for a career and technical education program designated by the department as a high value program under section 10(a) of this chapter.

(ii) Two hundred dollars (\$200) for a career and technical education program designated by the department as a moderate value program under section 10(a) of this chapter.

(iii) One hundred dollars (\$100) for a career and technical education program designated by the department as a less than moderate value program under section 10(a) of this chapter.

**STEP TWO:** The number of pupils enrolled in an apprenticeship program, a cooperative education program, a foundational career and technical education course, or a work based learning course designated under section 10(a) of this chapter multiplied by seventy-five dollars (\$75).

**STEP THREE:** The number of pupils enrolled in an introductory program designated under section 10(a) of this chapter multiplied by one hundred fifty dollars (\$150).

Sec. 19. If a career and technical education organization determines that the categories of career and technical education programs issued by the department are not representative of the employment demand in the region surrounding the career and technical education organization, the career and technical education organization may petition the department to recategorize for the technical education organization the career and technical education programs offered by the technical education organization according to the employment demand in the region surrounding the technical education organization. The petition must include information supporting the technical education organization's determination that the categories of career and technical education programs by the department are not representative of the employment demand in the region surrounding the career and technical education organization.

Sec. 20. (a) In addition to career and technical education enrollment grants under sections 17 and 18 of this chapter, a school corporation may apply to the department for a grant under this chapter to fund costs for transporting pupils to and from a career and technical education program in which a pupil is enrolled under this chapter.

(b) The department shall establish an application form and requirements for a school corporation to receive a grant

for transportation costs under this section.

(c) If a school corporation meets the requirements under subsection (b), the department may award a grant to a school corporation for transportation costs described in subsection (a).

Sec. 21. (a) The department shall adopt rules under IC 4-22-2 to implement this chapter.

(b) The department may adopt emergency rules under IC 4-22-2-37.1 to implement this chapter.

(Reference is to SB 198 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Appropriations.

LONG, CHAIR

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 224, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 5, delete "are" and insert "were".

Page 1, line 5, after "and" delete "were".

Page 1, line 8, delete "licensed".

Page 1, line 13, after "include" insert "**the number of children who were four (4) years of age and enrolled in**".

Page 1, line 14, delete "program." and insert "**program during the 2015-2016 school year.**".

(Reference is to SB 224 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 2.

KRUSE, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 228, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 1. IC 35-31.5-2-121.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 121.5. "Evidence based risk assessment", for purposes of IC 35-33-8, has the meaning set forth in IC 35-33-8-0.5.**

SECTION 2. IC 35-31.5-2-168.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 168.9. "Indiana pretrial risk assessment system", for purposes of IC 35-33-8, has the meaning set forth in IC 35-33-8-0.5.**

SECTION 4. IC 35-33-8-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 0.5. (a) The following**

definitions apply throughout this chapter:

(1) "Evidence based risk assessment" means an assessment:

(A) that identifies factors relevant to determine whether an arrestee is likely to:

(i) commit a new criminal offense; or

(ii) fail to appear;

if released on bail or pretrial supervision; and

(B) that is based on empirical data derived through validated criminal justice scientific research.

(2) "Indiana pretrial risk assessment system" means the statewide evidence based risk assessment system described in subsection (b).

(b) Before January 1, 2020, the supreme court should adopt rules to establish a statewide evidence based risk assessment system to assist courts in selecting the appropriate level of bail or other pretrial supervision for arrestees eligible for pretrial release. The system shall consist of:

(1) an evidence based risk assessment tool; and

(2) other rules as adopted by the supreme court.

(c) The system shall be designed to assist the courts in assessing an arrestee's likelihood of:

(1) committing a new criminal offense; or

(2) failing to appear."

Page 1, line 5, after "the" insert "**results of the Indiana pretrial risk assessment system (if available), other relevant factors, and**".

Page 4, line 42, delete "following guidelines" and insert "**results of the Indiana pretrial risk assessment system (if available)**".

Page 5, line 2, after "If" insert "**the court finds, based on the results of the Indiana pretrial risk assessment system (if available) and other relevant factors, that**".

Page 5, line 3, delete "should release" and insert "**shall consider releasing**".

Page 5, delete lines 12 through 15.

Page 5, line 16, delete "other information as the court finds relevant."

Page 7, line 1, after "considering" insert "**the results of the Indiana pretrial risk assessment system (if available) and other relevant factors, and**".

Page 7, line 21, after "The" insert "**Indiana pretrial risk assessment system and the**".

Renumber all SECTIONS consecutively.

(Reference is to SB 228 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 1.

M. YOUNG, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 231, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

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

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

"SECTION 1. IC 4-3-25-4, AS ADDED BY P.L.7-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. The commission consists of the following eighteen (18) members:

(1) **A member appointed by the governor who is either the executive director for drug prevention, treatment, and enforcement or a member of the governor's staff appointed by the governor.**

(2) An appellate or trial court judge appointed by the chief justice of the supreme court to serve on the commission for a term of four (4) years.

(3) One (1) legislative member appointed by the president pro tempore of the senate.

(4) One (1) legislative member appointed by the minority leader of the senate.

(5) One (1) legislative member appointed by the speaker of the house of representatives.

(6) One (1) legislative member appointed by the minority leader of the house of representatives.

(7) The superintendent of public instruction.

(8) The director of the department of child services.

(9) The executive director of the Indiana prosecuting attorneys council.

(10) The executive director of the public defender council of Indiana.

(11) The secretary of family and social services.

(12) The state health commissioner.

(13) The commissioner of the department of correction.

(14) The superintendent of the state police department.

(15) The director of the office of management and budget or the budget director, as selected by the governor.

(16) The executive director of the Indiana criminal justice institute.

(17) The executive director of the professional licensing agency.

(18) The attorney general, who shall serve as a nonvoting member.

SECTION 2. IC 4-3-25-5, AS ADDED BY P.L.7-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. **The executive director for drug prevention, treatment, and enforcement or the other member of the governor's staff appointed under section 4(1) of this chapter shall serve as the chairperson of the commission. The chairperson shall determine the agenda for the commission.**

SECTION 3. IC 4-3-25-9, AS ADDED BY P.L.7-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. The commission shall **meet at the call of the commission's chairperson. However, the commission shall meet at least four (4) times in a calendar year.**

SECTION 4. IC 4-3-25-12, AS ADDED BY P.L.7-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS

[EFFECTIVE JULY 1, 2017]: Sec. 12. The commission shall do the following:

(1) Identify ways for state agencies to coordinate with each other on substance abuse prevention, treatment, and enforcement programming and funding.

(2) Promote information sharing throughout Indiana concerning substance abuse prevention, treatment, and enforcement.

(3) Promote best practices concerning substance abuse prevention, treatment, and enforcement.

(4) Cooperate with other commissions, governmental entities, and stakeholders engaged in substance abuse prevention, treatment, and enforcement.

(5) Study local programs that have been proven to be effective in addressing substance abuse.

(6) Seek guidance from local coordinating councils to identify substance abuse issues in local communities and evaluate the resources available to address local needs.

(7) Study and evaluate the following concerning substance abuse treatment and prevention services in Indiana:

(A) The availability of and access to the services.

(B) The duplication of services, if any.

(C) Funding of the services.

(D) Barriers to obtaining the services.

(8) Coordinate the collection of data concerning substance abuse and the needs, programming, and effectiveness of state supported substance abuse treatment and prevention services.

(9) Recommend to the executive director of the Indiana criminal justice institute roles, responsibilities, and performance standards for local coordinating councils.

**(10) Approve requests for substance abuse treatment and prevention programs.**

SECTION 5. IC 4-3-25-13, AS ADDED BY P.L.7-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. The commission may do the following:

(1) Request information or presentations from state agencies.

(2) Request and review outcome data from a state agency involved in the prevention and treatment of substance abuse.

(3) Request information from experts concerning substance abuse.

**(4) Make grants of up to three hundred thousand dollars (\$300,000) annually to the law enforcement training board created by IC 5-2-1-3 to carry out the purposes of the technical assistance center described in IC 5-2-21.2-6."**

Page 1, line 3, after "with" insert "**the Indiana commission to combat drug abuse established by IC 4-3-25-3 and**".

Page 1, line 4, delete "shall" and insert "**may**".

Page 3, line 9, after "with" insert "**the Indiana commission to combat drug abuse established by IC 4-3-25-3 and**".

Page 5, delete lines 11 through 16.

Renumber all SECTIONS consecutively.

(Reference is to SB 231 as printed January 25, 2017.)

and when so amended that said bill do pass.  
Committee Vote: Yeas 10, Nays 0.

KENLEY, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 243, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

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

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

"SECTION 1. IC 4-3-25-4, AS ADDED BY P.L.7-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. The commission consists of the following eighteen (18) members:

- (1) **A member appointed by the governor who is either the executive director for drug prevention, treatment, and enforcement or a member of the governor's staff appointed by the governor.**
- (2) An appellate or trial court judge appointed by the chief justice of the supreme court to serve on the commission for a term of four (4) years.
- (3) One (1) legislative member appointed by the president pro tempore of the senate.
- (4) One (1) legislative member appointed by the minority leader of the senate.
- (5) One (1) legislative member appointed by the speaker of the house of representatives.
- (6) One (1) legislative member appointed by the minority leader of the house of representatives.
- (7) The superintendent of public instruction.
- (8) The director of the department of child services.
- (9) The executive director of the Indiana prosecuting attorneys council.
- (10) The executive director of the public defender council of Indiana.
- (11) The secretary of family and social services.
- (12) The state health commissioner.
- (13) The commissioner of the department of correction.
- (14) The superintendent of the state police department.
- (15) The director of the office of management and budget or the budget director, as selected by the governor.
- (16) The executive director of the Indiana criminal justice institute.
- (17) The executive director of the professional licensing agency.
- (18) The attorney general, who shall serve as a nonvoting member.

SECTION 2. IC 4-3-25-5, AS ADDED BY P.L.7-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. **The executive director for drug prevention, treatment, and enforcement or the other**

member of the governor's staff appointed under section 4(1) of this chapter shall serve as the chairperson of the commission. The chairperson shall determine the agenda for the commission.

SECTION 3. IC 4-3-25-9, AS ADDED BY P.L.7-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. The commission shall **meet at the call of the commission's chairperson. However, the commission shall meet at least four (4) times in a calendar year.**

SECTION 4. IC 4-3-25-12, AS ADDED BY P.L.7-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. The commission shall do the following:

- (1) Identify ways for state agencies to coordinate with each other on substance abuse prevention, treatment, and enforcement programming and funding.
- (2) Promote information sharing throughout Indiana concerning substance abuse prevention, treatment, and enforcement.
- (3) Promote best practices concerning substance abuse prevention, treatment, and enforcement.
- (4) Cooperate with other commissions, governmental entities, and stakeholders engaged in substance abuse prevention, treatment, and enforcement.
- (5) Study local programs that have been proven to be effective in addressing substance abuse.
- (6) Seek guidance from local coordinating councils to identify substance abuse issues in local communities and evaluate the resources available to address local needs.
- (7) Study and evaluate the following concerning substance abuse treatment and prevention services in Indiana:
  - (A) The availability of and access to the services.
  - (B) The duplication of services, if any.
  - (C) Funding of the services.
  - (D) Barriers to obtaining the services.
- (8) Coordinate the collection of data concerning substance abuse and the needs, programming, and effectiveness of state supported substance abuse treatment and prevention services.
- (9) Recommend to the executive director of the Indiana criminal justice institute roles, responsibilities, and performance standards for local coordinating councils.
- (10) Approve requests for substance abuse treatment and prevention programs."**

Page 1, line 17, delete "The" and insert "**Subject to the approval of the Indiana commission to combat drug abuse, the**".

Page 3, line 20, delete "The" and insert "**Subject to the approval of the Indiana commission to combat drug abuse, the**".

Page 5, line 8, delete "Any" and insert "**For any**".

Page 5, line 20, after "in" insert "**the**".

Page 6, line 14, after "commits" delete ",",

Page 6, line 23, delete "(a)".

Page 6, line 24, delete "is" and insert "**may not exceed**".

Page 6, delete lines 26 through 29.

Renumber all SECTIONS consecutively.

(Reference is to SB 243 as printed February 10, 2017.)  
and when so amended that said bill do pass.  
Committee Vote: Yeas 8, Nays 2.

KENLEY, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 248, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 15, begin a new paragraph and insert:

"SECTION 1. IC 20-23-6-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 0.5. As used in this chapter, "subunit" refers to the geographic territory of a school corporation as the school corporation exists at the time the school corporation consolidates with one (1) or more other school corporations under section 12.5 of this chapter.**

SECTION 2. IC 20-23-6-2, AS ADDED BY P.L.1-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. The governing body of two (2) or more school corporations, whether:

- (1) towns;
- (2) cities;
- (3) townships;
- (4) joint schools; or
- (5) consolidated schools;

situated in the same or adjoining counties may, **in the manner and upon the conditions prescribed in this chapter, consolidate their respective school corporations or be required to consolidate their respective school corporations as provided under section 5.5 of this chapter. in the manner and upon the conditions prescribed in this chapter.**

SECTION 3. IC 20-23-6-3, AS ADDED BY P.L.1-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) If the governing bodies of at least two (2) school corporations desire to consolidate school corporations, the governing bodies may meet together and adopt a joint resolution declaring intention to consolidate school corporations. The resolution must set out the following information concerning the proposed consolidation:

- (1) The name of the proposed new school corporation.
- (2) The number of members on the governing body and the manner in which they shall be elected or appointed.
  - (A) If members are to be elected, the resolution must provide for:
    - (i) the manner of the nomination of members;
    - (ii) who shall constitute the board of election commissioners;
    - (iii) who shall appoint inspectors, judges, clerks, and sheriffs; and
    - (iv) any other provisions desirable in facilitating the election.
  - (B) Where applicable and not in conflict with the

resolution, the election is governed by the general election laws of Indiana, including the registration laws.

(3) Limitations on residences, term of office, and other qualifications required of the members of the governing body. A resolution may not provide for an appointive or elective term of more than four (4) years. A member may succeed himself or herself in office.

(4) Names of present school corporations that are to be merged together as a consolidated school corporation.

In addition, the resolution may specify the time when the consolidated school corporation comes into existence.

(b) The number of members on the governing body as provided in the resolution may not be less than three (3) or more than seven (7). However, the joint resolution may provide for a board of nine (9) members if the proposed consolidated school corporation is formed out of two (2) or more school corporations that:

- (1) have entered into an interlocal agreement to construct and operate a joint high school; or
- (2) are operating a joint high school that has an enrollment of at least six hundred (600) in grades 9 through 12 at the time the joint resolution is adopted.

(c) The members of the governing body shall, after adopting a joint resolution, give notice by publication once each week for two (2) consecutive weeks in a newspaper of general circulation, if any, in each of the school corporations. If a newspaper is not published in the school corporation, publication shall be made in the nearest newspaper published in the county in which the school corporation is located. The governing bodies of school corporations shall **meet hold a public meeting** one (1) week following the date of the appearance of the last publication of notice of intention to consolidate. If a protest has not been filed, as provided in this chapter, the governing bodies shall declare by joint resolution the consolidation of the school corporations to be accomplished, to take effect as provided in section 8 of this chapter. However, on or before the sixth day following the last publication of the notice of intention to consolidate, twenty percent (20%) of the legal voters residing in any school corporation may petition the governing body of the school corporations for an election to determine whether or not the majority of the voters of the school corporation is in favor of consolidation.

SECTION 4. IC 20-23-6-5, AS AMENDED BY P.L.1-2006, SECTION 315, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) If a petition is filed in

one (1) or more of the school corporations protesting consolidation as provided in this chapter by the legal voters of any school corporation the governing body of which proposes to consolidate, the governing body in each school corporation in which a protest petition is filed shall certify the public question to each county election board of the county in which the school corporation is located. The county election board shall call an election of the voters of the school corporation to determine if a majority of the legal voters of the corporation is in favor of consolidating the school corporations.

(b) If a protest is filed in more than one (1) school corporation, the elections shall be held on the same day. Each

county election board shall give notice by publication once each week for two (2) consecutive weeks in a newspaper of general circulation in the school corporation. If a newspaper is not published in the:

- (1) township;
- (2) town; or
- (3) city;

the notice shall be published in the nearest newspaper published in the county or counties, that on a day and at an hour to be named in the notice, the polls will be open at the usual voting places in the various precincts in the corporation for taking the vote of the legal voters upon whether the school corporation shall be consolidated with the other school corporations joining in the resolution.

(c) The public question shall be placed on the ballot in the form provided by IC 3-10-9-4 and must state: "Shall (insert name of school corporation) be consolidated with (insert names of other school corporations)?"

(d) Notice shall be given not later than thirty (30) days after the petition is filed. The election shall be held not less than ten (10) days or more than twenty (20) days after the last publication of the notice.

(e) The governing body of each school corporation in which an election is held is bound by the majority vote of those voting. However, if the election falls within a period of not more than six (6) months before a primary or general election, the election shall be held concurrently with the primary or general election.

(f) If a majority of those voting in any one (1) school corporation votes against the plan of consolidation, the plan fails. However, the failure does not prevent any or all the school corporations from taking further initial action for the consolidation of school corporations under this chapter.

~~(g) Whenever twenty percent (20%) of the legal voters residing in any school corporation; jointly with twenty percent (20%) of the legal voters in each of one (1) or more other school corporations:~~

- ~~(1) prepare a resolution; and~~
- ~~(2) petition the trustees of their respective school corporations to consolidate the school corporations; as set out in the resolution;~~

~~each governing body petitioned shall call the school election provided for in this chapter in its school corporations.~~

~~(h) Notice of the election shall be published within thirty (30) days after the filing of the resolution with the governing body of the school corporation where it is last filed. However, if any of the petitioned governing bodies agrees to the consolidation as set out in the resolution; an election in that school corporation may not be required under the resolution.~~

~~(i) Notice as set out in this section shall be given; and a protest requesting an election may be filed in conformity with section 3 of this chapter.~~

SECTION 5. IC 20-23-6-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 5.5. (a) If twenty percent (20%) of the legal voters residing in any school corporation jointly with twenty percent (20%) of the legal voters in each of one (1) or more other school corporations:**

- (1) prepare a resolution for a proposed consolidation**

**that sets forth:**

**(A) subject to section 3(b) of this chapter, the information required in section 3(a)(1) through 3(a)(4) of this chapter; and**

**(B) if applicable, the declarations in section 12.5 of this chapter; and**

**(2) petition the trustees of their respective school corporations to consolidate the school corporations, as set forth in the resolution;**

**each governing body petitioned shall hold, not later than sixty (60) days after the date the governing body receives the resolution and petition, a public meeting for discussion on the proposed consolidation.**

**(b) If any of the petitioned governing bodies agrees to the proposed consolidation as set forth in the resolution, the governing body shall give notice by publication of its intention to adopt the resolution on the proposed consolidation once each week for two (2) consecutive weeks in a newspaper of general circulation, if any, in each of the school corporations. If a newspaper is not published in the school corporation, publication shall be made in the nearest newspaper published in the county in which the school corporation is located.**

**(c) On or before the sixth day following the last publication of the notice of intention to consolidate required under subsection (b), twenty percent (20%) of the legal voters residing in any school corporation proposed to be consolidated may petition the governing body of the school corporation for an election to determine whether or not the majority of the voters of the school corporation is in favor of consolidation.**

**(d) If a protest has not been filed under subsection (c), the governing bodies may declare by joint resolution the consolidation of the school corporations to be accomplished, to take effect as provided in section 8 of this chapter.**

**(e) Except as provided in subsection (b), if:**

- (1) a resolution and petition for consolidation has not been withdrawn thirty (30) days after the date of the public meeting under subsection (a); or**
- (2) a protest petition described in subsection (c) has been filed;**

**each governing body shall call an election in each school corporation included in the proposed consolidation in the same manner as described in sections 5 and 6 of this chapter.**

**(f) The governing body of each school corporation in which an election is held is bound by the majority vote of those voting. If a majority of those voting in any one (1) school corporation votes against the plan of consolidation, the plan fails. If a majority of the votes cast at each of the elections is in favor of the consolidation of two (2) or more school corporations, the trustees of the school corporations shall proceed to consolidate the schools and provide the necessary buildings and equipment. However, the failure does not prevent any or all the school corporations from taking further initial action for the consolidation of school corporations under this chapter.**

SECTION 6. IC 20-23-6-8, AS AMENDED BY P.L.2-2006, SECTION 96, IS AMENDED TO READ AS FOLLOWS

[EFFECTIVE JULY 1, 2017]: Sec. 8. (a) Consolidated schools are under the control and management of the consolidated governing body created under this chapter, and a new consolidated school corporation comes into existence:

(1) at the time specified in the resolutions provided in section 3, ~~or 4~~, **5.5, or 12.5** of this chapter; or

(2) if a time is not specified, at the following times:

(A) If a protest has not been filed and the creation is accomplished by the adoption of a joint resolution following publication of notice as provided in section 3 **or 5.5** of this chapter, thirty (30) days after the adoption of the joint resolution.

(B) If the creation is accomplished after an election as provided in section 6 of this chapter, thirty (30) days after the election.

(b) The members of the governing body shall:

(1) take an oath to faithfully discharge the duties of office; and

(2) meet at least five (5) days before the time the new consolidated school corporation comes into existence to organize.

(c) The governing body shall meet to reorganize on August 1 of each year and at any time the personnel of the board is changed. At the organization or reorganization meeting, the members of the governing body shall elect the following:

(1) A president.

(2) A secretary.

(3) A treasurer.

(d) The treasurer, before starting the duties of the treasurer's office, shall execute a bond to the acceptance of the county auditor. The fee for the bond shall be paid from the school general fund of the consolidated school corporation. Any vacancy occurring in the membership in any governing body ~~other than vacancy in the office of an ex officio member~~, shall be filled in the following manner:

(1) If the membership was originally made by appointment, the vacancy shall be filled by appointment by the legislative body of the:

(A) city;

(B) town;

(C) township; or

(D) other body;

or other official making the original appointment.

(2) If the membership was elected, the vacancy shall be filled by a majority vote of the remaining members of the governing body of the consolidated school corporation: **shall be filled in the manner provided in IC 20-26-4-4.**

(e) The members of the governing body ~~other than the township executive or ex officio member~~, shall receive compensation for services as fixed by resolution of the governing body. The members, ~~other than the township executive or any ex officio member~~, may not receive more than two hundred dollars (\$200) annually. Any:

(1) township executive; or

(2) ex officio member of the governing body;

shall serve without additional compensation: **in the manner provided in IC 20-26-4-7.**

(f) The governing body of a consolidated school corporation may elect and appoint personnel it considers necessary.

SECTION 7. IC 20-23-6-11, AS ADDED BY P.L.1-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. A governing body shall, after the members have taken their oath of office, cause a copy of the resolution to consolidate to be filed with **the department of local government finance** and the county recorder in the county in which the new school district is located. Any consolidated school district is declared to be and is made a school corporation for school purposes, separate and distinct from any civil corporation.

SECTION 8. IC 20-23-6-12.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 12.5. (a) The governing body of two (2) or more school corporations situated in the same or adjoining counties may:**

**(1) consolidate; or**

**(2) be required to consolidate under section 5.5 of this chapter;**

**their respective school corporations under the conditions prescribed in this section. A school corporation that consolidates with one (1) or more school corporations as prescribed under this section is considered a subunit of the consolidated school corporation.**

**(b) A resolution for consolidation under this section must include:**

**(1) subject to section 3(b) of this chapter, the information required in section 3(a)(1) through 3(a)(4) of this chapter; and**

**(2) a declaration that debts or obligations paid by a debt service levy under IC 20-40-9 incurred by a subunit before the consolidated school corporation comes into existence may be levied only on the taxpayers of the subunit that initially incurred the debts or obligations.**

**(c) A resolution for consolidation under this section may include any declarations concerning the proposed consolidation that are otherwise permitted under this chapter, including the following:**

**(1) A declaration that the name or attendance area of each school within a subunit may remain unchanged after the date on which the consolidated school corporation comes into existence.**

**(2) A declaration that the administrative functions of each subunit will be consolidated in the proposed consolidated school corporation.**

**(d) All debts of the former school corporations shall be assumed and paid by the new consolidated school corporation. However, a debt service levy under IC 20-46-7 for debts and obligations incurred by a school corporation before the date the school corporation consolidates under this chapter may be levied only in the subunit of the consolidated school corporation that initially incurred the debt or obligation.**

**(e) All debts and obligations incurred by the consolidated school corporation after the date on which the consolidation becomes effective are considered a debt or obligation of the**

consolidated school corporation as a whole.

(f) This subsection applies to a consolidation under this section. Upon receipt of the resolution to consolidate under section 11 of this chapter, the department of local government finance shall set for the consolidated school corporation:

- (1) new maximum levies under IC 20-46-4 and IC 20-46-5, which must equal the sum of the existing maximum levies adjusted for assessed value growth; and
- (2) a new maximum rate under IC 20-46-6, which equals an amount determined as follows:

STEP ONE: Determine the maximum amount that may be levied under each subunit's maximum capital projects fund tax rate.

STEP TWO: Determine the sum of the STEP ONE amounts.

STEP THREE: Determine the sum of the certified net assessed values for the subunits.

STEP FOUR: Divide the STEP TWO amount by the STEP THREE amount.

STEP FIVE: Determine the product (rounded to the nearest ten-thousandth (0.0001)) of:

- (i) the STEP FOUR amount; multiplied by
- (ii) one hundred (100).

(g) A consolidation under this section is subject to all other provisions of this chapter to the extent the provisions are not inconsistent with and do not conflict with this section. If there is a conflict between any provision in this chapter and a provision in this section, this section governs."

Delete pages 2 through 8.

Page 9, delete lines 1 through 21.

Page 9, line 28, delete "IC 20-23-6.5." and insert "IC 20-23-6-12.5."

Page 9, line 29, delete "IC 20-23-6.5-2" and insert "IC 20-23-6-0.5".

Page 9, line 32, delete "IC 20-23-6.5." and insert "IC 20-23-6-12.5."

Re-number all SECTIONS consecutively.

(Reference is to SB 248 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 3.

KRUSE, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 276, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 12-7-2-35, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2017 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 35. "Committee", means the

following:

(1) for purposes of IC 12-15-33, has the meaning set forth in IC 12-15-33-1.

(2) For purposes of IC 12-17-2-3.6, the meaning set forth in IC 12-17-2-3.6-1.

(3) For purposes of IC 12-21-4.5, the meaning set forth in IC 12-21-4.5-1.

SECTION 2. IC 12-7-2-75.7 IS REPEALED [EFFECTIVE JULY 1, 2017]. Sec. 75.7: "Eligible child", for purposes of IC 12-17-2-3.6, has the meaning set forth in IC 12-17-2-3.6-2.

SECTION 3. IC 12-7-2-76.2 IS REPEALED [EFFECTIVE JULY 1, 2017]. Sec. 76.2: "Eligible provider", for purposes of IC 12-17-2-3.6, has the meaning set forth in IC 12-17-2-3.6-3.

SECTION 4. IC 12-7-2-76.3 IS REPEALED [EFFECTIVE JULY 1, 2017]. Sec. 76.3: "Eligible services", for purposes of IC 12-17-2-3.6, has the meaning set forth in IC 12-17-2-3.6-4.

SECTION 5. IC 12-7-2-91, AS AMENDED BY P.L.2-2014, SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 91. "Fund" means the following:

(1) For purposes of IC 12-12-1-9, the fund described in IC 12-12-1-9.

(2) For purposes of IC 12-15-20, the meaning set forth in IC 12-15-20-1.

(3) For purposes of IC 12-17-12, the meaning set forth in IC 12-17-12-4.

(4) For purposes of IC 12-17-2-3.6, the meaning set forth in IC 12-17-2-3.6-5.

(5) (4) For purposes of IC 12-17.6, the meaning set forth in IC 12-17.6-1-3.

(6) (5) For purposes of IC 12-23-2, the meaning set forth in IC 12-23-2-1.

(7) (6) For purposes of IC 12-23-18, the meaning set forth in IC 12-23-18-4.

(8) (7) For purposes of IC 12-24-6, the meaning set forth in IC 12-24-6-1.

(9) (8) For purposes of IC 12-24-14, the meaning set forth in IC 12-24-14-1.

(10) (9) For purposes of IC 12-30-7, the meaning set forth in IC 12-30-7-3.

SECTION 6. IC 12-7-2-93.7 IS REPEALED [EFFECTIVE JULY 1, 2017]. Sec. 93.7: "Grant", for purposes of IC 12-17-2-3.6, has the meaning set forth in IC 12-17-2-3.6-6.

SECTION 7. IC 12-7-2-135.8, AS AMENDED BY P.L.2-2014, SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 135.8. (a) "Paths to QUALITY program", for purposes of IC 12-17.2-2-14.2, and IC 12-17.2-3.6, refers to the program established in IC 12-17.2-2-14.2(b).

(b) "Paths to QUALITY program", for purposes of IC 12-17.2-3.8, has the meaning set forth in IC 12-17.2-3.8-1.

SECTION 8. IC 12-7-2-139.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 139.3. "Pilot fund", for purposes of IC 12-17.2-7.2, has the meaning set forth in IC 12-17.2-7.2-4.7.

SECTION 9. IC 12-7-2-143.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 143.1. "Potential eligible provider or existing eligible provider", for purposes of IC 12-17.2-7.2, has the meaning set forth in IC 12-17.2-7.2-5.5.**

SECTION 10. IC 12-7-2-146, AS AMENDED BY P.L.149-2016, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 146. "Program" refers to the following:**

- (1) For purposes of IC 12-10-7, the adult guardianship services program established by IC 12-10-7-5.
- (2) For purposes of IC 12-10-10, the meaning set forth in IC 12-10-10-5.
- (3) For purposes of IC 12-10-10.5, the meaning set forth in IC 12-10-10.5-4.
- (4) For purposes of IC 12-17.2-2-14.2, the meaning set forth in IC 12-17.2-2-14.2(a).
- ~~(5) For purposes of IC 12-17.2-3-6, the meaning set forth in IC 12-17.2-3-6-7.~~
- ~~(6) (5) For purposes of IC 12-17.2-3.8, the meaning set forth in IC 12-17.2-3.8-2.~~
- ~~(7) (6) For purposes of IC 12-17.6, the meaning set forth in IC 12-17.6-1-5.~~

SECTION 11. IC 12-17.2-3.5-14.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 14.5. Not later than July 1, 2017, the division shall develop a provider rate reimbursement schedule that uses money appropriated by the general assembly as an incentive for providers that are eligible to receive voucher payments under this chapter to meet the standards of quality recognized by a Level 3 or Level 4 Paths to QUALITY program rating.**

SECTION 12. IC 12-17.2-3.6 IS REPEALED [EFFECTIVE JULY 1, 2017]. (Early Learning Advisory Committee; Early Education Matching Grant Program).

SECTION 13. IC 12-17.2-7.2-2, AS AMENDED BY P.L.169-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 2. As used in this chapter, "eligible provider" refers to a provider that satisfies the following conditions:**

- (1) The provider is:
  - (A) a:
    - (i) public school, including a charter school;
    - (ii) child care center licensed under IC 12-17.2-4;
    - (iii) child care home licensed under IC 12-17.2-5; or
    - (iv) child care ministry registered under IC 12-17.2-6; that meets the standards of quality recognized by a Level 3 or Level 4 paths to QUALITY program rating;
  - (B) a school that is accredited by the state board of education or a national or regional accreditation agency that is recognized by the state board of education; or
  - (C) a school that is accredited to provide qualified early education services by an accrediting agency approved by the office of the secretary.
- (2) The provider:
  - (A) provides qualified early education services to eligible children; **and**

**(B) complies with the agreement with the office concerning the delivery of qualified education services and the use of a grant provided under this chapter.**

(3) The provider is located in a county in which the pilot program is implemented."

Page 1, delete lines 6 through 17, begin a new paragraph and insert:

"SECTION 15. IC 12-17.2-7.2-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 5.5. As used in this chapter, "potential eligible provider or existing eligible provider" refers to an entity that qualifies as a potential eligible provider or existing eligible provider under section 7.4(a) of this chapter.**

SECTION 16. IC 12-17.2-7.2-6, AS ADDED BY P.L.202-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 6. As used in this chapter, "qualified early education services" refers to a program of early education services that:**

- (1) is provided by an eligible provider to an eligible child;
- (2) includes a parental engagement and involvement component ~~provided by the eligible provider;~~ **in the delivery of early education services that is based on the requirements and guidelines established by the office;**
- (3) administers the kindergarten readiness assessment ~~adopted by the state board of education; and (ISTAR-KR) adopted by the department of education to children receiving early education services as required by the office;~~
- (4) **aligns with the early learning development framework for prekindergarten approved by the department of education under IC 20-19-3-16; and**
- ~~(5) meets the design parameters for inclusion in the longitudinal study described in section 12 of this chapter, as determined by the office.~~

SECTION 17. IC 12-17.2-7.2-7, AS ADDED BY P.L.202-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 7. (a) The office may establish a pilot program to provide grants for:**

- (1) qualified early education services in a manner consistent with how funds are distributed under the Child Care and Development Fund (CCDF) grant program; **and**
- (2) expansion plans as described in section 7.4(a)(2) of this chapter.**

(b) The office shall administer the pilot program. The **pilot** program may include:

- (1) eligible providers ~~in not more than five (5) counties; as provided in subsections (c) and (d); and~~
- (2) potential eligible providers or existing eligible providers as described in section 7.4 of this chapter.**

In determining which counties are designated as pilot counties; **eligible providers and potential eligible providers or existing eligible providers will receive a grant under this chapter,** the office shall attempt to achieve diversity among the ~~designated~~ counties **in Indiana** based on the geographical location of the counties, the population of the counties, and whether ~~the~~ **counties are each county in which an eligible provider is located is**

primarily rural or urban. The office shall ensure that the counties selected include a population of eligible children sufficient to conduct the longitudinal study under section 12 of this chapter.

(c) Before July 1, 2017, the pilot program includes eligible providers in the following pilot counties:

- (1) Allen.
- (2) Jackson.
- (3) Lake.
- (4) Marion.
- (5) Vanderburgh.

(d) After June 30, 2017, in addition to the counties listed under subsection (c), the pilot program includes:

- (1) eligible providers in any county in Indiana that is not listed in subsection (c); and
- (2) potential eligible providers or existing eligible providers in any county in Indiana that meet the requirements under section 7.4 of this chapter.

(e) Subject to the requirements of this chapter, the office shall determine:

- (1) the eligibility requirements, application process, and selection process for awarding grants under the pilot program;
- (2) the administration and reporting requirements for:
  - (A) eligible providers; and
  - (B) potential eligible providers or existing eligible providers;
 participating in the pilot program; and
- (3) with the assistance of the early learning advisory committee, an appropriate outcomes based accountability system for:

- (A) eligible providers; and
- (B) potential eligible providers or existing eligible providers.

(f) Before implementing the pilot program, the office shall submit the provisions of the pilot program to the state board of education for the state board of education's review and comment.

(g) The office shall, subject to the availability of funding, determine the number of eligible children who will participate in the pilot program.

SECTION 18. IC 12-17.2-7.2-7.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 7.2. (a) Except as provided in subsection (b), for an eligible child to qualify for a grant under this chapter, the eligible child must reside with a parent or guardian who is:**

- (1) working or attending a job training or an educational program; or
- (2) actively seeking employment.

(b) An eligible child may meet the requirements under subsection (a) if the parent or guardian of the eligible child is unable to:

- (1) work or attend a job training or educational program; or
- (2) actively seek employment;

because the parent or guardian provides full-time care to a child who is less than five (5) years of age.

(c) Before the office may award a grant to an eligible child under this chapter, the office shall require that a parent or

guardian of the eligible child agree to the following:

- (1) The eligible child will attend the prekindergarten program of an eligible provider selected by the parent or guardian for the full duration of the prekindergarten program year.
- (2) The parent or guardian will not transfer to another prekindergarten program during the prekindergarten program year.
- (3) The eligible child will attend the prekindergarten program at least eighty-five percent (85%) of the days that the prekindergarten program is provided.
- (4) The parent or guardian will allow the eligible child to participate in an external evaluation conducted by researchers, including the kindergarten readiness assessment and measuring of developmental and academic progress.
- (5) The parent or guardian will participate in family engagement and involvement activities offered by the selected prekindergarten program, including meetings with the eligible child's teacher to discuss the eligible child's progress or any other conference concerning the eligible child that is requested by the eligible provider.
- (6) The parent or guardian will complete the necessary forms for the eligible child to receive a student test number from the department of education.
- (7) The parent or guardian will send the eligible child to kindergarten.
- (8) The parent or guardian will read to the eligible child each week.

SECTION 19. IC 12-17.2-7.2-7.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 7.3. The office shall require, for an eligible provider to enroll in the pilot program, that the eligible provider agree to the following:**

- (1) Comply on a continuing basis with the requirements under this chapter and rules for participation established by the office.
- (2) Maintain eligibility under this chapter throughout the prekindergarten program year.
- (3) Report immediately any changes in eligibility status to the office, including the eligible provider's loss of national or regional accreditation.
- (4) Participate in any training and mandatory meetings required by the office.
- (5) Participate in all onsite visits conducted by the office, including fiscal auditing activities with regard to the pilot program and prekindergarten program activity monitoring.
- (6) Allow families of eligible children enrolled in the prekindergarten program of the eligible provider to visit at any time the prekindergarten program is in operation.
- (7) Maintain accurate online attendance records through the attendance portal for eligible children enrolled in the pilot program and submit attendance records as required by the office.
- (8) Offer parental engagement and involvement activities in the prekindergarten program of the eligible

provider in alignment with the family engagement framework adopted by the early learning advisory committee established by IC 12-17.2-3.8-5.

(9) Complete, within the time period established by the office, the Indiana early childhood family engagement toolkit, including the family engagement self-assessment, adopted by the early learning advisory committee.

(10) Share information on the family engagement self-assessment described in subdivision (9) as required by the office.

(11) Participate in research studies as required by the office.

(12) Enforce minimum attendance requirements of at least eighty-five percent (85%) of the days that the prekindergarten program of the eligible provider is offered to an eligible child.

(13) Inform the office that an eligible child has withdrawn from the prekindergarten program of the eligible provider not later than five (5) days after the eligible child is withdrawn.

(14) That retroactive repayment to Indiana may be required or future payments may be adjusted as a result of the withdrawal of an eligible child or to changes in the law.

(15) Maintain records of participation by a family of an eligible child in family engagement activities and submit records as required by the office.

(16) Promote an eligible child's social, emotional, and behavioral health and eliminate or severely limit the use of expulsion, suspension, and other exclusionary discipline practices.

(17) Use the exclusionary discipline practices described in subdivision (16) only as a last resort in extraordinary circumstances when there is a determination of a serious safety threat that cannot otherwise be reduced or eliminated by the provision of reasonable modifications.

(18) Inform and receive approval from the office before the eligible provider expels, suspends, or uses other exclusionary discipline practices.

(19) Assist a parent or guardian, upon request by the parent or guardian, in obtaining information from, referral to, or both information from and referral to the public school that serves the attendance area in which the parent or guardian resides for an educational evaluation and determination of eligibility for special education services if developmental delays or reasons to suspect a disability are observed by the parent, guardian, or teacher of an eligible child during the prekindergarten program year.

SECTION 20. IC 12-17.2-7.2-7.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 7.4. (a)** To qualify as a potential eligible provider or existing eligible provider, an applicant must:

- (1) be an entity other than an individual;
- (2) provide an expansion plan to the office that details

the potential eligible provider's or existing eligible provider's plan to:

(A) increase the capacity of providers of qualified early education services to serve a greater number of eligible children;

(B) increase the number of providers of qualified early education services; or

(C) increase the capacity as described in clause (A) and increase the number as described in clause (B);

(3) comply with the agreement with the office concerning the plan under subdivision (2) and the use of a grant awarded under this chapter;

(4) agree:

(A) to operate as an eligible provider; or

(B) that the applicant intends to operate as an eligible provider; and

(5) comply with any other standards and procedures established under this chapter.

(b) Subject to subsection (c), the office may award a grant to an applicant that meets the requirements of subsection (a).

(c) The office may not use more than a total of ten percent (10%) of the money in the pilot fund each state fiscal year for grants awarded under this chapter to potential eligible providers and existing eligible providers for expansion plans.

(d) If a potential eligible provider or existing eligible provider fails to:

(1) use the grant funds in accordance with the expansion plan described in subsection (a); or

(2) comply with the agreement entered into with the office under subsection (a);

the potential eligible provider or existing eligible provider shall repay to the office the total amount of the grant awarded to the potential eligible provider or existing eligible provider under this chapter.

SECTION 21. IC 12-17.2-7.2-7.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 7.6. (a)** The office shall monitor the educational outcomes resulting from the implementation of expansion plans described in section 7.4(a) of this chapter by potential eligible providers or existing eligible providers that receive a grant under this chapter over the period established by the office to evaluate the contribution that the expansion plans make toward improved educational outcomes.

(b) Beginning in 2018, the office shall annually provide the:

(1) governor; and

(2) legislative council in an electronic format under IC 5-14-6;

a report of the findings of the office concerning the educational outcomes under subsection (a).

SECTION 22. IC 12-17.2-7.2-7.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7.8. (a)** The office shall make at least two (2) onsite inspections each year at the facility of:

(1) an eligible provider; or

**(2) a potential eligible provider or existing eligible provider;**

that receives a grant under this chapter.

**(b) The office may determine that an eligible provider or potential eligible provider or existing eligible provider is not eligible to receive a grant under the pilot program if the eligible provider or potential eligible provider or existing eligible provider:**

**(1) fails to comply with this chapter; or**

**(2) refuses to allow, during normal business hours, the office or an agent of the office to inspect the facility at which the eligible provider or potential eligible provider or existing eligible provider operates a child care program for eligible children.**

SECTION 23. IC 12-17.2-7.2-8, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2017 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 8. (a) The office shall determine:

(1) which applicants shall be awarded a grant; and

(2) subject to subsection (b) and to the availability of funding, the amount of each grant.

(b) At least ten percent (10%) but not more than fifty percent (50%) of the:

**(1) tuition for eligible children under the pilot program; or**  
**(2) expansion plan described in section 7.4(a) of this chapter;**

during the state fiscal year must be paid from donations, gifts, grants, bequests, and other funds received from a private entity or person, from the United States government, or from other sources (excluding funds from a grant provided under this chapter and excluding other state funding). The office may receive and administer grants on behalf of the pilot program. The grants shall be distributed by the office to fulfill the requirements of this subsection.

(c) The amount of a grant made under the pilot program to an eligible child:

(1) must equal at least two thousand five hundred dollars (\$2,500) during the state fiscal year; and

(2) may not exceed six thousand eight hundred dollars (\$6,800) during the state fiscal year.

**(d) The total amount of grants provided from the funding under section 9(a) of this chapter (before its repeal) that are awarded under the pilot program in a state fiscal year may not exceed ten million dollars (\$10,000,000):"**

Delete page 2.

Page 3, delete lines 1 through 16.

Page 3, line 40, delete "UPON PASSAGE" and insert "JULY 1, 2017".

Page 4, line 2, delete "7(d)" and insert "**7(d)(1)**".

Page 4, line 25, delete "7(d)" and insert "**7(d)(1)**".

Page 4, line 25, delete "; and" and insert ";".

Page 4, line 27, delete "chapter." and insert "**chapter; and**

**(3) provide grants to potential eligible providers and existing eligible providers as set forth in section 7.4 of this chapter."**

Page 4, between lines 41 and 42, begin a new paragraph and insert:

"SECTION 27. IC 20-19-3-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 16. The department shall:**

**(1) approve an early learning development framework for prekindergarten; and**

**(2) post the framework described in subdivision (1) on the department's Internet web site."**

Page 5, line 5, delete "twenty million dollars (\$20,000,000)." and insert "**twenty-two million dollars (\$22,000,000)**."

Page 5, line 7, delete "twenty million dollars (\$20,000,000)." and insert "**twenty-two million dollars (\$22,000,000)**."

Page 5, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 29. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "office" refers to the office of the secretary of family and social services.**

**(b) The office shall apply for waivers from all applicable federal agencies to receive any federal funding for child care or prekindergarten education in one (1) block grant to use for child care and prekindergarten programs in Indiana.**

**(c) This SECTION expires July 1, 2022."**

Renumber all SECTIONS consecutively.

(Reference is to SB 276 as introduced.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 8, Nays 3.

KRUSE, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 279, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass and be reassigned to the Senate Committee on Appropriations. Committee Vote: Yeas 8, Nays 0.

CHARBONNEAU, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 294, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 2, delete "JANUARY" and insert "JULY 1, 2017]:".

Page 1, line 3, delete "1, 2016 (RETROACTIVE)]:".

Page 2, delete lines 5 through 15, begin a new paragraph and insert:

**"(e) Expenses related to bovine tuberculosis testing each calendar year in a county under this chapter are payable as follows:**

**(1) Fifty percent (50%) from the county council.**

**(2) Fifty percent (50%) from the board.**

**(f) The board is responsible for paying, with funds appropriated to the board in the state board of animal health indemnity fund, for the board's share of expenses related to bovine tuberculosis testing in a county."**

(Reference is to SB 294 as printed January 25, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

KENLEY, Chair

Report adopted.

## COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 312, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 3.

BOOTS, Chair

Report adopted.

## COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 322, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 21, delete "June 30, 2017." and insert "**December 31, 2017.**"

Page 3, line 38, after "and" insert ":

**(A)";**

Page 3, line 39, delete "." and insert ", **or all of the felonies were converted to misdemeanors under IC 35-38-1-1.5 or IC 35-50-2-7;**

**(B) all felony charges against the person were dismissed; or**

**(C) three hundred sixty-five (365) days have elapsed since the person's arrest and no felony charges have been filed against the person."**

Page 4, line 6, delete ":" and insert "**the conditions described in subsection (a)(1) or (a)(2) have been satisfied;**"

Page 4, delete lines 7 through 10.

Page 4, line 11, delete "described in subsection (a)(2);"

(Reference is to SB 322 as introduced.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 9, Nays 1.

BRAY, Chair

Report adopted.

## COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 344, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

M. YOUNG, Chair

Report adopted.

## COMMITTEE REPORT

Madam President: The Senate Committee on Utilities, to which was referred Senate Bill 376, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

MERRITT, Chair

Report adopted.

## COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 390, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, strike lines 5 through 14, begin a new line block indented and insert:

**"(1) At least two (2) members representing:**

**(A) consumer organizations; or**

**(B) advocacy groups;**

**that assist individuals with physical, developmental, intellectual, sensory, or mental disabilities who need support in representing themselves."**

Page 1, line 16, strike "vocational rehabilitation services".

Page 2, line 1, strike "At least one (1) representative" and insert "**The chairperson**".

Page 2, line 2, delete "." and insert "**or a representative recommended by the Independent Living Council.**"

Page 2, line 6, strike "At least one (1) representative of the Indiana protection and" and insert "**The director of the client assistance program administered by the Indiana protection and advocacy services commission under IC 12-28-1-12, or a representative recommended by the director of the client assistance program.**"

Page 2, strike line 7.

Page 2, line 11, strike "division of disability and rehabilitative" and insert "**rehabilitation services bureau**".

Page 2, line 12, strike "services shall serve" and insert "**who serves**".

Page 2, line 12, after "ex officio" insert "**nonvoting**".

Page 2, line 13, strike "an ex".

Page 2, line 14, strike "officio" and insert "**a**".

Page 2, delete lines 15 through 22, begin a new line block indented and insert:

**"(10) A representative of a local workforce development board.**

**(11) A representative of the department of education.**

**(12) At least one (1) member who is a representative of the division of mental health and addiction who serves as a nonvoting member.**

**(13) At least one (1) member who is a representative of the bureau of developmental disabilities services who serves as a nonvoting member."**

Page 2, line 26, strike "division of".

Page 2, line 27, strike "disability and rehabilitative services." and insert "**rehabilitation services bureau**".

Page 2, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 2. IC 12-12-2-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. (a) A member of the commission serves a term of ~~not to exceed~~ three (3) years.

(b) **Except for the director of the client assistance program or a representative recommended by the client assistance program**, a member may not serve more than ~~two (2)~~ **six (6)** consecutive ~~terms~~ **years**.

**(c) The governor shall:**

**(1) specify the terms of service for each appointed member of the commission based on the commission's recommendations; and**

**(2) vary the terms of service to ensure that the members' terms expire on a staggered basis."**

Page 2, line 31, strike "division" and insert "**rehabilitation services bureau**".

Page 2, line 31, strike "division's" and insert "**bureau's**".

Page 2, delete lines 38 through 42.

Page 3, delete lines 1 through 16.

Page 3, line 17, reset in roman "(2)".

Page 3, line 17, delete "(3)".

Page 3, line 17, strike "secretary of family and social services and the".

Page 3, line 18, after "services" insert "**and the rehabilitation services bureau**".

Page 3, line 20, reset in roman "(3)".

Page 3, line 20, delete "(4)".

Page 3, line 24, reset in roman "(4)".

Page 3, line 24, delete "(5)".

Page 3, line 25, delete "not" and insert "**in accordance with federal requirements**".

Page 3, line 26, delete "later than October 1 each year".

Page 3, line 27, after "Indiana;" insert "**and**".

Page 3, delete lines 28 through 32, begin a new line double block indented and insert:

**"(B) recommendations concerning the implementation and progress toward advancing competitive integrated employment for individuals with disabilities as described in IC 22-9-11."**

Page 3, lines 33, reset in roman "(5)".

Page 3, line 33, delete "(6)".

Page 3, line 34, reset in roman "(6)".

Page 3, line 34, delete "(7)".

Page 3, between lines 36 and 37, begin a new line block indented and insert:

**"(7) Develop a statewide plan to support the advancement of competitive integrated employment, including self-employment, as the first and preferred option when providing services to individuals with disabilities. The plan, at a minimum, must include the**

**following:**

**(A) Identification of barriers to employment for individuals with disabilities.**

**(B) An analysis of federal, state, and local agency policies concerning the provision of services to individuals with disabilities, including the impact of those policies on opportunities for competitive integrated employment.**

**(C) Recommendations to advance competitive integrated employment for individuals with disabilities."**

Page 3, line 42, after ""competitive" insert "**integrated**".

Page 3, line 42, after "employment"" insert "**has the meaning set forth in 34 CFR 361.5(c)(9)**".

Page 4, delete lines 1 through 6.

Page 4, line 8, delete "section" and insert "**34 CFR 361.5(c)(27)**".

Page 4, delete lines 9 through 10.

Page 4, line 14, after "knowledge" insert "**that may be**".

Page 4, delete line 21.

Page 4, line 22, delete "(5)" and insert "**(4)**".

Page 4, line 24, delete "(6)" and insert "**(5)**".

Page 4, delete lines 27 through 33, begin a new line block indented and insert:

**"(6) Working in alternative work environments that allow an individual with a disability to remain attached to the workforce in some capacity while addressing barriers to competitive integrated employment."**

Page 4, line 34, delete "5." and insert "**4**".

Page 4, line 39, delete "6." and insert "**5**".

Page 5, line 8, delete "7." and insert "**6**".

Page 5, line 10, delete "8." and insert "**7**".

Page 5, line 10, delete "promote" and insert "**advance**".

Page 5, line 10, delete "and".

Page 5, line 23, delete "9." and insert "**8**".

Page 5, line 28, delete "and".

Page 5, line 29, delete "10." and insert "**9**".

Page 5, line 38, delete "11." and insert "**10**".

Page 5, line 39, delete "24".

Page 5, after line 39, begin a new paragraph and insert:

**"SECTION 4. [EFFECTIVE JULY 1, 2017] (a) As used in this SECTION, "commission" refers to the commission on rehabilitation services established by IC 12-12-2-2.**

**(b) The terms of the members of the commission serving on June 30, 2017, expire July 1, 2017.**

**(c) The governor shall appoint the members of the commission in accordance with IC 12-12-2-3, as amended by this act.**

**(d) The governor shall establish the initial term of office for each member appointed under subsection (c) in accordance with IC 12-12-2-4, as amended by this act.**

**(e) The initial terms for members of the commission appointed under subsection (c) begin July 1, 2017.**

**(f) This SECTION expires July 1, 2020."**

Renumber all SECTIONS consecutively.

(Reference is to SB 390 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill 400, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 416, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 1.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 429, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass and reassigned to the Senate Committee on Tax and Fiscal Policy.

Committee Vote: Yeas 8, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 446, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

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

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

"SECTION 1. IC 4-3-25-4, AS ADDED BY P.L.7-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. The commission consists of the following eighteen (18) members:

- (1) **A member appointed by the governor who is either the executive director for drug prevention, treatment, and enforcement or a member of the governor's staff appointed by the governor.**
- (2) An appellate or trial court judge appointed by the chief justice of the supreme court to serve on the commission for

a term of four (4) years.

(3) One (1) legislative member appointed by the president pro tempore of the senate.

(4) One (1) legislative member appointed by the minority leader of the senate.

(5) One (1) legislative member appointed by the speaker of the house of representatives.

(6) One (1) legislative member appointed by the minority leader of the house of representatives.

(7) The superintendent of public instruction.

(8) The director of the department of child services.

(9) The executive director of the Indiana prosecuting attorneys council.

(10) The executive director of the public defender council of Indiana.

(11) The secretary of family and social services.

(12) The state health commissioner.

(13) The commissioner of the department of correction.

(14) The superintendent of the state police department.

(15) The director of the office of management and budget or the budget director, as selected by the governor.

(16) The executive director of the Indiana criminal justice institute.

(17) The executive director of the professional licensing agency.

(18) The attorney general, who shall serve as a nonvoting member.

SECTION 2. IC 4-3-25-5, AS ADDED BY P.L.7-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. **The executive director for drug prevention, treatment, and enforcement or the other member of the governor's staff appointed under section 4(1) of this chapter shall serve as the chairperson of the commission. The chairperson shall determine the agenda for the commission.**

SECTION 3. IC 4-3-25-9, AS ADDED BY P.L.7-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. The commission shall **meet at the call of the commission's chairperson. However, the commission shall** meet at least four (4) times in a calendar year.

SECTION 4. IC 4-3-25-12, AS ADDED BY P.L.7-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. The commission shall do the following:

- (1) Identify ways for state agencies to coordinate with each other on substance abuse prevention, treatment, and enforcement programming and funding.
- (2) Promote information sharing throughout Indiana concerning substance abuse prevention, treatment, and enforcement.
- (3) Promote best practices concerning substance abuse prevention, treatment, and enforcement.
- (4) Cooperate with other commissions, governmental entities, and stakeholders engaged in substance abuse prevention, treatment, and enforcement.
- (5) Study local programs that have been proven to be effective in addressing substance abuse.

- (6) Seek guidance from local coordinating councils to identify substance abuse issues in local communities and evaluate the resources available to address local needs.
- (7) Study and evaluate the following concerning substance abuse treatment and prevention services in Indiana:
- (A) The availability of and access to the services.
  - (B) The duplication of services, if any.
  - (C) Funding of the services.
  - (D) Barriers to obtaining the services.
- (8) Coordinate the collection of data concerning substance abuse and the needs, programming, and effectiveness of state supported substance abuse treatment and prevention services.
- (9) Recommend to the executive director of the Indiana criminal justice institute roles, responsibilities, and performance standards for local coordinating councils.
- (10) Approve requests for substance abuse treatment and prevention programs."**

Page 1, line 9, delete "The" and insert " **Subject to the approval of the Indiana commission to combat drug abuse, the**".

Page 2, line 3, delete "(a)".

Page 2, line 39, delete "There is appropriated from the state general fund" and insert "**The Indiana commission to combat drug abuse may award the state department not more than**".

Page 2, line 40, delete "to the state".

Page 2, line 41, delete "department".

Page 2, line 41, after "for" insert "**purposes of**".

Renumber all SECTIONS consecutively.

(Reference is to SB 446 as printed January 25, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 1.

KENLEY, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs and The Military, to which was referred Senate Bill 454, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 8, delete "in the veterans'" and insert "**as follows:**

- (1) Forty percent (40%) to the veterans' treatment fund established by IC 16-48-2-15.**
- (2) Ten percent (10%) to the veterans service officer fund established by IC 10-17-13.5-4.**
- (3) Ten percent (10%) to the state lottery commission established by IC 4-30-3-1 for operating costs.**
- (d) This section expires June 30, 2020."**

Page 1, delete line 9.

Page 2, line 9, delete "transfer to" and insert "**transfer to:**

- (1) the veterans' treatment fund established by IC 16-48-2-15; and**
- (2) the veterans service officer fund established by IC 10-17-13.5-4.**

**This subsection expires June 30, 2020."**

Page 2, delete line 10.

Page 2, line 20, delete "in the" and insert "**as follows:**

- (1) Forty percent (40%) to the veterans' treatment fund established by IC 16-48-2-15.**
- (2) Ten percent (10%) to the veterans service officer fund established by IC 10-17-13.5-4.**
- (3) Ten percent (10%) to the state lottery commission established by IC 4-30-3-1 for operating costs.**

**This subsection expires June 30, 2020."**

Page 2, delete line 21, begin a new paragraph and insert:

"SECTION 4. IC 10-17-13.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

#### **Chapter 13.5. Veterans Service Officer Fund**

**Sec. 1. As used in this chapter, "commission" refers to the Indiana veterans' affairs commission established by IC 10-17-13-4.**

**Sec. 2. As used in this chapter, "department" refers to the Indiana department of veterans' affairs established by IC 10-17-1-2.**

**Sec. 3. As used in this chapter, "fund" refers to the veterans service officer fund established by section 4 of this chapter.**

**Sec. 4. (a) The veterans service officer fund is established to provide funding for grants to counties for salaries for veterans service officers. A grant awarded for veterans service officer salaries under this chapter may be awarded to counties for only paying salaries of veterans service officers who work at least one thousand (1,000) hours annually.**

**(b) The fund shall be administered by the commission.**

**(c) The fund consists of the following:**

**(1) Appropriations made by the general assembly.**

**(2) Donations to the fund.**

**(3) Interest.**

**(4) Money deposited under IC 4-30-15-1(c).**

**(5) Money from any other source authorized or appropriated for the fund.**

**(d) The expenses of administering the fund shall be paid from money in the fund.**

**(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.**

**(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund.**

**(g) The commission shall adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to implement this chapter, including rules that establish an application process for providing grants to counties under this section for salaries for county veterans service officers. Subject to the approval of the budget agency, any appropriation to the department or the commission may be used to augment appropriations made to the commission for use in funding grants under this chapter.**

**(h) The maximum amount of a grant the commission may award to any county under this section per year for a veterans service officer required to be designated under IC 10-17-1-9 is equal to fifteen thousand dollars (\$15,000).**

**Sec. 5. A county may receive, in addition to a grant under section 4 of this chapter, a subsequent grant annually that is equal to thirty-five thousand dollars (\$35,000) multiplied by the amount determined under STEP FOUR of the following formula:**

**STEP ONE: Determine the number of veterans in the county.**

**STEP TWO: Divide the number determined in STEP ONE by ten thousand (10,000).**

**STEP THREE: Round the amount determined in STEP TWO to the nearest five-tenths (0.5).**

**STEP FOUR: Subtract one (1) from the amount determined in STEP THREE.**

**Sec. 6. The department may establish procedures, forms, and standards to carry out this chapter.**

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

**"Sec. 7. This chapter expires June 30, 2020."**

Page 3, line 23, after "IC 16-48-2-1." insert **"This section expires June 30, 2020."**

Page 3, line 32, after "IC 16-48-2-2." insert **"This subsection expires June 30, 2020."**

Page 4, line 10, after "IC 16-48-2-3." insert **"This subsection expires June 30, 2020."**

Page 6, line 23, after "IC 16-48-2-4." insert **"This subsection expires June 30, 2020."**

Page 6, line 28, after "IC 16-48-2-5." insert **"This section expires June 30, 2020."**

Page 6, line 38, after "IC 16-48-2-6." insert **"This subsection expires June 30, 2020."**

Page 6, line 42, after "IC 16-48-2-7." insert **"This section expires June 30, 2020."**

Page 7, line 5, after "IC 16-48-2-8." insert **"This section expires June 30, 2020."**

Page 7, line 9, after "IC 16-48-2-9." insert **"This section expires June 30, 2020."**

Page 13, line 37, delete "July 1, 2022." and insert **"June 30, 2020."**

Page 13, line 40, after "IC 16-48-2-14" insert **"(before its expiration)"**.

Renumber all SECTIONS consecutively.

(Reference is to SB 454 as introduced.)

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

Committee Vote: Yeas 8, Nays 0.

DELPH, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 475, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

KENLEY, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 496, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 4-3-25-4, AS ADDED BY P.L.7-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. The commission consists of the following eighteen (18) members:

(1) **A member appointed by the governor who is either the executive director for drug prevention, treatment, and enforcement or a member of the governor's staff appointed by the governor.**

(2) An appellate or trial court judge appointed by the chief justice of the supreme court to serve on the commission for a term of four (4) years.

(3) One (1) legislative member appointed by the president pro tempore of the senate.

(4) One (1) legislative member appointed by the minority leader of the senate.

(5) One (1) legislative member appointed by the speaker of the house of representatives.

(6) One (1) legislative member appointed by the minority leader of the house of representatives.

(7) The superintendent of public instruction.

(8) The director of the department of child services.

(9) The executive director of the Indiana prosecuting attorneys council.

(10) The executive director of the public defender council of Indiana.

(11) The secretary of family and social services.

(12) The state health commissioner.

(13) The commissioner of the department of correction.

(14) The superintendent of the state police department.

(15) The director of the office of management and budget or the budget director, as selected by the governor.

(16) The executive director of the Indiana criminal justice institute.

(17) The executive director of the professional licensing agency.

(18) The attorney general, who shall serve as a nonvoting member.

SECTION 2. IC 4-3-25-5, AS ADDED BY P.L.7-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. **The executive director for drug prevention, treatment, and enforcement or the other member of the governor's staff appointed under section 4(1) of this chapter shall serve as the chairperson of the commission. The chairperson shall determine the agenda for the commission.**

SECTION 3. IC 4-3-25-9, AS ADDED BY P.L.7-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. The commission shall **meet at the call of the commission's chairperson. However, the commission shall meet at least four (4) times in a calendar**

year.

SECTION 4. IC 4-3-25-12, AS ADDED BY P.L.7-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. The commission shall do the following:

- (1) Identify ways for state agencies to coordinate with each other on substance abuse prevention, treatment, and enforcement programming and funding.
- (2) Promote information sharing throughout Indiana concerning substance abuse prevention, treatment, and enforcement.
- (3) Promote best practices concerning substance abuse prevention, treatment, and enforcement.
- (4) Cooperate with other commissions, governmental entities, and stakeholders engaged in substance abuse prevention, treatment, and enforcement.
- (5) Study local programs that have been proven to be effective in addressing substance abuse.
- (6) Seek guidance from local coordinating councils to identify substance abuse issues in local communities and evaluate the resources available to address local needs.
- (7) Study and evaluate the following concerning substance abuse treatment and prevention services in Indiana:
  - (A) The availability of and access to the services.
  - (B) The duplication of services, if any.
  - (C) Funding of the services.
  - (D) Barriers to obtaining the services.
- (8) Coordinate the collection of data concerning substance abuse and the needs, programming, and effectiveness of state supported substance abuse treatment and prevention services.
- (9) Recommend to the executive director of the Indiana criminal justice institute roles, responsibilities, and performance standards for local coordinating councils.
- (10) Approve requests for substance abuse treatment and prevention programs."**

Page 1, line 15, after "IC 31-27" insert ",."

Page 2, line 14, after "2018." insert **"However, this section applies to the department only if the Indiana commission to combat drug abuse has approved the requirements and procedures of this section."**

Page 2, line 15, after "The" insert **"department shall determine the psychotropic medications for which the department's consent is required before administration to a child who is under the care and supervision of the department and in an out-of-home placement. Subject to subsection (i), the"**

Page 2, line 19, after "consent" insert **", if consent is required,"**.

Page 2, line 25, after "care." insert **"Subject to available funds, the goal of the department is to provide for review and recommendations regarding consent for administration of psychotropic medication in at least twenty-five percent (25%) of cases in which children are under the care and supervision of the department, are in an out-of-home placement, and receive or will need psychotropic medications."**

Page 3, line 5, after "the" insert **"child and adolescent**

**psychiatric"**.

Page 3, between lines 25 and 26, begin a new paragraph and insert:

**"(i) The total amount for contracts described in subsection (b) may not exceed two million five hundred thousand dollars (\$2,500,000) during any period of two (2) years."**

Page 3, line 29, after "2018." insert **"However, this section applies to the department only if the Indiana commission to combat drug abuse has approved the requirements and procedures of this section."**

Page 4, line 25, after "2018." insert **"However, this section applies to the department only if the Indiana commission to combat drug abuse has approved the requirements and procedures of this section."**

Page 4, line 35, after "2018." insert **"However, this section applies to a licensee and to the department only if the Indiana commission to combat drug abuse has approved the requirements and procedures of this section."**

Page 4, line 37, after "child" insert **"who is"**.

Page 4, line 38, after "department" insert **"and for whom consent is required under IC 31-27-2-12"**.

Page 6, line 5, after "consent" insert **", if consent is required under IC 31-27-2-12,"**.

Page 6, line 16, after "2018." insert **"However, this section applies to a licensee and to the department only if the Indiana commission to combat drug abuse has approved the requirements and procedures of this section."**

Page 6, line 18, after "child" insert **"who is"**.

Page 6, line 18, after "department" insert **"and for whom consent is required under IC 31-27-2-12"**.

Page 7, line 29, after "2018." insert **"However, this section applies to a licensee and to the department only if the Indiana commission to combat drug abuse has approved the requirements and procedures of this section."**

Page 7, line 31, after "child" insert **"who is"**.

Page 7, line 31, after "department" insert **"and for whom consent is required under IC 31-27-2-12"**.

Page 8, line 42, after "2018." insert **"However, this section applies to a licensee and to the department only if the Indiana commission to combat drug abuse has approved the requirements and procedures of this section."**

Page 9, line 2, after "child" insert **"who is"**.

Page 9, line 2, after "department" insert **"and for whom consent is required under IC 31-27-2-12"**.

Renumber all SECTIONS consecutively.

(Reference is to SB 496 as printed February 7, 2017, Printer's Error.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 4.

KENLEY, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 504, has had the same under consideration and begs leave to report the

same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, line 23, delete "school, including each charter" and insert "school".

Page 4, line 24, delete "school,".

Page 4, line 24, delete "corporation" and insert "corporation, each charter school, or each school in the school corporation and each charter school if the school corporation and charter school are acting jointly,".

(Reference is to SB 504 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 1.

KRUSE, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 506, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

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

Page 2, line 15, delete "the establishment of" and insert "**county and regional**".

Page 2, line 15, delete "in".

Page 2, line 16, delete "each county".

Page 2, line 20, delete "Development" and insert "**Maintenance**".

Page 2, delete lines 27 through 42.

Page 3, delete lines 1 through 28.

Page 4, line 32, delete "(a) Beginning after June 30,".

Page 4, delete lines 33 through 42.

Page 5, delete lines 1 through 7.

Page 5, line 8, delete "(d)".

Page 4, run in line 32 through page 5, line 8.

Page 5, line 25, delete "student death." and insert "**death of a student or school employee.**".

Page 6, line 3, after "student" insert "**or faculty member**".

Page 6, line 41, delete "the American Foundation for Suicide Prevention or".

Renumber all SECTIONS consecutively.

(Reference is to SB 506 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

CHARBONNEAU, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 510, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 4-3-25-4, AS ADDED BY P.L.7-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. The commission consists of the following eighteen (18) members:

(1) **A member appointed by the governor who is either the executive director for drug prevention, treatment, and enforcement or** a member of the governor's staff. **appointed by the governor.**

(2) An appellate or trial court judge appointed by the chief justice of the supreme court to serve on the commission for a term of four (4) years.

(3) One (1) legislative member appointed by the president pro tempore of the senate.

(4) One (1) legislative member appointed by the minority leader of the senate.

(5) One (1) legislative member appointed by the speaker of the house of representatives.

(6) One (1) legislative member appointed by the minority leader of the house of representatives.

(7) The superintendent of public instruction.

(8) The director of the department of child services.

(9) The executive director of the Indiana prosecuting attorneys council.

(10) The executive director of the public defender council of Indiana.

(11) The secretary of family and social services.

(12) The state health commissioner.

(13) The commissioner of the department of correction.

(14) The superintendent of the state police department.

(15) The director of the office of management and budget or the budget director, as selected by the governor.

(16) The executive director of the Indiana criminal justice institute.

(17) The executive director of the professional licensing agency.

(18) The attorney general, who shall serve as a nonvoting member.

SECTION 2. IC 4-3-25-5, AS ADDED BY P.L.7-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. **The executive director for drug prevention, treatment, and enforcement or the other member of the governor's staff appointed under section 4(1) of this chapter shall serve as the chairperson of the commission. The chairperson shall determine the agenda for the commission.**

SECTION 3. IC 4-3-25-9, AS ADDED BY P.L.7-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. The commission shall **meet at the call of the commission's chairperson. However, the commission shall meet at least four (4) times in a calendar year.**

SECTION 4. IC 4-3-25-12, AS ADDED BY P.L.7-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. The commission shall do the following:

(1) Identify ways for state agencies to coordinate with each other on substance abuse prevention, treatment, and enforcement programming and funding.

(2) Promote information sharing throughout Indiana concerning substance abuse prevention, treatment, and enforcement.

(3) Promote best practices concerning substance abuse prevention, treatment, and enforcement.

(4) Cooperate with other commissions, governmental entities, and stakeholders engaged in substance abuse prevention, treatment, and enforcement.

(5) Study local programs that have been proven to be effective in addressing substance abuse.

(6) Seek guidance from local coordinating councils to identify substance abuse issues in local communities and evaluate the resources available to address local needs.

(7) Study and evaluate the following concerning substance abuse treatment and prevention services in Indiana:

(A) The availability of and access to the services.

(B) The duplication of services, if any.

(C) Funding of the services.

(D) Barriers to obtaining the services.

(8) Coordinate the collection of data concerning substance abuse and the needs, programming, and effectiveness of state supported substance abuse treatment and prevention services.

(9) Recommend to the executive director of the Indiana criminal justice institute roles, responsibilities, and performance standards for local coordinating councils.

**(10) Approve requests for substance abuse treatment and prevention programs."**

Page 1, line 8, after "2018," insert "**and after approval of the Indiana commission to combat drug abuse,**".

Page 3, line 11, after "expend" insert "**state**".

Page 3, line 11, delete "appropriated" and insert "**granted**".

Page 3, line 12, delete "from the state general fund".

Page 3, line 13, delete "million five" and insert "**dollar (\$1) of local funds for every one dollar (\$1) of state funds**".

Page 3, line 14, delete "hundred thousand dollars (\$1,500,000), including grants,".

Page 3, line 16, delete "appropriated" and insert "**granted**".

Page 3, line 16, delete "from the state general fund".

Page 3, line 18, delete "has raised" and insert "**expends**".

Page 3, line 18, delete "million five hundred thousand dollars" and insert "**dollar (\$1) of local funds for every one dollar (\$1) of state funds expended**".

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

**(j) The Indiana commission to combat drug abuse may provide grants of not more than one million five hundred thousand dollars (\$1,500,000) for purposes of the pilot program."**

Page 3, line 21, delete "(j)" and insert "**(k)**".

Page 3, line 23, delete "(k)" and insert "**(l)**".

Page 3, delete lines 24 through 34, begin a new paragraph and insert:

"SECTION 6. [EFFECTIVE JULY 1, 2017] **(a) There is appropriated to the Indiana commission to combat drug abuse established by IC 4-3-25-3 five million dollars (\$5,000,000) from the state general fund for the state fiscal**

**year beginning July 1, 2017, and ending June 30, 2018, for the purpose of funding approved substance abuse treatment and prevention programs.**

**(b) There is appropriated to the Indiana commission to combat drug abuse established by IC 4-3-25-3 five million dollars (\$5,000,000) from the state general fund for the state fiscal year beginning July 1, 2018, and ending June 30, 2019, for the purpose of funding approved substance abuse treatment and prevention programs.**

**(c) This SECTION expires June 30, 2019."**

Renumber all SECTIONS consecutively.

(Reference is to SB 510 as printed February 7, 2017.) and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

KENLEY, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 514, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 5-28-15-3, AS AMENDED BY P.L.146-2008, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]: Sec. 3. As used in this chapter, "zone business" means an entity that accesses at least one (1) tax credit, deduction, or exemption incentive available under this chapter, IC 6-1.1-45, IC 6-3-3-10, IC 6-3.1-7 **(before its expiration)**, or IC 6-3.1-10 **(before its expiration)**.

SECTION 2. IC 5-28-15-10, AS AMENDED BY P.L.145-2016, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. (a) Subject to subsection (b), an enterprise zone expires ten (10) years after the day on which it is designated by the board.

(b) In the period beginning December 1, 2008, and ending December 31, 2014, an enterprise zone does not expire under this section if the fiscal body of the municipality in which the enterprise zone is located adopts a resolution renewing the enterprise zone for an additional five (5) years. An enterprise zone may be renewed under this subsection regardless of the number of times the enterprise zone has been renewed under subsections (d) and (e). A municipal fiscal body may adopt a renewal resolution and submit a copy of the resolution to the corporation:

(1) before August 1, 2009, in the case of an enterprise zone that expired after November 30, 2008, or is scheduled to expire before September 1, 2009; or

(2) at least thirty (30) days before the expiration date of the enterprise zone, in the case of an enterprise zone scheduled to expire after August 31, 2009.

If an enterprise zone is renewed under this subsection after having been renewed under subsection (e), the enterprise zone may not be renewed after the expiration of this final five (5) year period, except under subsection (c).

(c) An enterprise zone does not expire under this section if the fiscal body of the municipality in which the enterprise zone is located:

- (1) has adopted a resolution renewing the enterprise zone under subsection (b); and
- (2) adopts a resolution renewing the enterprise zone for an additional one (1) year period beginning on the date on which the enterprise zone would otherwise expire under the resolution adopted under subdivision (1).

An enterprise zone may be renewed for an additional one (1) year period under this subsection regardless of the number of times the enterprise zone has been renewed under subsections (d) and (e). A municipal fiscal body may adopt a renewal resolution and submit a copy of the resolution to the corporation at least thirty (30) days before the expiration date of the enterprise zone. If an enterprise zone is renewed for an additional one (1) year period under this subsection after having been renewed under subsection (e), the enterprise zone may not be renewed after the expiration of this final one (1) year period.

(d) The two (2) year period immediately before the day on which the enterprise zone expires is the phaseout period. During the phaseout period, the board may review the success of the enterprise zone based on the following criteria and may, ~~with the consent of~~ **after review by** the budget committee, renew the enterprise zone, including all provisions of this chapter, for five (5) years:

- (1) Increases in capital investment in the zone.
- (2) Retention of jobs and creation of jobs in the zone.
- (3) Increases in employment opportunities for residents of the zone.

(e) If an enterprise zone is renewed under subsection (d), the two (2) year period immediately before the day on which the enterprise zone expires is another phaseout period. During the phaseout period, the board may review the success of the enterprise zone based on the criteria set forth in subsection (d) and, ~~with the consent of~~ **after review by** the budget committee, may again renew the enterprise zone, including all provisions of this chapter, for a final period of five (5) years. The zone may not be renewed after the expiration of this final five (5) year period."

Page 2, delete lines 9 through 12, begin a new paragraph and insert:

**"(b) If the board designates a district in a city listed in subsection (a), the mayor of the city shall designate the board of directors of the district by doing one (1) of the following:**

- (1) Designate the urban enterprise association established under IC 5-28-15-13 for an enterprise zone in the city as the board of directors of the district.**
- (2) Appoint a board of directors of the district consisting of seven (7) members as follows:**
  - (A) Four (4) members selected by the mayor of the city.**
  - (B) Three (3) members selected by the fiscal body of the city."**

Page 2, line 28, delete "twenty-five percent (25%)" and insert **"twenty percent (20%)"**.

Page 2, delete lines 35 through 36, begin a new line block indented and insert:

**"(2) The proposed district has a population that is:**

**(A) more than two thousand (2,000) but not more than forty thousand (40,000); or**

**(B) at least equal to:**

- (i) the population of the qualified municipality; multiplied by**
- (ii) ten percent (10%);**

**whichever is greater."**

Page 2, delete lines 37 through 39, begin a new line block indented and insert:

**"(3) The territory of the proposed district contains:**

**(A) not more than four (4) square miles; or**

**(B) not more than ten percent (10%) of the territory of the qualified municipality;**

**whichever is greater."**

Page 6, line 4, delete "and".

Page 6, line 6, delete "." and insert **"; and"**.

Page 6, between lines 6 and 7, begin a new line block indented and insert:

**"(3) pay the amount determined under section 9(c) of this chapter to the district board."**

Page 6, line 8, delete "is" and insert **"and the district board are"**.

Page 6, line 13, after "corporation" insert **"or district board"**.

Page 8, line 12, delete "aid in the employment of district residents,".

Page 8, line 13, delete ",".

Page 11, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 4. IC 5-28-28-4, AS AMENDED BY P.L.190-2014, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]: Sec. 4. As used in this chapter, "tax credit" means a state tax liability credit under any of the following:

- (1) IC 6-3.1-7 **(before its expiration)**.
- (2) IC 6-3.1-13.
- (3) IC 6-3.1-26.
- (4) IC 6-3.1-30.
- (5) IC 6-3.1-31.9."

Page 15, line 11, after "association" insert **"or the district board"**.

Page 18, line 18, delete "10" and insert **"15"**.

Page 20, line 20, after "credit)" delete "." and insert **"(before its expiration)"**.

Page 20, between lines 40 and 41, begin a new paragraph and insert:

"SECTION 17. IC 6-3.1-7-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]: **Sec. 8. (a) Notwithstanding any other law, a taxpayer is not entitled to receive a credit under this chapter for interest received on a qualified loan made after December 31, 2017. However, this section may not be construed to prevent a taxpayer from carrying an unused tax credit attributable to a qualified loan made before January 1, 2018, forward to a taxable year beginning after December 31, 2017, and before January 1, 2028, in the manner provided by section 3 of this chapter.**

**(b) This chapter expires January 1, 2028.**

SECTION 18. IC 6-3.1-10-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]: **Sec. 10. (a) Notwithstanding any other law and except as provided in subsection (b), a taxpayer is entitled to receive a credit under this chapter only for a qualified investment made before January 1, 2018.**

**(b) A taxpayer is entitled to receive a credit for a qualified investment made after December 31, 2017, and before January 1, 2028, if the qualified investment is approved by the corporation before January 1, 2018.**

**(c) This section may not be construed to prevent a taxpayer from carrying an unused tax credit attributable to a qualified investment made before January 1, 2018, or made as provided in subsection (b) forward to a taxable year beginning after December 31, 2017, and before January 1, 2028, in the manner provided by section 7 of this chapter.**

**(d) This chapter expires January 1, 2028."**

Page 21, line 21, after "that" insert "after the designation of a district".

Page 21, line 23, after "in" delete "a" and insert "the".

Page 21, line 27, after "that" insert "after the designation of a district".

Page 21, line 28, after "in" delete "a" and insert "the".

Page 23, line 23, after "14." insert "(a)".

Page 23, between lines 29 and 30, begin a new paragraph and insert:

**"(b) The amount of tax credits that may be awarded under this chapter in a particular district may not exceed three million dollars (\$3,000,000) in a state fiscal year."**

Renumber all SECTIONS consecutively.

(Reference is to SB 514 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

HERSHMAN, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs and The Military, to which was referred Senate Bill 517, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 7, delete "Beginning January 1, 2018, the scratch off game described" and insert "**The scratch off game described in subsection (a) must be available during the entire calendar year.**

**(c) Forty percent (40%) of the profits from the sale of tickets for the scratch off game described in subsection (a) must be deposited in the veterans homelessness assistance fund established by IC 10-17-16-7. This section expires June 30, 2020.**

SECTION 2. IC 4-30-10-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. **(a)** Each retailer is liable to the commission for any and all tickets accepted or generated by an employee or representative of that retailer. These tickets are considered to have been purchased by

the retailer, unless returned to the commission within the time and in the manner prescribed by the commission.

**(b) Except as provided in subsection (c), all money received by retailers from the sale of lottery tickets, less the amount retained as compensation for the sale of the tickets and the amount paid out as prizes by the retailer, shall be held in trust until its delivery to the commission or electronic transfer to the administrative trust fund.**

**(c) Forty percent (40%) of the profits from the sale of tickets for a scratch off game established under IC 4-30-3-20 shall be held in trust until its delivery to the commission for deposit in or electronic transfer to the veterans homelessness assistance fund established by IC 10-17-16-7. This subsection expires June 30, 2020.**

SECTION 3. IC 4-30-15-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. **(a)** There is created an administrative trust fund to be administered by the commission in accordance with this article.

**(b) Except as provided in subsection (c), all money received by the commission shall be deposited into the fund. All money in the fund is continually appropriated to the commission for the purposes specified in this article.**

**(c) The commission shall deposit forty percent (40%) of the profits from the sale of tickets for a scratch off game established under IC 4-30-3-20 in the veterans homelessness assistance fund established by IC 10-17-16-7. This subsection expires June 30, 2020."**

Page 1, delete lines 8 through 17.

Page 2, delete lines 1 through 35.

Page 4, after line 23, begin a new paragraph and insert:

**"Sec. 10. This chapter expires June 30, 2020."**

Renumber all SECTIONS consecutively.

(Reference is to SB 517 as introduced.)

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

Committee Vote: Yeas 9, Nays 0.

DELPH, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 544, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 8, delete "IC 4-6-11.5" and insert "IC 4-12-16".

Page 1, line 11, delete "Chapter 11.5. Consumer Protection, Fee, and" and insert "**Chapter 16. Agency**".

Page 1, line 12, delete "consumer" and insert "agency".

Page 1, line 13, delete "protection, fee, and".

Page 1, line 15, delete "consumer protection, fee, and" and insert "**agency**".

Page 1, line 16, delete ":".

Page 1, line 17, delete "(1)".

Page 1, run in lines 16 through 17.

Page 2, line 1, delete ";" and insert ".".

Page 2, delete lines 2 through 4.

Page 2, line 6, delete "subsection (b)," and insert "**subsections (b) and (c),**".

Page 2, line 8, delete "consumer".

Page 2, line 16, delete "consumer".

Page 2, line 16, delete "brought by the attorney general." and insert ".".

Page 2, line 20, delete "the attorney general;" and insert "**a state agency;**".

Page 2, between lines 23 and 24, begin a new paragraph and insert:

**"(c) The fund does not include the following:**

**(1) Funds received by the state department of revenue.**

**(2) Funds required to be deposited in the securities division enforcement account (IC 23-19-6-1).**

**(3) Funds received as the result of a civil forfeiture under IC 34-24-1.**

**(4) Funds received as a civil penalty or as part of an enforcement or collection action by an agency authorized to impose a civil penalty or engage in an enforcement or collection action, if the funds are required to be deposited in the general fund or another fund by statute."**

Page 2, line 25, delete "The attorney general" and insert "**A state agency**".

Page 2, line 26, delete "for the purposes described in section 2 of this chapter".

Page 2, line 28, delete "The attorney general" and insert "**A state agency**".

Page 2, line 31, delete "consumer education".

Page 2, line 35, delete "consumer".

Page 2, line 37, delete "attorney general" and insert "**state agency**".

Page 2, line 38, delete "consumer".

(Reference is to SB 544 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 1.

BRAY, Chair

Report adopted.

SENATE MOTION

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

SR 26 Senator Zay

Celebrating the Indiana Association for Health, Physical Education, Recreation, & Dance for 100 years of success.

SR 27 Senator Lanane

Honoring Marietta Wright, Phil Rogers, John German, Bob Wilkerson and John E. Wilson.

SR 28 Senator Alting

Honoring Sergeant Matthew Coddington on his retirement.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 26

Senate Resolution 26, introduced by Senator Zay:

A SENATE RESOLUTION celebrating the Indiana Association for Health, Physical Education, Recreation, & Dance ("IAHPERD") for 100 years of success in the fields of health, physical education, recreation, and dance.

*Whereas, The Indiana Association for Health, Physical Education, Recreation and Dance ("IAHPERD") is a professional education association for teachers, administrators, researchers, coaches, students and other allied professionals who are actively engaged in and dedicated to the promotion of quality health, physical education, recreation, dance, sport and allied programming in public and private schools, colleges and universities, and community agencies throughout the state of Indiana;*

*Whereas, The mission of IAHPERD is to enhance the credibility of the disciplines within the association through advocacy, professional development, and research-based pedagogies resulting in healthier communities;*

*Whereas, IAHPERD is accomplishing its mission statement by being a resource organization for its included disciplines, as well as holding an annual conference to present the newest ideas to aid those within its fields;*

*Whereas, Professionals and university students are invited annually to the IAHPERD state conference where the latest activities and research are presented, and the conference is also an opportunity to network with others from throughout the state to allow further dialogue in individual areas of interest;*

*Whereas, IAHPERD will hold its annual state conference in Indianapolis on November 1<sup>st</sup> through November 3<sup>rd</sup>, 2017;*

*Whereas, Advocacy is an important part of IAHPERD, and to enhance this, a number of grants are available to its members;*

*Whereas, These grants are used to advance the understanding of and advocate for the activities of IAHPERD in the state of Indiana, namely healthy living skills and daily physical activity in P-16, both of which lead to healthy, active lifestyles;*

*Whereas, Scholarships for college and university students are also available through IAHPERD;*

*Whereas, Newsletters and professional journals are also an important part of IAHPERD, and these publications contain research and updates that help its members to be on the cutting-edge of both innovations and research in all of its discipline areas;*

*Whereas, From IAHPERD's early days in 1917 to today, it has seen so many changes in its disciplines, and as it moves*

*forward into the next 100 years, its mission does not change; and*

*Whereas, The Indiana Senate honors IAHPERD for standing firm in its resolve to enhance health, physical education, recreation, and dance for professionals and students in P-16 throughout the state of Indiana: Therefore,*

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

SECTION 1. That the Indiana Senate honors the Indiana Association for Health, Physical Education, Recreation, and Dance ("IAHPERD") for 100 years of success in the fields of health, physical education, recreation, and dance.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Karen Hatch, Executive Director of the Indiana Association for Health, Physical Education, Recreation, and Dance ("IAHPERD").

The resolution was read in full and adopted by voice vote.

#### **Senate Resolution 27**

Senate Resolution 27, introduced by Senator Lanane:

A SENATE RESOLUTION honoring Marietta Wright, Phil Rogers, John German, Bob Wilkerson and John E. Wilson for their many contributions to our community and state during Black History Month 2017.

*Whereas, Marietta Wright worked for 30 years as a program director with the Greater Community Center and Anderson Community Schools, helping create many new programs such as the Senior High School Club, Junior High School Club, Girl Scouts Club, Youth Swim Club, Women and Girls Softball League, Men and Boys Softball League, Sew Seamstress Club, and the Youth Bowling League;*

*Whereas, Phil Rogers whose time in our community was marked by a number of milestones, he was the first African-American paramedic, first African-American fire department chief in Madison County, and the first paramedic appointed chief of the Anderson Fire Department;*

*Whereas, John German was the first black member of the Anderson City Council when he was elected in 1976;*

*Whereas, Bob Wilkerson, a 6'6" guard/forward born in Anderson, Indiana and attended Indiana University, where he was a member of the Hoosiers' 1976 NCAA Championship team. From 1976 to 1983 he played in the National Basketball Association as a member of the Seattle Superonics, Denver Nuggets, Chicago Bulls, and Cleveland Cavaliers, averaging 10.1 points per game during his NBA career; and*

*Whereas, John E. Wilson, popularly known as "Jumpin' Johnny Wilson" attended school at Anderson High School. John was the Captain of the Anderson Indians basketball team and was named Indiana's Mr. Basketball. In the 1946 high school championship game, he scored 30 of the team's 67 points in the victory over Fort Wayne Central High School, setting a record. John went on to play basketball for Anderson College and then for the Harlem Globetrotters from 1949-1954. John also played baseball for one year with the Chicago American Giants in the Negro Leagues: Therefore,*

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

SECTION 1. That the Indiana Senate honors Marietta Wright, Phil Rogers, John German, Bob Wilkerson, and John E. Wilson during Black History Month for their many contributions to our community and state.

SECTION 2. That the Secretary of the Senate is hereby directed to submit 5 copies of this Resolution to the families of Marietta Wright, Phil Rogers, John German, Bob Wilkerson, and John E. Wilson.

The resolution was read in full and adopted by voice vote.

#### **Senate Resolution 28**

Senate Resolution 28, introduced by Senator Alting:

A SENATE RESOLUTION honoring Sergeant Matthew Coddington on the occasion of his retirement from the West Lafayette Police Department ("WLPD").

*Whereas, On February 17, 2017, Sergeant Matthew Coddington will retire from the West Lafayette Police Department ("WLPD") after 32 years of honorable service to the community;*

*Whereas, Matthew began his career with WLPD in 1985, and has since served in several command positions in both the Patrol and Detective Divisions;*

*Whereas, As one of WLPD's longest serving police officers, Matthew's decorated career spanned the tenure of three mayors and five police chiefs;*

*Whereas, The people of Indiana are grateful for public servants such as Sergeant Matthew Coddington who have dedicated their careers to protecting the safety and well-being of the community and its members;*

*Whereas, It is fitting that the Indiana Senate honors Sergeant Matthew Coddington on the occasion of his retirement from WLPD, thanks him for his many years of service to his community, and wishes him happiness in the years to come: Therefore,*

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

SECTION 1. That the Indiana Senate honors Sergeant Matthew Coddington on the occasion of his retirement from the West Lafayette Police Department, and thanks him for his many years of service to his community.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Sergeant Matthew Coddington.

The resolution was read in full and adopted by voice vote.

### **Senate Resolution 20**

Senate Resolution 20, introduced by Senator Crider:

A SENATE RESOLUTION honoring Helping Hands for Freedom ("HHFF") for its charitable work.

*Whereas, Co-founded in 2009 by retired Staff Sergeant and Fairland resident, Patrick Shannon, Helping Hands for Freedom's ("HHFF") main mission is supporting the surviving spouses and children of veterans who do not return from conflict;*

*Whereas, HHFF aids military families dealing with death, deployment and loss, as well as helping with basic expenses during transition;*

*Whereas, Additionally, HHFF assists those severely wounded who are in need of equipment or housing modifications;*

*Whereas, HHFF also helps children with life enrichment programs, mentor programs, and counseling;*

*Whereas, HHFF is a volunteer-driven 501(3)c organization, and the 2015 Lincoln Award winner, given to the top military charity by Southwest Veterans Chamber of Commerce;*

*Whereas, In 2016, HHFF embarked on a 3,100 mile walk across America to raise awareness of military families and to raise funds to build a retreat house and Post Traumatic Stress Disorder center that HHFF wants to put in central Indiana to assist military families, to honor Gold Star families, and to help end the epidemic of 22 veteran suicides a day;*

*Whereas, David Roth, a 20-year veteran of IMPD and former Chairman of the Board for HHFF, and Kevin Winton, a 20-plus year teacher at Beech Grove Middle School, walked the entire trip from Atlantic City to San Francisco, which began on April 28 and lasted until August 26;*

*Whereas, Others who walked included Staff Sgt. Shannon, former HHFF CEO Darin Fishburn, HHFF co-founder Rod*

*Smith, HHFF Communications Director Paul Gable, and 9-year-old Brenden Gable; and*

*Whereas, It is fitting that the Indiana Senate honors and commends HHFF for its charitable efforts which help our veterans and military families: Therefore,*

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

SECTION 1. That the Indiana Senate honors Helping Hands for Freedom for its charitable work.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Retired Staff Sgt. Patrick Shannon, David Roth, Kevin Winton, Darin Fishburn, Rod Smith, Paul Gable, and Eric Snelz.

The resolution was read in full and adopted by voice vote.

### **Senate Resolution 25**

Senate Resolution 25, introduced by Senator G. Taylor:

A SENATE RESOLUTION congratulating members of Delta Sigma Theta Sorority, Inc. on Delta Day at the Indiana State Capitol.

*Whereas, Delta Day at the Indiana State Capitol includes briefings on legislative and public policy issues impacting the African-American community as well as an opportunity to meet with state legislators;*

*Whereas, Delta Sigma Theta Sorority, Inc., was founded on January 13, 1913 by 22 collegiate women at Howard University to promote academic excellence and provide assistance to those in need;*

*Whereas, Delta Sigma Theta Sorority, Inc., is a private, non-profit organization whose purpose is to provide assistance and support through established programs in local communities throughout the world, a sisterhood of more than 250,000 predominately Black college educated women, the Sorority currently has over 900 chapters in the United States and abroad;*

*Whereas, In Indiana there are 12 chapters with 807 financial members;*

*Whereas, Functioning under the auspices of the National Social Action Commission of Delta Sigma Theta Sorority, Inc., Indiana chapters institute activities that foster equal opportunity and human rights for all people;*

*Whereas, Deltas view education as an investment and supports all levels of education including funding early childcare programs, postsecondary education and beyond; and*

*Whereas, Deltas support issues that strengthen communities and ensure the rights of all citizens: Therefore,*

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

SECTION 1. The Indiana State Senate congratulates members of the Delta Sigma Theta Sorority, Inc., on Delta Day at the Indiana State Capitol.

SECTION 2. The Secretary of the Senate is hereby directed to present a copy of this resolution to Marcedia Bolden, Indiana State Coordinator and Monique Armstrong, Indiana Social Action Chairperson.

The resolution was read in full and adopted by voice vote.

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1010, 1064, 1133, 1174, 1218, 1284, 1312 and 1430 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS  
Principal Clerk of the House

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 26 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS  
Principal Clerk of the House

#### SENATE MOTION

Madam President: I move that Engrossed Senate Bill 435, which is eligible for third reading, be returned to second reading for purposes of amendment.

MRVAN

Motion prevailed.

### ENGROSSED HOUSE BILLS ON THIRD READING

#### Engrossed House Bill 1507

Senator Charbonneau called up Engrossed House Bill 1507 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 126: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the

act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

### SENATE BILLS ON SECOND READING

#### Senate Bill 43

Senator Tomes called up Senate Bill 43 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 119

Senator Becker called up Senate Bill 119 for second reading. The bill was read a second time by title.

#### SENATE MOTION (Amendment 119-1)

Madam President: I move that Senate Bill 119 be amended to read as follows:

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

"SECTION 1. IC 16-31-2-2, AS AMENDED BY P.L.77-2012, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The commission is composed of ~~thirteen (13)~~ **fourteen (14)** members. The governor shall appoint the members for four (4) year terms as follows:

- (1) One (1) must be appointed from a volunteer fire department that provides emergency medical service.
- (2) One (1) must be appointed from a full-time municipal fire or police department that provides emergency medical service.
- (3) One (1) must be a nonprofit provider of emergency ambulance services organized on a volunteer basis other than a volunteer fire department.
- (4) One (1) must be a provider of private ambulance services.
- (5) One (1) must be a state licensed paramedic.
- (6) One (1) must be a licensed physician who:
  - (A) has a primary interest, training, and experience in emergency medical services; and
  - (B) is currently practicing in an emergency medical services facility.
- (7) One (1) must be a chief executive officer of a hospital that provides emergency ambulance services.
- (8) One (1) must be a registered nurse who has supervisory or administrative responsibility in a hospital emergency department.
- (9) One (1) must be a licensed physician who:
  - (A) has a primary interest, training, and experience in trauma care; and
  - (B) is practicing in a trauma facility.
- (10) One (1) must be a state certified emergency medical service technician.

- (11) One (1) must be an individual who:
  - (A) represents the public at large; and
  - (B) is not in any way related to providing emergency medical services.

(12) One (1) must be a program director (as defined in 836 IAC 4-2-2(12)(B)(iii)) for a commission certified advanced life support training institution.

(13) One (1) must be the deputy executive director appointed under IC 10-19-5-3 to manage the division of preparedness and training of the department of homeland security or the designee of the deputy executive director.

**(14) One (1) must be a representative of an entity that provides air ambulance services.**

(b) The chief executive officer of a hospital appointed under subsection (a)(7) may designate another administrator of the hospital to serve for the chief executive officer on the commission.

(c) Not more than ~~seven (7)~~ **eight (8)** members may be from the same political party."

Renumber all SECTIONS consecutively.

(Reference is to SB 119 as printed February 15, 2017.)

BECKER

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 154**

Senator Merritt called up Senate Bill 154 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 169**

Senator M. Young called up Senate Bill 169 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 169-2)

Madam President: I move that Senate Bill 169 be amended to read as follows:

Page 9, line 27, delete "." and insert ", **including records related to charges on which no conviction was entered and any other references to any matters related to the case ordered expunged.**".

(Reference is to SB 169 as printed February 10, 2017.)

M. YOUNG

Motion prevailed.

SENATE MOTION  
(Amendment 169-3)

Madam President: I move that Senate Bill 169 be amended to read as follows:

Page 14, after line 7, begin a new paragraph and insert:

"SECTION 9. IC 35-38-10 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER TO READ AS FOLLOWS**

[EFFECTIVE JULY 1, 2017]: **Chapter 10. Expungement of Unfounded Protection Orders**

**Sec. 1. This chapter applies to a person named as the subject of a protection order, if a court granted:**

- (1) an order for protection ex parte and subsequently denied a petition for an order for protection; or
- (2) an order for protection or an order for protection ex parte and an appellate court reversed or vacated the order for protection or order for protection ex parte.

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

- (1) "Protection order" means an Indiana civil protection order under IC 34-26-5. The term includes a protection order and a protection order ex parte.
- (2) "Subject of a protection order" means the person against whom a protection order was issued.

**Sec. 3. (a) At any time after:**

- (1) a court denies an order for protection following issuance of an order for protection ex parte, as described in section 1(1) of this chapter; or
- (2) the opinion reversing or vacating an order of protection becomes final, as described in section 1(2) of this chapter;

the subject of a protection order may bring an action in the court that granted the protection order to expunge the protection order.

**(b) A petition seeking to expunge a protection order must include the following information:**

- (1) The petitioner's full name.
- (2) The petitioner's date of birth.
- (3) The petitioner's address.
- (4) The case number or court cause number, if available.
- (5) The petitioner shall include:
  - (A) the petitioner's Social Security number;
  - (B) the petitioner's driver's license number; and
  - (C) the date of the order of protection or order of protection ex parte, if applicable.
- (6) The petitioner shall describe why the petitioner is entitled to relief, including all relevant dates. The petitioner shall attach to the petition certified copies of the following, if applicable:
  - (A) The order of protection ex parte.
  - (B) The order of protection.
  - (C) The order denying an order for protection.
  - (D) The opinion from the appellate court reversing or vacating an order for protection or order for protection ex parte.

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

**(d) A person who files a petition under this section is required to pay the filing fee required in civil cases. The court may reduce or waive this fee if the person is indigent.**

**Sec. 4. (a) Unless the petition is incomplete, or it appears conclusively from the petition that the petitioner is not**

entitled to relief, the court shall:

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

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

(b) If:

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

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

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

Sec. 5. The petitioner bears the burden of proof in a proceeding to expunge a protection order.

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

- (1) Order the division of state court administration to remove the protection order from the Indiana protective order registry established under IC 5-2-9-5.5.
- (2) Order the state police department to remove the protection order from the Indiana data and communication system (IDACS) computer described in IC 10-13-3-35.
- (3) Redact or permanently seal the court's own records relating to the protection order.

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

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

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

(c) An expungement case, and all documents filed in the case, become confidential when the court issues the order granting the petition. However, until the court issues the order granting the petition, documents filed in the case are not confidential, and any hearing held in the case shall be open."

Renumber all SECTIONS consecutively.

(Reference is to SB 169 as printed February 10, 2017.)

M. YOUNG

Motion prevailed. The bill was ordered engrossed.

#### Senate Bill 226

Senator Merritt called up Senate Bill 226 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 226-3)

Madam President: I move that Senate Bill 226 be amended to read as follows:

Page 2, line 39, delete "and void the prescription for the" and insert ".".

Page 2, delete line 40.

(Reference is to SB 226 as printed February 14, 2017.)

MERRITT

Motion prevailed. The bill was ordered engrossed.

#### Senate Bill 235

Senator Crider called up Senate Bill 235 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 265

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

#### Senate Bill 402

Senator Merritt called up Senate Bill 402 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 466

Senator Buck called up Senate Bill 466 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 466-1)

Madam President: I move that Senate Bill 466 be amended to read as follows:

Page 5, line 11, delete "." and insert "**through which the former member may obtain coverage under a policy or contract for basic health care services (as defined in IC 27-13-1-4).**".

(Reference is to SB 466 as printed February 14, 2017.)

BUCK

Motion prevailed. The bill was ordered engrossed.

**ENGROSSED SENATE BILLS  
ON THIRD READING**

**Engrossed Senate Bill 59**

Senator Head called up Engrossed Senate Bill 59 for third reading:

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

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

Roll Call 127: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Frizzell.

**Engrossed Senate Bill 233**

Senator Crider called up Engrossed Senate Bill 233 for third reading:

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

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

Roll Call 128: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Cherry, Frye and Austin.

**Engrossed Senate Bill 298**

Senator Alting called up Engrossed Senate Bill 298 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 129: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Behning, Klinker and Siegrist.

**Engrossed Senate Bill 310**

Senator Hershman called up Engrossed Senate Bill 310 for third reading:

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

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

Roll Call 130: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives VanNatter and T. Brown.

**Engrossed Senate Bill 440**

Senator Holdman called up Engrossed Senate Bill 440 for third reading:

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

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

Roll Call 131: yeas 47, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Leonard.

**Engrossed Senate Bill 455**

Senator Head called up Engrossed Senate Bill 455 for third reading:

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

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

Roll Call 132: yeas 47, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Engleman.

**SENATE MOTION**

Madam President: I move that Senator Bohacek be added as cosponsor of Engrossed House Bill 1507.

CHARBONNEAU

Motion prevailed.

**ENGROSSED SENATE BILLS  
ON THIRD READING**

**Engrossed Senate Bill 500**

Senator Freeman called up Engrossed Senate Bill 500 for third reading:

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

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

Roll Call 133: yeas 31, nays 17. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Speedy.

#### **Engrossed Senate Bill 501**

Senator Freeman called up Engrossed Senate Bill 501 for third reading:

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

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

Roll Call 134: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Culver.

#### **Engrossed Senate Bill 507**

Senator Head called up Engrossed Senate Bill 507 for third reading:

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

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

Roll Call 135: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Torr.

#### **Engrossed Senate Bill 558**

Senator Holdman called up Engrossed Senate Bill 558 for third reading:

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

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

Roll Call 136: yeas 29, nays 19. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Eberhart.

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the

Senate that the House has passed House Concurrent Resolution 27 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS  
Principal Clerk of the House

#### SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buck, Charbonneau, Crane, Delph, Doriot, Eckerty, Ford, Freeman, Glick, Grooms, Head, Hershman, Holdman, Houchin, Kenley, Koch, Kruse, Lanane, Leising, Long, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Ruckelshaus, Sandlin, J. Smith, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young, Zakas and Zay be added as coauthors of Senate Resolution 20.

CRIDER

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buck, Charbonneau, Crane, Crider, Delph, Doriot, Eckerty, Ford, Freeman, Glick, Grooms, Head, Hershman, Holdman, Houchin, Kenley, Koch, Kruse, Lanane, Leising, Long, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Ruckelshaus, Sandlin, J. Smith, Stoops, Tallian, Tomes, Walker, M. Young, Zakas and Zay be added as coauthors of Senate Resolution 25.

G. TAYLOR

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Alting be added as coauthor of Senate Bill 15.

TOMES

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Head be added as second author of Senate Bill 43.

TOMES

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Buck be added as coauthor of Senate Bill 59.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as coauthor of Senate Bill 59.

HEAD

Motion prevailed.

SENATE MOTION

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

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as coauthor of Senate Bill 63.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 119.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 154.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 169.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Long be removed as author of Senate Bill 198 and Senator Mishler be substituted therefor.

LONG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be removed as coauthor of Senate Bill 229.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as second author of Senate Bill 229.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 235.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as second author and Senator Breaux be added as coauthor of Senate Bill 242.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Freeman be added as coauthor of Senate Bill 322.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bray be added as second author and Senator Lanane be added as coauthor of Senate Bill 323.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Messmer and Koch be added as coauthors of Senate Bill 376.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as coauthor of Senate Bill 390.

STOOPS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senators Doriot, Walker and Crane be added as coauthors of Senate Bill 390.

STOOPS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senators Niezgodski and Tallian be added as coauthors of Senate Bill 390.

STOOPS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 402.

MERRITT

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Tallian be added as coauthor of Senate Bill 429.

FORD

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Holdman be added as second author of Senate Bill 466.

BUCK

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 466.

BUCK

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lanane be added as coauthor of Senate Bill 478.

KOCH

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Leising be added as coauthor of Senate Bill 478.

KOCH

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Niezgodski be added as coauthor of Senate Bill 496.

GROOMS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator G. Taylor be added as coauthor of Senate Bill 500.

FREEMAN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Doriot be added as second author of Senate Bill 505.

BRAY

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author and Senators Crider and Becker be added as coauthors of Senate Bill 506.

HEAD

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senators Stoops, Leising and Grooms be added as coauthors of Senate Bill 506.

HEAD

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Doriot be added as second author of Senate Bill 508.

NIEZGODSKI

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 516.

BREAUX

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m.,  
Monday, February 20, 2017.

LONG

Motion prevailed.

The Senate adjourned at 3:11 p.m.

JENNIFER L. MERTZ  
Secretary of the Senate

SUZANNE CROUCH  
President of the Senate