



Journal of the Senate

State of Indiana

120th General Assembly

Second Regular Session

Twenty-fifth Meeting Day

Tuesday Afternoon

February 27, 2018

The Senate convened at 2:05 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Senator Dennis K. Kruse.

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

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

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

Roll Call 240: present 50; excused 0. [Note: A indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

RESOLUTIONS ON FIRST READING

Senate Resolution 45

Senate Resolution 45, introduced by Senator Niezgodski:

A SENATE RESOLUTION urging the legislative council to assign to the appropriate study committee the task of studying issues related to the creation of a license to practice naturopathic medicine in Indiana.

Whereas, Naturopathic medicine is a distinct primary health care profession, emphasizing prevention, treatment, and optimal health through the use of therapeutic methods and substances that encourages an individual's inherent self-healing process;

Whereas, The practice of naturopathic medicine includes modern, traditional, scientific, and empirical methods;

Whereas, Naturopathic practice includes the following diagnostic and therapeutic modalities: clinical and laboratory diagnostic testing, nutritional medicine, botanical medicine, naturopathic physical medicine (including naturopathic manipulative therapy), public health measures, hygiene, counseling, minor surgery, homeopathy, acupuncture, prescription medication, intravenous and injection therapy, and naturopathic obstetrics (natural childbirth);

Whereas, There are twenty other states that already issue licenses for doctors practicing naturopathic medicine;

Whereas, In those states, naturopathic doctors are required to graduate from a four-year, residential naturopathic medical school and pass an extensive postdoctoral board examination (NPLEX) in order to receive a license and registration;

Whereas, Rural communities in Indiana are experiencing a shortage of general and specialty physicians, and by creating a license for naturopathic medicine, Indiana can increase the number of practitioners, thereby reducing the shortage; and

Whereas, Ensuring that naturopathic practitioners are able to practice medicine and receive the same scrutiny in obtaining a license as medical doctors (MDs) and doctors of osteopathic medicine (DOs) is paramount: Therefore,

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

SECTION 1. That the legislative council is urged to assign to the appropriate study committee issues related to the creation of a license to practice naturopathic medicine in Indiana.

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

REPORT OF THE SENATE COMMITTEE ON ETHICS

Madam President: Pursuant to Senate Rule 97, the Senate Committee on Ethics met on February 13, 2018, to render an

advisory opinion with regard to Senator Stoops's request that the Committee consider whether or not he has a conflict of interest pertaining to HB 1035 which would require him to be excused from voting on this bill at any stage of the legislative process. The members in attendance were: Chairman L. Brown, Senator Eckerty, Senator Walker, Senator Lanane, Senator Breaux and Senator Lonnie M. Randolph.

The Senate Committee on Ethics has considered the facts presented by Senator Stoops and hereby recommends that Senator Stoops be excused from participation in all votes pertaining to House Bill 1035 at any stage in the legislative process because of his potential conflict of interest with regard to the legislation. The vote of the Committee was 6-0.

L. BROWN, Chair

Report adopted.

REPORT OF THE SENATE COMMITTEE ON ETHICS

Madam President: Pursuant to Senate Rule 97, the Senate Committee on Ethics met on February 19, 2018, to render an advisory opinion with regard to Senator Zakas's request that the Committee consider whether or not he has a conflict of interest pertaining to HB 1089 which would require him to be excused from voting on this bill at any stage of the legislative process. The members in attendance were: Chairman L. Brown, Senator Eckerty, Senator Walker and Senator Breaux.

The Senate Committee on Ethics has considered the facts presented by Senator Zakas and hereby recommends that Senator Zakas be excused from participation in all votes pertaining to House Bill 1089 at any stage in the legislative process because of his potential conflict of interest with regard to the legislation. The vote of the Committee was 4-0.

L. BROWN, Chair

Report adopted.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Resolution 42, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.

Committee Vote: Yeas 6, Nays 3.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred House

Concurrent Resolution 14, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.

Committee Vote: Yeas 7, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred House Concurrent Resolution 18, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.

Committee Vote: Yeas 7, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Engrossed House Bill 1039, 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 taxation.

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

"SECTION 1. IC 6-3-3-12, AS AMENDED BY P.L.181-2016, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018 (RETROACTIVE)]: Sec. 12. (a) As used in this section, "account" has the meaning set forth in IC 21-9-2-2.

(b) As used in this section, "account beneficiary" has the meaning set forth in IC 21-9-2-3.

(c) As used in this section, "account owner" has the meaning set forth in IC 21-9-2-4.

(d) As used in this section, "college choice 529 education savings plan" refers to a college choice 529 investment plan established under IC 21-9.

(e) As used in this section, "contribution" means the amount of money directly provided to a college choice 529 education savings plan account by a taxpayer. A contribution does not include any of the following:

(1) Money credited to an account as a result of bonus points or other forms of consideration earned by the taxpayer that result in a transfer of money to the account.

(2) Money transferred from any other qualified tuition program under Section 529 of the Internal Revenue Code or from any other similar plan.

(3) Money that is credited to an account and that:

(A) will be used to pay for expenses for tuition in connection with enrollment or attendance at an elementary or secondary public, private, or religious school permitted under Section 529 of the Internal Revenue Code; or

(B) will be transferred to an ABLÉ account (as defined in Section 529A of the Internal Revenue Code).

(f) As used in this section, "nonqualified withdrawal" means a withdrawal or distribution from a college choice 529 education savings plan that is not a qualified withdrawal.

(g) As used in this section, "qualified higher education expenses" has the meaning set forth in ~~IC 21-9-2-19.5~~. **Section 529 of the Internal Revenue Code as in effect on January 1, 2017.**

(h) As used in this section, "qualified withdrawal" means a withdrawal or distribution from a college choice 529 education savings plan that is made:

- (1) to pay for qualified higher education expenses, excluding any withdrawals or distributions used to pay for qualified higher education expenses if the withdrawals or distributions are made from an account of a college choice 529 education savings plan that is terminated within twelve (12) months after the account is opened;
- (2) as a result of the death or disability of an account beneficiary;
- (3) because an account beneficiary received a scholarship that paid for all or part of the qualified higher education expenses of the account beneficiary, to the extent that the withdrawal or distribution does not exceed the amount of the scholarship; or
- (4) by a college choice 529 education savings plan as the result of a transfer of funds by a college choice 529 education savings plan from one (1) third party custodian to another.

A qualified withdrawal does not include **any withdrawal or distribution that is used to pay for expenses for tuition in connection with enrollment or attendance at an elementary or secondary public, private, or religious school or that is a rollover distribution or transfer of assets from a college choice 529 education savings plan to any other qualified tuition program under Section 529 of the Internal Revenue Code (or to any other similar plan) or to an ABLÉ account (as defined in Section 529A of the Internal Revenue Code).**

(i) As used in this section, "taxpayer" means:

- (1) an individual filing a single return; or
- (2) a married couple filing a joint return.

(j) A taxpayer is entitled to a credit against the taxpayer's adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7 for a taxable year equal to the least of the following:

- (1) Twenty percent (20%) of the amount of the total contributions made by the taxpayer to an account or accounts of a college choice 529 education savings plan during the taxable year.
- (2) One thousand dollars (\$1,000).

(3) The amount of the taxpayer's adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7 for the taxable year, reduced by the sum of all credits (as determined without regard to this section) allowed by IC 6-3-1 through IC 6-3-7.

A taxpayer is not entitled to a credit under this section for money that is credited to an account and that will be used to pay for expenses for tuition in connection with enrollment or attendance at an elementary or secondary public, private, or religious school or that will be transferred to an ABLÉ account (as defined in section 529A of the Internal Revenue Code).

(k) A taxpayer who makes a contribution to a college choice 529 education savings plan is considered to have made the contribution on the date that:

- (1) the taxpayer's contribution is postmarked or accepted by a delivery service, for contributions that are submitted to a college choice 529 education savings plan by mail or delivery service; or
- (2) the taxpayer's electronic funds transfer is initiated, for contributions that are submitted to a college choice 529 education savings plan by electronic funds transfer.

(l) A taxpayer is not entitled to a carryback, carryover, or refund of an unused credit.

(m) A taxpayer may not sell, assign, convey, or otherwise transfer the tax credit provided by this section.

(n) To receive the credit provided by this section, a taxpayer must claim the credit on the taxpayer's annual state tax return or returns in the manner prescribed by the department. The taxpayer shall submit to the department all information that the department determines is necessary for the calculation of the credit provided by this section.

(o) An account owner of an account of a college choice 529 education savings plan must repay all or a part of the credit in a taxable year in which any nonqualified withdrawal is made from the account. The amount the taxpayer must repay is equal to the lesser of:

- (1) twenty percent (20%) of the total amount of nonqualified withdrawals made during the taxable year from the account; or
- (2) the excess of:
 - (A) the cumulative amount of all credits provided by this section that are claimed by any taxpayer with respect to the taxpayer's contributions to the account for all prior taxable years beginning on or after January 1, 2007; over
 - (B) the cumulative amount of repayments paid by the account owner under this subsection for all prior taxable years beginning on or after January 1, 2008.

However, in the case of a nonqualified withdrawal that is used to pay for expenses for tuition in connection with enrollment or attendance at an elementary or secondary public, private, or religious school or that is transferred to an ABLÉ account (as defined in section 529A of the Internal Revenue Code), the credit recapture under this subsection

applies only to the extent that the taxpayer previously claimed a credit under this section for those amounts.

(p) Any required repayment under subsection (o) shall be reported by the account owner on the account owner's annual state income tax return for any taxable year in which a nonqualified withdrawal is made.

(q) A nonresident account owner who is not required to file an annual income tax return for a taxable year in which a nonqualified withdrawal is made shall make any required repayment on the form required under IC 6-3-4-1(2). If the nonresident account owner does not make the required repayment, the department shall issue a demand notice in accordance with IC 6-8.1-5-1.

(r) The executive director of the Indiana education savings authority shall submit or cause to be submitted to the department a copy of all information returns or statements issued to account owners, account beneficiaries, and other taxpayers for each taxable year with respect to:

- (1) nonqualified withdrawals made from accounts of a college choice 529 education savings plan for the taxable year; or
- (2) account closings for the taxable year."

Page 1, between lines 17 and 18, begin a new line block indented and insert:

"(4) Issues related to providing state incentives to an employer that contributes to an employee's college choice 529 education savings plan.

(5) Whether a rollover distribution or transfer of assets from a college choice 529 education savings plan to an ABLE account should be a qualified withdrawal for purposes of the state income tax credit under IC 6-3-3-12.

(6) Whether taxpayers should be allowed to designate that a tax refund be paid into a college choice 529 education savings plan.

(b) The Indiana education savings authority created under IC 21-9-3 shall before November 1, 2018, report to the interim study committee on fiscal policy in an electronic format under IC 5-14-6 concerning the investment of assets under the education savings programs established under IC 21-9, including information concerning the ways in which the investment of those assets benefits Indiana."

Page 1, line 18, delete "(b)" and insert "(c)".

Page 1, after line 18, begin a new paragraph and insert:
"SECTION 3. **An emergency is declared for this act.**"

Renumber all SECTIONS consecutively.

(Reference is to HB 1039 as printed January 12, 2018.)
and when so amended that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland

Security and Transportation, to which was referred Engrossed House Bill 1080, 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 2.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Engrossed House Bill 1195, 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 9, delete "The prohibition described in this subsection extends to any".

Page 1, delete lines 10 through 15.

Page 2, between lines 10 and 11, begin a new paragraph and insert:

"(e) For purposes of this subsection, "vehicle right of use subscription program" means a subscription service that, for a recurring fee and for a limited period of time, allows a participating person exclusive use of a motor vehicle owned by an entity that controls or contracts with the subscription service. The term does not include leases, short term motor vehicle rentals, or services that allow short term sharing of a motor vehicle. Vehicle right of use subscription programs are prohibited in Indiana. This subsection expires on May 1, 2019."

Page 3, line 16, strike "parts and" and insert "**parts or**".

Page 4, line 1, strike "parts and" and insert "**parts or**".

Page 4, line 11, strike "parts and" and insert "**parts or**".

Page 4, line 13, strike "A manufacturer" and insert "**Except as provided in IC 9-32-13-16, a manufacturer**".

Page 6, line 24, delete "manufacturer car subscription services." and insert "**vehicle right of use subscription programs**".

(Reference is to HB 1195 as reprinted February 2, 2018.)
and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Engrossed House Bill 1214, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 2 through 8 with "[EFFECTIVE UPON PASSAGE]".

Page 1, delete lines 1 through 17.

Page 3, delete lines 2 through 42, begin a new paragraph and insert:

"SECTION 8. IC 24-4-21 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 21. Low THC Hemp Extract Production

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

(1) "Certificate of analysis" means a certificate from an independent testing laboratory describing the results of the laboratory's testing of a sample.

(2) "Independent testing laboratory" means a laboratory:

(A) with respect to which no person having a direct or indirect interest in the laboratory also has a direct or indirect interest in a facility that:

(i) processes, distributes, or sells low THC hemp extract, or a substantially similar substance in another jurisdiction;

(ii) cultivates, processes, distributes, dispenses, or sells marijuana; or

(iii) cultivates, processes, or distributes industrial hemp; and

(B) that is accredited as a testing laboratory to International Organization for Standardization (ISO) 17025 by a third party accrediting body such as the American Association for Laboratory Accreditation (A2LA) or Assured Calibration and Laboratory Accreditation Select Services (ACLASS).

(3) "Low THC hemp extract" has the meaning set forth in IC 35-48-1-17.5.

Sec. 2. A person may:

(1) manufacture low THC hemp extract for distribution in Indiana; and

(2) distribute low THC hemp extract to a retailer or independent testing laboratory in Indiana;

if the person meets the requirements of this chapter.

Sec. 3. A manufacturer shall submit a random sample of each batch of product to an independent testing laboratory for testing before the batch may be distributed. The manufacturer shall select and submit the sample in a manner determined by the independent testing laboratory. A manufacturer may not distribute a batch until the manufacturer has obtained a certificate of analysis from the independent testing laboratory showing that the sample contains not more than three-tenths percent (0.3%) total delta-9-tetrahydrocannabinol (THC) by dry weight.

Sec. 4. If testing by the independent testing laboratory demonstrates that a sample contains more than three-tenths percent (0.3%) total delta-9-tetrahydrocannabinol (THC) by dry weight, the manufacturer:

(1) may not distribute the batch; and

(2) may reprocess the batch.

A manufacturer shall treat a reprocessed batch as a new batch for all purposes, and shall submit a new sample from

the batch to the independent testing laboratory for testing in accordance with section 3 of this chapter.

Sec. 5. After receiving a certificate of analysis showing that the product contains not more than three-tenths percent (0.3%) total delta-9-tetrahydrocannabinol (THC) by dry weight, the manufacturer shall package the low THC hemp extract in packaging that contains the following information:

(1) A scannable bar code or QR code linked to a document that contains information with respect to the manufacture of the low THC hemp extract, including the:

(A) batch identification number;

(B) product name;

(C) batch date;

(D) expiration date, which must be not more than two (2) years from the date of manufacture;

(E) batch size;

(F) total quantity produced;

(G) ingredients used, including the:

(i) ingredient name;

(ii) name of the company that manufactured the ingredient;

(iii) company or product identification number or code, if applicable; and

(iv) ingredient lot number; and

(H) download link for a certificate of analysis for the low THC hemp extract.

(2) The batch number.

(3) The Internet address of a web site to obtain batch information.

(4) The expiration date.

(5) The number of milligrams of low THC hemp extract.

(6) The manufacturer.

(7) The fact that the product contains not more than three-tenths percent (0.3%) total delta-9-tetrahydrocannabinol (THC) by dry weight.

Sec. 6. A person who violates sections 3 through 5 of this chapter commits a Class B infraction. However, the offense is a Class A infraction if the person has a prior unrelated judgment for a violation of this chapter.

SECTION 9. IC 24-4-22 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 22. Low THC Hemp Extract Sales

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

(1) "Certificate of analysis" has the meaning set forth in IC 24-4-21-1.

(2) "Low THC hemp extract" has the meaning set forth in IC 35-48-1-17.5.

Sec. 2. A person may sell low THC hemp extract at retail if the packaging complies with the requirements of IC 24-4-21-5.

Sec. 3. A person who violates section 2 of this chapter commits a Class C infraction. However, the violation is a Class B infraction if the person has one (1) prior unrelated judgment for a violation of section 2 of this chapter, and a Class A infraction if the person has two (2) or more prior unrelated judgments for a violation of section 2 of this chapter.

SECTION 10. IC 35-31.5-2-33.5 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 33.5: "Cannabidiol", for purposes of IC 35-48; has the meaning set forth in IC 35-48-1-6.5.~~

SECTION 11. IC 35-31.5-2-150.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 150.5. "Hashish", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-16.8.**

SECTION 12. IC 35-31.5-2-150.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 150.6. "Hash oil", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-16.9.**

SECTION 13. IC 35-31.5-2-316.9 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 316.9: "Substance containing cannabidiol", for purposes of IC 35-48; has the meaning set forth in IC 35-48-1-26.7.~~

SECTION 14. IC 35-31.5-2-189.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 189.9. "Low THC hemp extract", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-17.5.**

SECTION 15. IC 35-48-1-6.5 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 6.5: "Cannabidiol" has the meaning set forth in IC 16-42-28.6-1.~~

SECTION 16. IC 35-48-1-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 9. "Controlled substance" means a drug, substance, or immediate precursor in schedule I, II, III, IV, or V under:**

- (1) IC 35-48-2-4, IC 35-48-2-6, IC 35-48-2-8, IC 35-48-2-10, or IC 35-48-2-12, if IC 35-48-2-14 does not apply; or
- (2) a rule adopted by the board, if IC 35-48-2-14 applies.

The term does not include low THC hemp extract.

SECTION 17. IC 35-48-1-9.3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 9.3. (a) "Controlled substance analog" means a substance:**

- (1) the chemical structure of which is substantially similar to that of a controlled substance included in schedule I or II and that has; or
- (2) that a person represents or intends to have;

a narcotic, stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to or greater than the narcotic, stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance included in schedule I or II.

- (b) The definition set forth in subsection (a) does not include:

- (1) a controlled substance;
- (2) a substance for which there is an approved new drug application;
- (3) a substance for which an exemption is in effect for investigational use by a person under Section 505 of the federal Food, Drug and Cosmetic Act (chapter 675, 52 Stat. 1052 (21 U.S.C. 355)), to the extent that conduct with respect to the substance is permitted under the exemption;
- ~~or~~
- (4) a substance to the extent not intended for human consumption before an exemption takes effect regarding the substance; or

(5) Low THC hemp extract.

SECTION 18. IC 35-48-1-16.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 16.8. "Hashish" does not include low THC hemp extract.**

SECTION 19. IC 35-48-1-16.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 16.9. "Hash oil" does not include low THC hemp extract.**

SECTION 20. IC 35-48-1-17.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 17.5. "Low THC hemp extract" means a substance or compound that:**

- (1) is derived from or contains any part of the plant *Cannabis sativa* L.;
- (2) contains not more than three-tenths percent (0.3%) total delta-9-tetrahydrocannabinol (THC) by dry weight; and
- (3) contains no other controlled substances.

SECTION 21. IC 35-48-1-19, AS AMENDED BY P.L.165-2014, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 19. (a) "Marijuana" means any part of the plant genus *Cannabis* whether growing or not; the seeds thereof; the resin extracted from any part of the plant, including hashish and hash oil; any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin.**

(b) The term does not include:

- (1) the mature stalks of the plant;
- (2) fiber produced from the stalks;
- (3) oil or cake made from the seeds of the plant;
- (4) any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom);
- (5) the sterilized seed of the plant which is incapable of germination; ~~or~~
- (6) industrial hemp (as defined by IC 15-15-13-6); or
- (7) low THC hemp extract.**

SECTION 22. IC 35-48-1-26.7 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 26.7: "Substance containing cannabidiol" has the meaning set forth in IC 16-42-28.6-5.~~

SECTION 23. IC 35-48-3.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 3.5. Defenses Relating to Controlled Substances

Sec. 1. (a) This section does not apply to a person who sells marijuana, hashish, hash oil, or tetrahydrocannabinol:

(1) without having obtained a certificate of analysis (as defined in IC 24-4-21-1) showing that the substance contains not more than three-tenths percent (0.3%) total delta-9-tetrahydrocannabinol (THC) by dry weight; or

(2) after having obtained a certificate of analysis showing that the substance contains more than three-tenths percent (0.3%) total delta-9-tetrahydrocannabinol (THC) by dry weight.

(b) It is a defense to a prosecution under IC 35-48-4-2 (dealing in a schedule I, II, or III controlled substance), IC 35-48-4-7 (possession of a controlled substance), IC 35-48-4-10 (dealing in marijuana, hash oil, or hashish), or IC 35-48-4-11 (possession of marijuana, hash oil, or hashish) that all of the following apply:

(1) The person is:

(A) a manufacturer of low THC hemp extract as described in IC 24-4-21; or

(B) an independent testing laboratory (as defined in IC 24-4-21-1).

(2) The person is charged with an offense relating to marijuana, hashish, hash oil, or tetrahydrocannabinol.

(3) The person possessed, delivered, or manufactured the marijuana, hashish, hash oil, or tetrahydrocannabinol within the scope of manufacturing or testing low THC hemp extract under IC 24-4-21.

(4) The person substantially complied with the requirements of IC 24-4-21.

SECTION 24. IC 35-48-4-8.5, AS AMENDED BY P.L.188-2017, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8.5. (a) A person who keeps for sale, offers for sale, delivers, or finances the delivery of a raw material, an instrument, a device, or other object that is intended to be or that is designed or marketed to be used primarily for:

(1) ingesting, inhaling, or otherwise introducing into the human body marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance;

(2) testing the strength, effectiveness, or purity of marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance;

(3) enhancing the effect of a controlled substance;

(4) manufacturing, compounding, converting, producing, processing, or preparing marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance;

(5) diluting or adulterating marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance by individuals; or

(6) any purpose announced or described by the seller that is in violation of this chapter;

commits a Class A infraction for dealing in paraphernalia.

(b) A person who knowingly or intentionally violates subsection (a) commits a Class A misdemeanor. However, the offense is a Level 6 felony if the person has a prior unrelated judgment or conviction under this section.

(c) This section does not apply to the following:

(1) Items marketed for use in the preparation, compounding, packaging, labeling, or other use of marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance as an incident to lawful research, teaching, or chemical analysis and not for sale.

(2) Items marketed for or historically and customarily used in connection with the planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, or inhaling of tobacco or any other lawful substance. ~~excluding the lawful possession of a substance containing cannabidiol under IC 35-48-4-11.~~

(3) A qualified entity (as defined in IC 16-41-7.5-3) that provides a syringe or needle as part of a program under IC 16-41-7.5.

(4) Any entity or person that provides funding to a qualified entity (as defined in IC 16-41-7.5-3) to operate a program described in IC 16-41-7.5.

SECTION 25. IC 35-48-4-11, AS AMENDED BY P.L.188-2017, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) A person who:

(1) knowingly or intentionally possesses (pure or adulterated) marijuana, hash oil, hashish, or salvia;

(2) knowingly or intentionally grows or cultivates marijuana; or

(3) knowing that marijuana is growing on the person's premises, fails to destroy the marijuana plants;

commits possession of marijuana, hash oil, hashish, or salvia, a Class B misdemeanor, except as provided in subsections (b) through (c).

(b) The offense described in subsection (a) is a Class A misdemeanor if the person has a prior conviction for a drug offense.

(c) The offense described in subsection (a) is a Level 6 felony if:

(1) the person has a prior conviction for a drug offense; and

(2) the person possesses:

(A) at least thirty (30) grams of marijuana; or

(B) at least five (5) grams of hash oil, hashish, or salvia.

~~(d) It is a defense to a prosecution under subsection (a)(1) based on the possession of a substance containing cannabidiol that:~~

~~(1) the person is a patient or caregiver registered under IC 16-42-28.6 for the use of a substance containing~~

cannabidiol;

(2) the person reasonably believed that the substance possessed by the person was a substance containing cannabidiol; and

(3) the substance containing cannabidiol is packaged in a container labeled with the origin, volume, and concentration by weight of total THC, including its precursors and derivatives; and cannabidiol.

(e) It is a defense to a prosecution under this section based on the possession of a substance containing cannabidiol that:

(1) the substance containing cannabidiol has been approved by the federal Food and Drug Administration or the federal Drug Enforcement Agency as a prescription drug; and

(2) the substance was prescribed and dispensed in accordance with the federal approval described in subdivision (1).

SECTION 26. An emergency is declared for this act."

Delete pages 4 through 6.

Renumber all SECTIONS consecutively.

(Reference is to HB 1214 Digest Correction as printed January 26, 2018.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 2.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Engrossed House Bill 1244, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Engrossed House Bill 1311, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective date in SECTION 6 with "[EFFECTIVE JANUARY 1, 2019]".

Page 1, delete lines 1 through 15.

Delete pages 2 through 3.

Page 4, delete lines 1 through 7.

Page 8, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 5. IC 6-8.1-16.3 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]:

Chapter 16.3. Department of State Revenue Pilot Program
Sec. 1. The following terms are defined for this chapter:

(1) "Pilot program" means the department of state revenue pilot program established by section 2 of this chapter.

(2) "Public employee" has the meaning set forth in IC 34-6-2-38.

Sec. 2. (a) The department of state revenue pilot program is established.

(b) The purpose of the pilot program is to assist the state, other states, and other government agencies with the following tasks:

(1) The administration and processing of commercial vehicle registrations as required under the International Registration Plan.

(2) The licensing and reporting of fuel tax use for motor carriers under the International Fuel Tax Agreement.

(3) Audit and record keeping for the International Registration Plan and the International Fuel Tax Agreement.

(4) Any other essential or necessary functions related to motor carrier services.

Sec. 3. (a) The pilot program may be staffed by persons who are not public employees.

(b) The department shall determine the compensation, duties, qualifications, and terms of service for persons employed by the pilot program as either employees or independent contractors.

(c) Employees of the pilot program:

(1) are eligible for;

(2) must participate in; and

(3) must receive;

the benefits of the public employees retirement fund set forth under IC 5-10.2 and IC 5-10.3.

(d) Employees of the pilot program may participate in:

(1) group insurance plans;

(2) the state employee deferred compensation plan; and

(3) any other benefit or plan made available to public employees.

(e) Employees and independent contractors of the pilot program are:

(1) subject to the:

(A) jurisdiction; and

(B) rules;

of the state ethics commission; and

(2) subject to the ethics requirements and rules that ordinarily apply to executive branch members of state government.

(f) The employees of the pilot program are immune from civil liability and all associated damages, including punitive damages, arising from or related to any work performed within the scope of the employee's employment for the pilot project.

(g) Subject to approval by the budget agency, employees of the pilot program are entitled to reimbursement for

traveling expenses as described in IC 4-13-1-4 and any other expense that is actually incurred in connection with the employee's duties.

(h) The department shall develop employee and employment policies for the pilot program.

Sec. 4. Subject to approval by the budget agency, the department may enter into or execute any agreement or contract necessary to carry out the efficient operation of the pilot program.

Sec. 5. (a) As used in this section, "fund" means the department of state revenue pilot program fund established by subsection (b).

(b) The department of state revenue pilot program fund is established.

(c) The fund shall be used to assist implementation and administration of the pilot program.

(d) The fund may consist of one (1) or more of the following:

- (1) Appropriations made by the general assembly.
- (2) Donations made or gifts donated to the fund.
- (3) Any proceeds derived from agreements or contracts made with third parties.

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

(f) The expenses of administering the pilot program and the fund shall be paid for by the fund.

(g) Unless otherwise provided by state or federal law, expenses associated with the pilot program shall be paid for by fund proceeds.

(h) Any money in the fund at the end of a state fiscal year does not revert to the state general fund.

Sec. 6. (a) Notwithstanding IC 5-14-3, all documents, information, or records of the pilot program pertaining to:

- (1) incremental pricing;
- (2) trade secrets; or
- (3) confidential financial information;

may not be disclosed to the public.

(b) Except as specifically provided by law, all remaining records pertaining to the pilot program are subject to public disclosure under IC 5-14-3.

Sec. 7. Except as provided under state or federal law, local and state taxes may not be imposed on the pilot program.

Sec. 8. (a) On or before November 1 of each year, the department must submit a report to the interim study committee on roads and transportation established by IC 2-5-1.3-4.

(b) The report described in subsection (a) must:

- (1) be in an electronic format under IC 5-14-6; and
- (2) contain information concerning pilot program activity during the preceding state fiscal year.

Sec. 9. The department may adopt rules under IC 4-22-2, including emergency rules in the manner provided under IC 4-22-2-37.1, to implement this chapter. An emergency rule implemented under this section expires on the earlier 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 or emergency rule adopted under IC 4-22-2-24 through IC 4-22-2-36 or in the manner provided under IC 4-22-2-37.1."

Page 8, line 39, delete "July 1, 2018;" and insert "**January 1, 2019;**".

Page 8, line 41, delete "June 30, 2018." and insert "**December 31, 2018.**".

Page 8, strike line 42.

Page 9, strike line 1.

Page 9, line 2, strike "(C)" and insert "**(B)**".

Page 9, line 8, delete "July 1, 2018," and insert "**January 1, 2019,**".

Page 9, line 9, delete "June 30," and insert "**December 31,**".

Page 9, line 11, delete "(D)" and insert "**(C)**".

Page 10, line 5, delete "IC 21-7-13-6(a)." and insert "**IC 21-7-13-6(a)(1)(C).**". Page 18, line 27, after "16.4." insert "**IC 6-8.1-16.3-3**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1311 as printed January 26, 2018.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Engrossed House Bill 1320, 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 6-1.1-24-1.9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 1.9. As used in this chapter and IC 6-1.1-25, "substantial property interest of public record" means title to or interest in a tract **that is** possessed by a person and:

(1) recorded **within the tract's chain of title** in the office of a county recorder; or

(2) **properly indexed and** available for public inspection in the office of ~~a~~ **the** circuit court clerk **in the county where the tract is located;**

no later than the hour and date the sale is scheduled to commence under this chapter. The term does not include a lien held by the state or a political subdivision."

Delete pages 2 through 4.

Page 5, delete lines 1 through 11.

Page 5, line 29, delete "(f)," and insert "(f)."

Page 5, strike line 30.

Page 5, delete line 42, begin a new paragraph and insert:

"(c) Except as provided in subsection (g), in addition to the amount required under subsection (b), the total amount required

for redemption includes the amount by which the purchase price exceeds the minimum bid on the real property plus:

- (1) five percent (5%) per annum on the amount by which the purchase price exceeds the minimum bid on the property, if the date of sale occurs after June 30, 2014. or
(2) ten percent (10%) per annum on the amount by which the purchase price exceeds the minimum bid on the property, if the date of sale occurs before July 1, 2014."

Page 6, delete lines 1 through 9.

Page 6, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 5. IC 32-21-2-3, AS AMENDED BY P.L.143-2009, SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 3. (a) For a conveyance, a mortgage, or an instrument of writing to be recorded, it must be:

- (1) acknowledged by the grantor; or
- (2) proved before a:
 - (A) judge;
 - (B) clerk of a court of record;
 - (C) county auditor;
 - (D) county recorder;
 - (E) notary public;
 - (F) mayor of a city in Indiana or any other state;
 - (G) commissioner appointed in a state other than Indiana by the governor of Indiana;
 - (H) minister, charge d'affaires, or consul of the United States in any foreign country;
 - (I) clerk of the city county council for a consolidated city, city clerk for a second class city, or clerk-treasurer for a third class city;
 - (J) clerk-treasurer for a town; or
 - (K) person authorized under IC 2-3-4-1.

(b) In addition to the requirements under subsection (a), a conveyance may not be recorded after June 30, 2007, unless it meets the requirements of this subsection. **The conveyance must include a statement containing substantially the following information:**

"The mailing address to which statements should be mailed under IC 6-1.1-22-8.1 is [insert proper mailing address]. The mailing address of the grantee is [insert proper mailing address]."

The conveyance must include the mailing address to which statements should be mailed under IC 6-1.1-22-8.1. If the mailing address for statements under IC 6-1.1-22-8.1 is not **The mailing address for the grantee must be** a street address or a rural route address. of the grantee; the conveyance must also include a street address or rural route address of the grantee after the mailing address for statements mailed under IC 6-1.1-22-8.1. A conveyance complies with this subsection if it contains the address or addresses required by this subsection at the end of the conveyance and immediately preceding or following the statements required by IC 36-2-11-15."

Page 6, delete lines 38 through 42.

Delete page 7.

Renumber all SECTIONS consecutively.

(Reference is to HB 1320 as printed January 30, 2018.)

and when so amended that said bill do pass.

Committee Vote: Yeas 5, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Engrossed House Bill 1341, 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.

Delete pages 2 through 3.

Page 4, delete lines 1 through 5, begin a new paragraph and insert:

"SECTION 1. IC 9-13-2-0.9 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 0.9. "Active safety system" has the meaning set forth in IC 9-26.5-1-2.**

SECTION 2. IC 9-13-2-6.2 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 6.2. "Automated driving system" has the meaning set forth in IC 9-26.5-1-3.**

SECTION 3. IC 9-13-2-6.4 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 6.4. "Automated vehicle" has the meaning set forth in IC 9-26.5-1-4.**

SECTION 4. IC 9-13-2-14.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 14.5. "BMV commissioner" has the meaning set forth in IC 9-26.5-1-5.**

SECTION 5. IC 9-13-2-42.8 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 42.8. "Dedicated highly automated vehicle" has the meaning set forth in IC 9-26.5-1-7.**

SECTION 6. IC 9-13-2-42.9 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 42.9. "Department" has the meaning set forth in IC 9-26.5-1-8.**

SECTION 7. IC 9-13-2-49.2 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 49.2. "Dynamic driving task" has the meaning set forth in IC 9-26.5-1-9.**

SECTION 8. IC 9-13-2-49.4 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 49.4. "Dynamic driving task fallback" has the meaning set forth in IC 9-26.5-1-10.**

SECTION 9. IC 9-13-2-49.8 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS

[EFFECTIVE JULY 1, 2018]: **Sec. 49.8. "Dynamic driving task performance relevant system failure" has the meaning set forth in IC 9-26.5-1-11.**

SECTION 10. IC 9-13-2-65.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 65.5. "FMVSS" has the meaning set forth in IC 9-26.5-1-12.**

SECTION 11. IC 9-13-2-75.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 75.5. "IDOI commissioner" has the meaning set forth in IC 9-26.5-1-13.**

SECTION 12. IC 9-13-2-79.9 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 79.9. "INDOT commissioner" has the meaning set forth in IC 9-26.5-1-14.**

SECTION 13. IC 9-13-2-86.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 86.5. "ISP superintendent" has the meaning set forth in IC 9-26.5-1-15.**

SECTION 14. IC 9-13-2-92, AS AMENDED BY P.L.262-2013, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 92. (a) "Law enforcement officer", except as provided in subsection (b), includes the following:**

- (1) A state police officer.
- (2) A city, town, or county police officer.
- (3) A sheriff.
- (4) A county coroner in accordance with IC 36-2-14-4.
- (5) A conservation officer.
- (6) An individual assigned duties and limitations under IC 10-11-2-26.
- (7) A member of a consolidated law enforcement department established under IC 36-3-1-5.1.
- (8) An excise police officer of the alcohol and tobacco commission.
- (9) A gaming control officer employed by the gaming control division under IC 4-33-20.

The term refers to a law enforcement officer having jurisdiction in Indiana, unless the context clearly refers to a law enforcement officer from another state or a territory or federal district of the United States.

(b) "Law enforcement officer", for purposes of **IC 9-26.5**, IC 9-30-6, and IC 9-30-7, has the meaning set forth in IC 35-31.5-2-185.

SECTION 15. IC 9-13-2-92.8 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 92.8. "Level 0 automation" has the meaning set forth in IC 9-26.5-1-17.**

SECTION 16. IC 9-13-2-92.9 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 92.9. "Level 1 automation" has the meaning set forth in IC 9-26.5-1-18.**

SECTION 17. IC 9-13-2-93.1 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS**

FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 93.1. "Level 2 automation" has the meaning set forth in IC 9-26.5-1-19.**

SECTION 18. IC 9-13-2-93.4 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 93.4. "Level 3 automation" has the meaning set forth in IC 9-26.5-1-20.**

SECTION 19. IC 9-13-2-93.6 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 93.6. "Level 4 automation" has the meaning set forth in IC 9-26.5-1-21.**

SECTION 20. IC 9-13-2-93.7 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 93.7. "Level 5 automation" has the meaning set forth in IC 9-26.5-1-22.**

SECTION 21. IC 9-13-2-103.3 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 103.3. "Minimal risk condition" has the meaning set forth in IC 9-26.5-1-23.**

SECTION 22. IC 9-13-2-111.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 111.5. "NHTSA" has the meaning set forth in IC 9-26.5-1-24.**

SECTION 23. IC 9-13-2-117.4 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 117.4. "On demand automated vehicle network" has the meaning set forth in IC 9-26.5-1-25.**

SECTION 24. IC 9-13-2-117.8 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 117.8. "Operational design domain" has the meaning set forth in IC 9-26.5-1-26.**

SECTION 25. IC 9-13-2-125.6 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 125.6. "Platoon" has the meaning set forth in IC 9-26.5-1-27.**

SECTION 26. IC 9-13-2-128 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 128. (a) Except as provided in subsection (b), "political subdivision" means a county, a township, a city, a town, a public school corporation, or any other subdivision of the state recognized in any law, including any special taxing district or entity and any public improvement district authority or entity authorized to levy taxes or assessments.**

(b) For purposes of IC 9-26.5, "political subdivision" has the meaning set forth in IC 9-26.5-1-28.

SECTION 27. IC 9-13-2-147.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 147.5. "Remote operator" has the meaning set forth in IC 9-26.5-1-30.**

SECTION 28. IC 9-13-2-152.6 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2018]: **Sec. 152.6. "Request**

to intervene" has the meaning set forth in IC 9-26.5-1-31.

SECTION 29. IC 9-13-2-177.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 177.1. "Taskgroup" has the meaning set forth in IC 9-26.5-1-32."

Page 4, delete lines 13 through 42.

Delete pages 5 through 6.

Page 7, delete lines 1 through 30, begin a new paragraph and insert:

"Sec. 2. "Active safety system" means a vehicle system that senses and monitors conditions inside and outside a motor vehicle for the purpose of identifying perceived present and potential dangers to the motor vehicle, occupants, or other motorists and automatically intervenes to help avoid or mitigate potential collisions through various methods, including alerts to the driver, vehicle system adjustments, or active control of vehicle subsystems.

Sec. 3. "Automated driving system" means the hardware and software that are collectively capable of performing the entire dynamic driving task on a sustained basis regardless of whether it is limited to a specific operational design domain. This term applies to a Level 3, Level 4, or Level 5 driving automation system. The term does not individually include the following:

- (1) Adaptive cruise control systems.
- (2) Blind spot detection systems.
- (3) Camera systems.
- (4) Collision avoidance or detection systems.
- (5) Emergency braking systems.
- (6) Lane departure assistance or warning systems.
- (7) Lane keeping assistance systems.
- (8) Parking assistance systems.
- (9) Queuing assistance systems.

Sec. 4. "Automated vehicle" means a motor vehicle that operates at Level 4 automation or Level 5 automation.

Sec. 5. "BMV commissioner" means the commissioner of the bureau of motor vehicles.

Sec. 6. "Bureau" has the meaning set forth in IC 9-13-2-16.

Sec. 7. "Dedicated highly automated vehicle" means an automated vehicle designed to be exclusively operated by a Level 4 or Level 5 automated driving system for all trips.

Sec. 8. "Department" means the Indiana department of transportation.

Sec. 9. "Dynamic driving task" means all of the real time operational and tactical functions required to operate a vehicle in on-road traffic. The term includes lateral vehicle motion control through steering, longitudinal vehicle motion control through acceleration and deceleration, monitoring of the driving environment through object and event detection, recognition, classification, response preparation, object and event response execution, maneuver planning, and enhancing conspicuity through lighting, signaling, and gesturing. The term does not include strategic functions such as trip scheduling or selection of destinations or waypoints.

Sec. 10. "Dynamic driving task fallback" means a response by the user or the automated driving system to perform the dynamic driving task or achieve a minimal risk condition after occurrence of a dynamic driving task performance relevant system failure or departure from the operational design domain of the vehicle.

Sec. 11. "Dynamic driving task performance relevant system failure" means a malfunction in an automated driving system or other vehicle system that prevents the automated driving system from reliably sustaining dynamic driving task performance.

Sec. 12. "FMVSS" means federal motor vehicle safety standards.

Sec. 13. "IDOI commissioner" means the commissioner of the Indiana department of insurance.

Sec. 14. "INDOT commissioner" means the commissioner of the Indiana department of transportation.

Sec. 15. "ISP superintendent" means the superintendent of the Indiana state police.

Sec. 16. "Law enforcement officer" has the meaning set forth in IC 35-31.5-2-185.

Sec. 17. "Level 0 automation" means the performance by the driver of the dynamic driving task, even when enhanced by active safety systems.

Sec. 18. "Level 1 automation" means the sustained and operational design domain specific execution by a driving automation system of the lateral or the longitudinal vehicle motion control subtask of the dynamic driving task (but not both simultaneously) with the expectation that the driver performs the remainder of the dynamic driving task.

Sec. 19. "Level 2 automation" means the sustained and operational design domain specific execution by a driving automation system of both the lateral and longitudinal vehicle motion control subtasks of the dynamic driving task with the expectation that the driver will complete the object and event detection and object and event response execution subtasks and supervise the driving automation system.

Sec. 20. "Level 3 automation" means the sustained and operational design domain specific performance by an automated driving system of the entire dynamic driving task with the expectation that the dynamic driving task fallback ready user is receptive to automated driving system issued requests to intervene, as well as to dynamic driving task performance relevant system failures in other vehicle systems and will respond appropriately.

Sec. 21. "Level 4 automation" means the sustained and operational design domain specific performance by an automated driving system of the entire dynamic driving task and dynamic driving task fallback, without any expectation that a user will respond to a request to intervene.

Sec. 22. "Level 5 automation" means the sustained and unconditional performance by an automated driving system of the entire dynamic driving task and dynamic driving task fallback without any expectation that a user will respond to a request to intervene.

Sec. 23. "Minimal risk condition" means a condition that a user or automated driving system brings a vehicle to after performing the dynamic driving task fallback in order to reduce the risk of a crash when a given trip cannot or should not be completed.

Sec. 24. "NHTSA" means the National Highway Traffic Safety Administration.

Sec. 25. "On demand automated vehicle network" means a passenger transport network that uses a software application or other digital means to connect passengers to automated vehicles for transportation, including for-hire transportation and transportation for compensation.

Sec. 26. "Operational design domain" means the specific conditions under which a given driving automation system or feature is designed to function. The term includes, but is not limited to, driving modes, environmental conditions, geographic limitations, speed limits, trip ranges, types of roadways, and weather conditions.

Sec. 27. "Platoon" means a group of individual motor vehicles using vehicle to vehicle communication or networking technology to travel:

- (1) in a coordinated manner;
- (2) at an electronically controlled speed; and
- (3) at a following distance that is closer than would be reasonable or prudent without such coordination.

Sec. 28. "Political subdivision" has the meaning set forth in IC 3-5-2-38.

Sec. 29. "Public highway" has the meaning set forth in IC 9-25-2-4.

Sec. 30. "Remote operator" means any person who:

- (1) is not physically located in an automated vehicle; and
- (2) exercises control over:
 - (A) the acceleration, braking, steering, and transmission of the automated vehicle; or
 - (B) the activation and deactivation of the automated driving system.

The term does not include a person who creates a relevant condition that is communicated to or sensed by the automated driving system.

Sec. 31. "Request to intervene" means a notification by an automated driving system to a driver indicating a need to promptly perform the dynamic driving task fallback.

Sec. 32. "Taskgroup" means the automated vehicle oversight taskgroup established by IC 9-26.5-7-1(a)."

Page 8, line 24, delete "with the expectation that".

Page 8, delete line 25.

Page 8, line 26, delete "intervene".

Page 8, delete lines 36 through 37, begin a new line block indented and insert:

"(3) The automated driving system meets the requirements under subsection (e) and either of the following conditions is satisfied:

- (A) The automated driving system meets the requirements of subsection (d).

(B) The operating entity or individual possesses a permit that has been approved by the taskgroup (as described in IC 9-26.5-7).

(4) Maintains financial responsibility under IC 9-25, and if applicable IC 9-26.5-6."

Page 9, delete lines 5 through 10, begin a new paragraph and insert:

"(d) Except as otherwise provided, if an automated driving system is capable of complying with federal and state laws applicable to the functions being controlled or operated by the automated driving system, the automated driving system may be used to control or operate an automated vehicle on a public highway."

Page 9, delete lines 17 through 25, being a new paragraph and insert:

"(f) The operation of an automated driving vehicle on a public highway that does not comply with subsection (d) is prohibited unless:

- (1) the operation was approved by the taskgroup;
- (2) the operating entity or individual possesses a permit that has been approved by the taskgroup (as described in IC 9-26-5-7); and
- (3) the operation conforms to the protocol specified in the permit issued by the taskgroup (as described in IC 9-26.5-7)."

Page 9, between lines 25 and 26, begin a new paragraph and insert:

"Sec. 4. Notwithstanding any other law or provision, each automated vehicle to be operated or platooned on a public highway must:

- (1) be capable of complying with all applicable:
 - (A) local ordinances;
 - (B) regulations; and
 - (C) statutes;

concerning the orderly and safe operation of motor vehicles unless explicitly exempted by statute; and

(2) either:

- (A) comply with all applicable federal motor vehicle safety standards; or
- (B) have received a valid exemption from NHTSA concerning the automated vehicle's exemption from applicable FMVSS.

Sec. 5. IC 9-26-3-1(b), IC 9-26-3-2, and IC 9-26-3-3 do not apply to an automated vehicle that:

- (1) is being operated solely for testing purposes; and
- (2) fully complies with this chapter.

Sec. 6. IC 9-21-8-14 and IC 9-21-8-15 do not apply to an operator or motor vehicle that is traveling:

- (1) in a nonleading position; and
- (2) as part of a taskgroup approved platoon.

Sec. 7. The operator of an automated vehicle that is traveling as part of a platoon shall allow other motorists sufficient space to:

- (1) enter a public highway;
- (2) exit a public highway; or

(3) execute a lane change on a public highway."

Page 9, line 26, delete "Sec. 4." and insert "**Sec. 8.**".

Page 9, line 32, delete "Sec. 5." and insert "**Sec. 9.**".

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

"(d) The department shall provide regular updates on unusual road conditions or road hazards to any vehicle with a notation under section 2 of this chapter."

Page 10, line 12, delete "In addition to the requirements described in".

Page 10, line 13, delete "IC 9-26.5-7-2, a" and insert "**A**".

Page 10, line 14, delete "shall" and insert "**must**".

Page 10, delete lines 26 through 37, begin a new paragraph and insert:

"Sec. 1. (a) This chapter applies to commercial operation.

(b) Commercial operation does not include the operation of:

(1) A personal vehicle.

(2) A vehicle subject to a tax under IC 6-6-9.

Sec. 2. A person or entity wishing to operate or platoon an automated vehicle shall maintain proof of financial responsibility with the bureau in accordance with IC 9-25, however the minimum amounts of financial responsibility under this chapter must be at least five million dollars (\$5,000,000) per entity."

Page 10, line 38, delete "Operation and Platooning of Automated Vehicles" and insert "**Automated Vehicle Oversight Taskgroup**".

Page 11, line 1, delete "comissioner" and insert "**commissioner**".

Page 11, line 25, after "highway" insert "**under IC 9-26.5-3-3(f)**".

Page 12, between lines 8 and 9, begin a new line block indented and insert:

"(1) Certify that the automated driving systems or automated vehicles to be platooned or operated comply, as applicable with all of IC 9-26.5-3 except IC 9-26.5-3-3(d) and provide a list of all federal and state laws that are not in compliance."

Page 12, line 9, delete "(1)" and insert "**(2)**".

Page 12, delete line 12 through 13.

Page 12, line 14, delete "(B)" and insert "**(A)**".

Page 12, line 15, delete "(C)" and insert "**(B)**".

Page 12, line 17, delete "(D)" and insert "**(C)**".

Page 12, line 19, delete "(E)" and insert "**(D)**".

Page 12, line 21, delete "(2)" and insert "**(3)**".

Page 12, line 25, delete "(3)" and insert "**(4)**".

Page 12, line 30, delete "NHTSA waiver." and insert "**exemption from NHTSA.**".

Page 12, line 31, delete "(4)" and insert "**(5)**".

Page 12, line 31, delete "NHTSA waiver" and insert "**valid exemption from NHTSA**".

Page 12, line 33, delete "(5)" and insert "**(6)**".

Page 13, delete lines 13 through 42.

Page 14, delete lines 1 through 15.

Page 14, line 16, delete "(i)" and insert "**(e)**".

Page 15, delete lines 4 through 32

Page 15, line 33, delete "Sec. 9." and insert "**Sec. 5.**".

Page 15, line 41, delete "Sec. 10." and insert "**Sec. 6.**".

Page 16, line 2, delete "Sec. 11." and insert "**Sec. 7.**".

Page 16, line 4, delete "Sec. 12." and insert "**Sec. 8.**".

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

"SECTION 28. IC 34-30-2-31.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 31.6. IC 9-26.5-9 (Concerning the original manufacturer of a motor vehicle converted by a third party into an automated vehicle and a motor vehicle mechanic or motor vehicle repair facility that repairs an automated driving system or an automated vehicle)."

Renumber all SECTIONS consecutively.

(Reference is to HB 1341 as printed January 19, 2018.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 1.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Engrossed House Bill 1358, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Engrossed House Bill 1374, 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 13, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 17. IC 4-37-3-1, AS ADDED BY P.L.167-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 1. The corporation is governed by a board of trustees that consists of the following members:

(1) Thirteen (13) persons appointed by the governor who are voting members. The governor's appointments under this subdivision must meet the following criteria:

(A) Each member must be a resident of Indiana.

(B) Not more than two (2) members may reside in the same county.

(C) At least one (1) member must be a recognized supporter of historic sites.

(D) Not more than seven (7) members may be from the same political party.

(2) One (1) person who is appointed at-large by the governor and who is a voting member. The member appointed under this subdivision must be a resident of Indiana but may reside in any county.

(3) Twelve (12) persons appointed by the board who are voting members. The board's appointments **under this subdivision** must meet the following criteria:

(A) Each member must be a resident of Indiana.

(B) Not more than two (2) members may reside in the same county.

(C) At least one (1) member must be a recognized supporter of historic sites.

(D) Not more than six (6) members may be from the same political party.

(4) One (1) person who is appointed at-large by the board and who is a voting member. The member appointed under this subdivision must be a resident of Indiana but may reside in any county.

(5) The following persons serve as nonvoting members of the board:

(A) The chief executive officer.

(B) The governor or the governor's designee.

(C) One (1) member of the house of representatives appointed by the chairman of the legislative council.

(D) One (1) member of the senate appointed by the chairman of the legislative council.

(E) The director of the department of natural resources or the director's designee.

The members appointed under clauses (C) and (D) must be from different political parties and serve at the pleasure of the chairman of the legislative council."

Page 22, line 1, after "university;" insert **"and"**.

Page 22, line 3, delete "workshop; and" and insert **"workshop."**

Page 23, delete lines 35 through 38.

Page 23, line 39, delete "Sec. 27." and insert **"Sec. 25."**

Page 23, line 41, delete "Sec. 28." and insert **"Sec. 26."**

Page 24, line 16, delete "Sec. 29." and insert **"Sec. 27."**

Page 24, line 24, delete "Sec. 30." and insert **"Sec. 28."**

Page 24, line 26, delete "Sec. 31." and insert **"Sec. 29."**

Page 24, line 28, delete "Sec. 32." and insert **"Sec. 30."**

Page 24, line 31, delete "Sec. 33." and insert **"Sec. 31."**

Page 24, line 34, delete "Sec. 34." and insert **"Sec. 32."**

Page 25, line 19, delete "Sec. 35." and insert **"Sec. 33."**

Page 25, line 40, delete "Sec. 36." and insert **"Sec. 34."**

Page 25, between lines 41 and 42, begin a new paragraph and insert:

"Sec. 35. "Indiana brownfields fund" refers to the Indiana

brownfields fund established by IC 5-1.2-12-3.

Sec. 36. "Indiana brownfields program" refers to the Indiana brownfields revolving loan program established by IC 5-1.2-12-2."

Page 30, line 15, after "A" insert **"licensed"**.

Page 31, line 28, after "financing" insert **"a health facility and"**.

Page 38, line 17, after "aquaculture experts," insert **"health care experts,"**

Page 39, line 17, after "lease" insert **"(as lessee or lessor)"**.

Page 39, line 18, delete "use, and" and insert **"use, or"**.

Page 41, delete lines 34 through 35.

Page 41, line 36, delete "(31)" and insert **"(30)"**.

Page 41, line 38, delete "(32)" and insert **"(31)"**.

Page 41, line 39, delete "(33)" and insert **"(32)"**.

Page 42, line 6, delete "(34)" and insert **"(33)"**.

Page 42, line 9, delete "(35)" and insert **"(34)"**.

Page 42, line 9, after "convey," insert **"mortgage, pledge, assign,"**

Page 42, line 12, delete "(36)" and insert **"(35)"**.

Page 42, line 14, delete "(37)" and insert **"(36)"**.

Page 42, line 16, delete "(38)" and insert **"(37)"**.

Page 42, line 22, delete "(39)" and insert **"(38)"**.

Page 42, line 29, delete "(40)" and insert **"(39)"**.

Page 42, line 36, delete "(41)" and insert **"(40)"**.

Page 42, line 42, delete "(42)" and insert **"(41)"**.

Page 47, line 15, delete "issue, except" and insert **"issue."**

Page 47, line 16, delete "as provided in section 11 of this chapter."

Page 53, between lines 7 and 8, begin a new paragraph and insert:

"Sec. 26. Any holder of bonds or any coupons appertaining to the bonds, and the trustee under any trust agreement or resolution authorizing the issuance of the bonds, except to the extent the rights given in this article may be restricted by the trust agreement or resolution, may, either at law or in equity, by suit, action, mandamus, or other proceeding, protect and enforce any and all rights under the laws of Indiana, or under the trust agreement or resolution, or under any other contract executed by the authority under this article, and enforce and compel the performance of all duties required by this article or by the trust agreement or resolution to be performed by the authority or by any officer of the authority."

Page 53, line 8, delete "26." and insert **"27."**

Page 53, line 9, delete "is" and insert **"are"**.

Page 53, line 10, after "statutes," insert **"except to the extent payable from grants or advances from participating providers or any other entity, which grants or advances may be reimbursed from bond proceeds,"**

Page 53, line 16, delete "27." and insert **"28."**

Page 53, line 33, delete "28." and insert **"29."**

Page 53, line 41, delete "29." and insert **"30."**

Page 54, line 23, delete "30." and insert **"31."**

Page 55, line 23, delete "31." and insert "32."
 Page 55, line 41, delete "32." and insert "33."
 Page 56, line 15, delete "33." and insert "34."
 Page 56, line 19, delete "34." and insert "35."
 Page 56, line 23, delete "35." and insert "36."
 Page 66, line 36, delete "subsection" and insert "subdivision".
 Page 68, line 20, delete "lien holders" and insert

"lienholders".

Page 70, line 1, delete "(a)."

Page 70, line 25, delete "chapter." and insert "chapter, and no liability may be incurred by the authority or the state beyond the extent to which money has been provided under this chapter."

Page 70, delete lines 26 through 37.

Page 70, line 38, delete "12." and insert "11."

Page 71, line 3, delete "13." and insert "12."

Page 71, line 19, delete "14." and insert "13."

Page 71, line 39, delete "15." and insert "14."

Page 72, line 13, delete "16." and insert "15."

Page 72, line 13, delete "9 or 10" and insert "13 or 14".

Page 73, line 3, delete "17." and insert "16."

Page 73, line 3, delete "11" and insert "15".

Page 73, line 26, delete "18." and insert "17."

Page 73, line 30, delete "14 or 15" and insert "13 or 14".

Page 75, line 11, delete "19." and insert "18."

Page 75, line 36, delete "20." and insert "19."

Page 76, line 3, delete "21." and insert "20."

Page 76, line 33, delete "22." and insert "21."

Page 81, between lines 9 and 10, begin a new paragraph and insert:

"Sec. 17. The authority may provide for the issuance of bonds of the authority:

(1) to refund any bonds of the authority then outstanding, including the payment of any redemption premium on the bonds and any interest accrued or to accrue to the earlier or any subsequent date of redemption, purchase, or maturity of the bonds; and

(2) if determined advisable by the authority, for the additional purpose of paying all or any part of the cost of constructing and acquiring additions, improvements, extensions, or enlargements of a project or any part of an addition, improvement, extension, or enlargement of an educational facility project. However, no refunding bonds may be issued unless the authority provides for the payment of rentals adequate to satisfy the requirements of section 13 of this chapter.

Sec. 18. The proceeds of any bonds issued for the purpose of refunding outstanding bonds may, in the discretion of the authority:

(1) be applied to the purchase or retirement at maturity or redemption of the outstanding bonds either on their earliest or any subsequent redemption date or upon the purchase or at the maturity of the outstanding bonds; and

(2) pending the application of the proceeds, be placed in escrow to be applied to the purchase or retirement at maturity or redemption of the outstanding bonds on a date determined by the authority.

Sec. 19. Any escrowed proceeds, pending use for the refunding of outstanding bonds, may be invested and reinvested in:

(1) direct obligations of the United States of America; or

(2) obligations having the timely payment of principal and interest unconditionally guaranteed by the United States of America;

maturing at a time or times that are appropriate to assure the prompt payment of the principal and interest and redemption premium, if any, on the outstanding bonds to be refunded. Any interest, income, and profits earned or realized on any investment may also be applied to the payment of the outstanding bonds to be refunded. Only after the terms of the escrow have been fully satisfied and carried out, any balance of the proceeds and any interest, income, and profits earned or realized on the investments described in this section must be returned to the nonprofit college or university for use by the nonprofit college or university in any lawful manner.

Sec. 20. All bonds issued to refund outstanding bonds of the authority are subject to this chapter in the same manner and to the same extent as other bonds issued under this chapter."

Page 81, line 10, delete "17." and insert "21."

Page 81, line 18, delete "18." and insert "22."

Page 81, line 34, delete "19." and insert "23."

Page 81, line 34, delete "18" and insert "22".

Page 82, line 3, delete "18" and insert "22".

Page 82, line 6, delete "18" and insert "22".

Page 82, line 11, delete "20." and insert "24."

Page 82, line 12, delete "18 and 19" and insert "22 and 23".

Page 82, line 19, delete "21." and insert "25."

Page 82, line 19, delete "14" and insert "15".

Page 82, line 21, delete "18 through 20" and insert "22 through 24".

Page 92, line 33, delete "for the:" and insert "for:".

Page 92, line 34, after "(A)" insert "the".

Page 92, line 35, after "(B)" insert "the".

Page 92, line 36, after "(C)" insert "the".

Page 92, line 37, after "(D)" insert "the".

Page 92, line 38, after "(E)" insert "the".

Page 92, line 39, after "(F)" insert "the".

Page 92, line 40, after "of" insert "the activities described in".

Page 93, line 3, delete "Any" and insert "Carry out any".

Page 95, between lines 26 and 27, begin a new paragraph and insert:

"Sec. 16. A loan or other financial assistance from either fund must be accompanied by the following:

- (1) All papers and opinions required by the authority.
- (2) Unless otherwise provided by the guidelines of the authority, the following:
 - (A) An approving opinion of nationally recognized bond counsel.
 - (B) A certification and guarantee of signatures.
 - (C) A certification that, as of the date of the loan or other financial assistance:

- (i) no litigation is pending challenging the validity of or entry into the loan or other financial assistance or any security for the loan or other financial assistance; or
- (ii) if litigation is pending, the litigation will not have a material adverse effect on the validity of the loan or other financial assistance.

(D) If litigation is pending, as an alternative to the certification described in clause (C), an opinion of legal counsel that the litigation will not have a material adverse effect on the validity of the loan or other financial assistance."

Page 95, line 27, delete "16." and insert "17."
 Page 95, line 33, delete "17." and insert "18."
 Page 95, line 37, delete "18." and insert "19."
 Page 96, line 9, after "section" delete ",".
 Page 96, line 28, delete "19." and insert "20."
 Page 97, line 5, delete "20." and insert "21."
 Page 97, line 13, delete "21." and insert "22."
 Page 97, line 15, delete "22." and insert "23."
 Page 98, line 2, delete "23." and insert "24."
 Page 100, between lines 15 and 16, begin a new paragraph and insert:

"Sec. 10. A loan or other financial assistance from the fund must be accompanied by the following:

- (1) All papers and opinions required by the authority.
 - (2) Unless otherwise provided by the guidelines of the authority, the following:
 - (A) An approving opinion of nationally recognized bond counsel.
 - (B) A certification and guarantee of signatures.
 - (C) A certification that, as of the date of the loan or other financial assistance:
- (i) no litigation is pending challenging the validity of or entry into the loan or other financial assistance or any security for the loan or other financial assistance; or
 - (ii) if litigation is pending, the litigation will not have a material adverse effect on the validity of the loan or other financial assistance.
- (D) If litigation is pending, as an alternative to the certification described in clause (C), an opinion of legal counsel that the litigation will not have a material adverse effect on the validity of the loan or other financial assistance."

Page 100, line 16, delete "10." and insert "11."
 Page 100, between lines 20 and 21, begin a new paragraph and insert:

"Chapter 11.5. Monitoring, Study, and Assessment by the Indiana Finance Authority

Sec. 1. As used in this chapter, "governmental requirement" means a requirement imposed on a utility by a governmental unit in connection with:

- (1) the federal Clean Water Act (33 U.S.C. 1251 et seq.);
- (2) the federal Safe Drinking Water Act (42 U.S.C. 300f et seq.); or
- (3) any other law, order, rule, or regulation administered or issued by the United States Environmental Protection Agency, the department of environmental management, or the department of natural resources in connection with the federal Clean Water Act or the federal Safe Drinking Water Act.

Sec. 2. As used in this chapter, "utility" means:

- (1) a public utility (as defined in IC 8-1-2-1(a));
- (2) a municipally owned utility (as defined in IC 8-1-2-1(h)); or
- (3) a not-for-profit utility (as defined in IC 8-1-2-125(a));

that provides water or wastewater service to the public.
 Sec. 3. The IFA shall monitor and study events and conditions that bear upon the ability of utilities to provide clean and safe drinking water in Indiana for the foreseeable future, including the ability of utilities to directly or indirectly fund the increasing costs of meeting governmental requirements.

Sec. 4. The powers of the IFA under section 3 of this chapter include the following:

- (1) Assessing issues related to service line ownership and replacement.
- (2) Assessing the challenges that utilities are likely to encounter as they become subject to more stringent governmental requirements.
- (3) Studying cost recovery mechanisms that enable utilities to respond quickly to system needs.
- (4) Monitoring the growing costs for utilities in complying with consent decrees related to governmental requirements.
- (5) Studying regional water ownership issues, including cross-border issues."

Page 101, line 8, delete "environmental" and "Indiana brownfields".

Page 101, line 9, delete "remediation".
 Page 101, line 41, delete "environmental remediation" and insert "Indiana brownfields".

Page 102, line 4, delete "environmental" and insert "Indiana brownfields".

Page 102, line 5, delete "remediation".
 Page 106, delete lines 29 through 30.
 Page 106, line 31, delete "(4)" and insert "(3)".

Page 107, line 2, delete "environmental" and insert "**Indiana brownfields**".

Page 107, line 3, delete "remediation".

Page 107, line 13, delete "environmental" and insert "**Indiana brownfields**".

Page 107, line 14, delete "remediation".

Page 107, line 15, delete "environmental remediation" and insert "**Indiana brownfields**".

Page 107, between lines 33 and 34, begin a new paragraph and insert:

"Sec. 9. A loan or other financial assistance from the fund must be accompanied by the following:

(1) All papers and opinions required by the authority.

(2) Unless otherwise provided by the guidelines of the authority, the following:

(A) An approving opinion of nationally recognized bond counsel.

(B) A certification and guarantee of signatures.

(C) A certification that, as of the date of the loan or other financial assistance:

(i) no litigation is pending challenging the validity of or entry into the loan or other financial assistance or any security for the loan or other financial assistance; or

(ii) if litigation is pending, the litigation will not have a material adverse effect on the validity of the loan or other financial assistance or any security for the loan or other financial assistance.

(D) If litigation is pending, as an alternative to the certification described in clause (C), an opinion of legal counsel that the litigation will not have a material adverse effect on the validity of the loan or other financial assistance."

Page 107, line 34, delete "9." and insert "**10.**".

Page 107, line 36, delete "10." and insert "**11.**".

Page 108, line 7, delete "environmental" and insert "**Indiana brownfields**".

Page 108, line 8, delete "remediation".

Page 108, line 34, delete "11." and insert "**12.**".

Page 109, line 19, delete "12." and insert "**13.**".

Page 109, line 21, delete "environmental" and insert "**Indiana brownfields**".

Page 109, line 22, delete "remediation".

Page 109, line 28, delete "9" and insert "**10**".

Page 112, between lines 17 and 18, begin a new paragraph and insert:

"Sec. 11. A loan or other financial assistance from the fund must be accompanied by the following:

(1) All papers and opinions required by the authority.

(2) Unless otherwise provided by the guidelines of the authority, the following:

(A) An approving opinion of nationally recognized bond counsel.

(B) A certification and guarantee of signatures.

(C) A certification that, as of the date of the loan or

other financial assistance:

(i) no litigation is pending challenging the validity of or entry into the loan or other financial assistance or any security for the loan or other financial assistance; or

(ii) if litigation is pending, the litigation will not have a material adverse effect on the validity of the loan or other financial assistance or any security for the loan or other financial assistance.

(D) If litigation is pending, as an alternative to the certification described in clause (C), an opinion of legal counsel that the litigation will not have a material adverse effect on the validity of the loan or other financial assistance."

Page 112, line 18, delete "11." and insert "**12.**".

Page 112, line 33, delete "12." and insert "**13.**".

Page 118, line 42, after "of the" insert "**Indiana**".

Page 120, line 30, delete "financing" and insert "**financial assistance**".

Page 120, line 42, delete "financing" and insert "**financial assistance**".

Page 121, line 5, delete "infrastructure" and insert "**transportation infrastructure**".

Page 121, line 14, after "local" insert "**transportation**".

Page 121, line 24, after "local" insert "**transportation**".

Page 122, line 17, after "to the" insert "**local transportation**".

Page 122, line 28, delete "financing agreement. A financing agreement is" and insert "**financial assistance agreement. A financial assistance agreement is**".

Page 122, between lines 40 and 41, begin a new paragraph and insert:

"Sec. 10. A loan or other financial assistance from the fund must be accompanied by the following:

(1) All papers and opinions required by the authority.

(2) Unless otherwise provided by the guidelines of the authority, the following:

(A) An approving opinion of nationally recognized bond counsel.

(B) A certification and guarantee of signatures.

(C) A certification that, as of the date of the loan or other financial assistance:

(i) no litigation is pending challenging the validity of or entry into the loan or other financial assistance or any security for the loan or other financial assistance; or

(ii) if litigation is pending, the litigation will not have a material adverse effect on the validity of the loan or other financial assistance or any security for the loan or other financial assistance.

(D) If litigation is pending, as an alternative to the certification described in clause (C), an opinion of legal counsel that the litigation will not have a material adverse effect on the validity of the loan or other financial assistance."

Page 122, line 41, delete "10." and insert "**11.**".

Page 123, line 1, delete "11." and insert "12."

Page 123, line 3, delete "12." and insert "13."

Page 123, line 5, delete "13." and insert "14."

Page 123, line 12, delete "IC 5-1.2-4-28." and insert "IC 5-1.2-4-29."

Page 123, line 13, delete "14." and insert "15."

Page 123, line 17, delete "15." and insert "16."

Page 140, line 31, after "Sec. 6." insert "(a)".

Page 140, between lines 39 and 40, begin a new paragraph and insert:

"(b) If the IFA establishes a debt service reserve fund for any such bonds or notes, the IFA may establish a procedure for the IFA or a person acting on behalf of the IFA to certify to the general assembly the amount needed to restore such debt service reserve fund to a required level or levels, if the establishment of the procedure is reviewed by the budget committee and approved by the budget director."

Page 144, line 6, delete "cancelled," and insert "canceled,".

Page 144, line 14, delete "cancelled," and insert "canceled,".

Page 165, line 4, delete "shall" and insert "may".

Page 211, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 135. IC 16-22-8-2.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 2.3. As used in this chapter, "bond bank" means the local public improvement bond bank established pursuant to IC 5-1.4 by the city located in the county in which the corporation is established.**

SECTION 136. IC 16-22-8-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 2.5. As used in this chapter, "building authority" means the building authority established pursuant to IC 36-9-13 by the county in which the corporation is established.**

SECTION 137. IC 16-22-8-56 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 56. (a) This section applies notwithstanding any other law.**

(b) A pledge of revenues, other money, or property made by the corporation to secure the repayment of its bonds or leases entered into with the building authority, regardless of when it was made, is binding from the time the pledge is, or was, made. The pledge, as of the date the pledge is or was made, creates a statutory lien upon these revenues, other money, or property of the corporation so pledged at the time the pledge is, or was, made. Revenues, other money, or property pledged and then received by the corporation, or which after the pledge may be held, possessed, maintained or controlled by, or otherwise in the custody of:

(1) any other political subdivision of the state; or

(2) any department, agency, or instrumentality of a political subdivision of the state;

under any other law, are immediately subject to the statutory lien of the pledge, with the statutory lien immediately and

automatically attaching to the revenues, other money, or property pledged, without any further act. The statutory lien of a pledge is binding against all parties having claims of any kind in tort, contract, or otherwise, against the corporation, regardless of whether the parties have notice of any lien. No resolution, ordinance, indenture, or any other instrument by which a pledge is created needs to be filed or recorded except in the records of the corporation.

(c) To the extent that the corporation has pledged any revenues, other money, or property to secure the repayment of its bonds or leases entered into with the building authority, the following apply:

(1) The revenues, other money, or property so pledged and then received by the corporation, or which after the pledge, may be held, possessed, maintained or controlled by, or otherwise in the custody of:

(A) any other political subdivision of the state; or

(B) any department, agency, or instrumentality of a political subdivision of the state;

under any other law, up to an amount necessary to pay debt service on or to maintain a reserve fund or any required coverage ratio in any calendar year or bond year with respect to such an obligation, shall be used for the repayment of the obligation and for no other purpose until the obligation for that calendar year or bond year is fully paid in accordance with its terms.

(2) The corporation is prohibited from consenting to or permitting, and shall never be construed as consenting to or permitting, without the consent of one hundred percent (100%) of the owners of all its bonds then outstanding and those bonds then outstanding that are secured by the leases entered into with the building authority, the use of the pledged revenues for any purpose, except as described in subdivision (1).

(3) The revenues, other money, or property, which after the pledge, may be held, possessed, maintained or controlled by, or otherwise in the custody of:

(A) any other political subdivision of the state; or

(B) any department, agency, or instrumentality of a political subdivision of the state;

under any other law, and that would otherwise be available for distribution to the corporation, are automatically subject to a statutory lien for purposes of section 58 of this chapter.

(4) The corporation has no legal or equitable right to any of these revenues, other money, or property, which after the pledge may be held, possessed, maintained or controlled by, or otherwise in the custody of any other political subdivision of the state, or any department, agency, or instrumentality of a political subdivision of the state under any other law, and that would otherwise be available for distribution to the corporation, until:

(A) any reduction permitted under section 58 of this chapter has been applied; and

(B) the revenues, other money, or property have been or are required to be distributed to and received by the corporation.

(5) The corporation is prohibited from consenting to or permitting, and shall never be construed as consenting to or permitting, the use of any of the revenues, other money, or property that is reduced pursuant to section 58 of this chapter for any other purpose, other than the purposes described in section 58 of this chapter.

SECTION 138. IC 16-22-8-57 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 57. (a)** This section applies notwithstanding any other law.

(b) The corporation is required to pay in full the principal of, and interest and premium, if any, on, or rental payments under, its bonds or leases entered into with the building authority, in accordance with the terms of these bonds or leases.

(c) With respect to these bonds or leases, the corporation is prohibited from consenting to or permitting, and shall never be construed as consenting to or permitting, without the consent of one hundred percent (100%) of the owners of all the bonds then outstanding and those bonds then outstanding that are secured by those leases, to any of the following:

(1) An extension of the stated maturity or a reduction in the principal amount of, or a reduction in the rate or an extension of the time of payment of interest on, the bonds.

(2) An extension of the due date or a reduction in the amount of a rental payment under the leases.

(3) The creation of any lien on the revenues, other money, or property pledged to these bonds or leases, which is senior or prior to the lien upon the revenues, other money, or property pledged to these bonds or leases.

(4) A reduction in the aggregate principal amount of the bonds or aggregate amount of rental payments under the leases.

(5) The granting of a privilege, priority, or preference to any of the bonds or any bonds secured by the leases over any other of these bonds.

(6) Any amendment or modification of the powers, remedies, rights, duties, privileges, or immunities of the owners of the bonds.

SECTION 139. IC 16-22-8-58 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 58. (a)** Upon receiving notice from the bond bank that the corporation has failed to pay when due the principal of or interest on the obligations of the corporation then held, owned by, or arising from an agreement with the bond bank, the controller of the county in which the corporation is established shall do the following:

(1) Reduce the amount of any revenues, other money,

or property that are pledged to pay the obligations, that:

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

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

by an amount equal to the amount of the unpaid obligations.

(2) Pay the amount by which the revenues, other money, or property that are pledged to pay the obligations is reduced under subdivision (1) to the bond bank to pay the principal of and interest on the bonds or other obligations of the bond bank directly related to the applicable defaulted obligations of the corporation.

(3) Notify the corporation that the revenues, other money, or property, which would otherwise be available for distribution to the corporation, has been reduced by an amount necessary to satisfy all or part of the unpaid obligations to the bond bank.

(b) Any reductions under subsection (a) must be used only for the purpose of paying the principal of and interest on the bonds or other obligations of the bond bank that are directly related to the applicable defaulted obligations of the corporation and that the bond bank has failed to pay and for no other purpose.

(c) Notwithstanding any other law, the corporation has no legal or equitable right to any revenues, other money, or property that are pledged to pay the principal of and interest on the bonds or other obligations of the bond bank, which are held, possessed, maintained, controlled or otherwise in the custody of any other political subdivision of the state, or any department, agency, or instrumentality of a political subdivision of the state, that would otherwise be available for distribution to the political subdivision, until:

(1) any reduction permitted under this section has been applied; and

(2) the revenues, other money, or property have been or are required to be distributed to and received by the corporation.

(d) This section shall be interpreted liberally so that the county, in which the corporation is established, shall, to the extent permitted under Indiana law, ensure that the obligations of the corporation held or owned by or arising from an agreement with the bond bank, are paid when due. However, this section does not create a debt of the state or any other political subdivision.

(e) The withholding of a payment from or the reduction of a payment to the corporation and the payment to the bond bank under this section must not adversely affect the validity of the obligation of the corporation in default.

SECTION 140. IC 16-22-8-59 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 59. (a) If the corporation is designated as a "distressed political subdivision" by the distressed unit appeal board pursuant to IC 6-1.1-20.3-6.5, upon receipt of the notice of the designation from the distressed unit appeal board, the controller and the county treasurer of the county in which the corporation is established shall take any and all actions necessary to immediately and automatically distribute to the bond bank, after any reductions required by section 58 of this chapter, any revenues, other money, or property that are pledged to pay the principal of or interest on the obligations of the corporation held or owned by or arising from an agreement with the bond bank, which are held, possessed, maintained, controlled, or otherwise in the custody of the county in which the corporation is established, or any department, agency, or instrumentality of the county, which would otherwise be available for distribution to the corporation under any other law.**

(b) Upon receipt of the revenues or money, the bond bank shall retain the amount necessary to pay the debt service on all of its bonds for the one (1) year period following the date of the receipt of the revenues or money, for which bonds the corporation is directly or indirectly obligated to pay, pursuant to the corporation's bonds or leases entered into with the building authority. The bond bank shall deposit the amount retained with the trustee or trustees for the bonds and then distribute the remainder to the corporation. The amounts required to be deposited with the trustee or trustees shall be reduced by any other money held by the trustee or trustees and available for the debt service, except any reserves required to be held by the trustee or trustees, but shall be increased by any amount necessary to restore any reserves to their required levels. The revenues, other money, or property of the corporation that are required to be deposited with the trustee or trustees pursuant to this subsection shall continue in full force and effect until the time the distressed unit appeal board terminates the corporation's status as a distressed political subdivision pursuant to IC 6-1.1-20.3-13.

(c) Notwithstanding any other law, the corporation has no legal or equitable right to any revenues, other money, or property that are pledged to pay the principal of or interest on the obligations of the corporation held or owned by or arising from an agreement with the bond bank, which are held, possessed, maintained, controlled or otherwise in the custody of:

- (1) any other political subdivision of the state; or**
- (2) any department, agency, or instrumentality of a political subdivision of the state;**

that would otherwise be available for distribution to the corporation, unless and until the revenues, other money, or property have been or are required to be distributed to and received by the corporation."

Page 214, delete lines 23 through 42, begin a new paragraph and insert:

"SECTION 144. IC 34-30-2-2 IS REPEALED [EFFECTIVE JULY 1, 2018]. ~~Sec. 2: IC 4-4-11-30 and IC 4-4-21-23 (Concerning members, officers, employees, and agents of the Indiana finance authority for acts authorized by law).~~

SECTION 145. IC 34-30-2-3 IS REPEALED [EFFECTIVE JULY 1, 2018]. ~~Sec. 3: IC 4-13-5-4-4(g) (Concerning the state for monetary damages for obligations of or violation by the Indiana finance authority).~~

SECTION 146. IC 34-30-2-8 IS REPEALED [EFFECTIVE JULY 1, 2018]. ~~Sec. 8: IC 5-1-16-28 (Concerning bonds issued by the Indiana finance authority under IC 5-1-16).~~

SECTION 147. IC 34-30-2-8.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 8.6. IC 5-1.2-4-8 (Concerning the state for monetary damages for obligations of or violation by the Indiana finance authority).**

SECTION 148. IC 34-30-2-8.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 8.7. IC 5-1.2-4-17 (Concerning the Indiana finance authority.)**

SECTION 149. IC 34-30-2-8.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 8.8. IC 5-1.2-4-32 (Concerning loan or financial assistance under IC 5-1.2 governing the Indiana finance authority and the Indiana finance authority's addressing of brownfield contamination issues).**

SECTION 150. IC 34-30-2-87 IS REPEALED [EFFECTIVE JULY 1, 2018]. ~~Sec. 87: IC 5-1-16.5-41 (Concerning members of, and persons executing bonds for, the Indiana finance authority under IC 5-1-16.5).~~

SECTION 151. IC 35-52-5-2.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 2.4. IC 5-1.2-4-34 defines a crime concerning certain programs administered by the Indiana finance authority.**

SECTION 152. IC 35-52-13-2 IS REPEALED [EFFECTIVE JULY 1, 2018]. ~~Sec. 2: IC 13-18-13-31 defines a crime concerning water pollution control.~~

SECTION 153. IC 35-52-13-3 IS REPEALED [EFFECTIVE JULY 1, 2018]. ~~Sec. 3: IC 13-18-21-31 defines a crime concerning water pollution control.~~

SECTION 154. IC 35-52-13-4 IS REPEALED [EFFECTIVE JULY 1, 2018]. ~~Sec. 4: IC 13-19-5-17 defines a crime concerning environmental remediation revolving loan program."~~

Page 215, delete lines 1 through 18.

Page 222, line 36, after "are" insert "**valid pledges under IC 5-1-14-4 as of the date of those proceedings or actions and are**".

Page 224, line 7, after "are" insert "**valid pledges under IC 5-1-14-4 as of the date of those proceedings or actions and are**".

Page 228, after line 42, begin a new paragraph and insert:

"SECTION 161. [EFFECTIVE UPON PASSAGE] (a) The legislative council is urged to assign an appropriate interim study committee for study during the 2018 legislative interim the subject of requiring performance and payment bonds for future public-private projects.

(b) This SECTION expires January 1, 2019.

SECTION 162. [EFFECTIVE UPON PASSAGE] (a) The legislative council is urged to assign to an appropriate interim study committee the task of studying potential funding mechanisms to assist local units of government to address:

- (1) sewer and water projects, including storm water management projects;
- (2) improving storm water drainage systems; and
- (3) helping to upgrade deteriorating wastewater and storm water infrastructure.

(b) This SECTION expires January 1, 2019."

Renumber all SECTIONS consecutively.

(Reference is to HB 1374 as reprinted February 1, 2018.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs and The Military, to which was referred Engrossed House Bill 1402, 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 concerning the military and veterans.

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

"SECTION 1. [EFFECTIVE UPON PASSAGE] (a) The legislative council is urged to assign to an appropriate interim study committee the task of studying the feasibility of establishing and administering an electronic system to provide the Indiana department of veterans' affairs, in collaboration with the national guard (as defined in IC 10-16-1-13), with criminal case information. An interim study committee assigned a study under this SECTION shall consider the following topics:

(1) A procedure to electronically receive criminal case information maintained in the court case management system to cross reference the names obtained with the names of individuals in the:

- (A) United States Department of Defense data base of individuals whose military service qualifies the individuals for veterans benefits; and
- (B) national guard registries.

(2) Protocols for sharing information with county prosecutors and a veterans' court to help address the needs of veterans in the court system.

(3) Ways to coordinate substance abuse rehabilitation professionals, local social programs, and intensive judicial monitoring.

(4) Linking veterans to programs and services.

(b) This SECTION expires January 1, 2019."

Page 1, delete lines 1 through 17.

Delete pages 2 through 3.

Page 4, delete lines 1 through 37.

Renumber all SECTIONS consecutively.

(Reference is to HB 1402 as reprinted January 30, 2018.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

DELPH, Chair

Report adopted.

SENATE MOTION

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

SR 44 Senator Lanane

Honoring individuals for their many contributions during Black History Month 2018.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 44

Senate Resolution 44, introduced by Senator Lanane:

A SENATE RESOLUTION honoring WaTasha Barnes-Griffin, Terry Whitt Bailey, Sylvia Bogle, Joyce and Edward Foggs, Vivian Conley, and others for their many contributions to Madison County, Delaware County, and the state during Black History Month 2018.

Whereas, WaTasha Barnes-Griffin was born and raised in Muncie, Indiana. From an early age she had a passion for helping others, a characteristic she credits to her mother and grandmother, two very strong women in her life. At age 42, WaTasha is the director of the YWCA of Muncie and president of the Muncie Chapter of Indiana Black Expo. WaTasha is committed to empowering women and eliminating racism in her community, living her life by the "Golden Rule";

Whereas, Terry Whitt Bailey began life in Springfield, Illinois and moved to Indianapolis at age 15. Her education includes an undergraduate degree from Rutgers University, a master's degree from UCLA, and a Doctor of Ministry degree from Newburgh Theological Seminary. Terry has had an astounding career, serving as president and CEO of Muncie's Cornerstone Center for the Arts, administrator and professor at Ball State University, and president and CEO at the Madame Walker Theater Center in Indianapolis. In her current position, Terry

serves as the Community Development Director for the city of Muncie and is one of the most high-profile department heads in Mayor Dennis Tyler's administration. Terry strives to "be a blessing" to her community and serves as a role model for young men and women of color who, like she did, face setbacks at times;

Whereas, Sylvia Bogle has dedicated her career to providing Hoosier women who are victims of abuse with a safe place and advocating for laws to protect them. Sylvia was the 1st executive director of Women's Alternative, now known as Alternatives Inc., which is a domestic violence shelter in Madison County. She is also a co-founder of the Indiana Coalition Against Domestic Violence (ICADV), whose campaign is to raise awareness about domestic violence. Sylvia was directly responsible for the passage of several pieces of vital legislation in the early 1980s. Beginning in 1987, Sylvia became the director of ICADV and now works at Ivy Tech Community College as a financial aid director;

Whereas, In 2011, Joyce and Edward Foggs were awarded the Heritage Award by the Anderson University Heritage Club. This honor is awarded to members of the Heritage Club who have helped advance Anderson University. Edward Foggs served as the pastor of the Sherman Street Church of God and previously worked as an adjunct professor at Anderson University. Joyce Foggs was an elementary school teacher and administrator in the Anderson Community School Corporation for nearly 35 years, eventually lending her talents to young teaching students at Anderson University;

Whereas, Vivian Conley was an activist for civil rights and education in Muncie. She was education coordinator for Trinity United Methodist Church for 20 years and the founder of the Nontraditional Student Association at Ball State University. She was also involved in the campaigns to desegregate Tuhey Pool during the 1950s and to end the use of the Confederate flag symbols at Southside High School during the 1970s. Muncie's Conley Library on Centennial Avenue is named for her;

Whereas, The following notable African American contributors are also trailblazers who paved the way for others;

Whereas, Jesse Nixon was the first African American to graduate from Ball State Teachers College in 1925;

Whereas, Rhonda Roberts was the first African American to serve on the Muncie City Council;

Whereas, Hurley Goodall was one of the first two African Americans in the Muncie Fire Department and was elected as the first African American member of the Muncie School Board in 1970;

Whereas, In 1960, Anderson High School and Anderson College athlete, Nat Johnson, became Anderson High School's first African American head coach;

Whereas, In 1961, Barbara Hilliard of Muncie became the first female mail carrier - black or white - in Indiana;

Whereas, Zebedee Christian became the first black member of the Anderson Schools' Board of Trustees in 1968;

Whereas, Houston Broadnax became the first African American captain in the Anderson Police Department, and Amos Cooley became the city's first African American firefighter; and

Whereas, In 1971, Zora Fenner became Anderson's first African American principal: Therefore,

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

SECTION 1. That the Indiana Senate honors the contributions of these individuals on the occasion of Black History Month.

SECTION 2. The Secretary of the Senate is hereby directed to submit copies of this resolution to the families of WaTasha Barnes-Griffin, Terry Whitt Bailey, and Sylvia Bogle, Joyce and Edward Foggs, Vivian Conley, the Madison County Historical Society, and the Archives and Special Collections of the Ball State Bracken Library.

The resolution was read in full and adopted by voice vote.

Senate Concurrent Resolution 17

Senate Concurrent Resolution 17, introduced by Senator Head:

A CONCURRENT RESOLUTION congratulating Jim Wildermuth for being named the 2017 Indiana Rural Teacher of the Year.

Whereas, Jim Wildermuth has been teaching for a total of seventeen years and has been teaching at North Miami Community Middle School and High School since 2013;

Whereas, Wildermuth teaches Agriculture Power Structure and Technology of Small Engines, Agribusiness Management, Animal Science, Introduction to Agriculture, Food and Natural Resources, National Resources and FFA/ SAE at North Miami Community Schools;

Whereas, Wildermuth serves as the district advisor for the local Future Farmers of America Program, which has won multiple national championships under his direction and which set an all-time record of having four North Miami soil-judging teams qualify for nationals in 2016;

Whereas, Wildermuth makes it a point to visit every new or incoming freshman at their home to get to know them;

Whereas, Wildermuth was nominated by students, staff, and administrators, which noted that students and families with no agriculture background felt at home in Wildermuth's classes under his professional, dedicated, forward-thinking, and understanding nature;

Whereas, Wildermuth's dedication and engaging personality have made his agriculture classes some of the most popular courses in the district;

Whereas, Wildermuth was named the 2017 Indiana Rural Teacher of the Year by the Indiana Small and Rural School Association, which represents over 70 school districts, over 6,000 teachers, and more than 95,000 students; and

Whereas, Wildermuth aptly represented Indiana in the selection process of the 2017 National Rural Education Association's National Rural Teacher of the Year: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates Jim Wildermuth for being named the 2017 Indiana Rural Teacher of the Year and for his continued dedication to young Hoosiers.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Jim Wildermuth.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Friend.

Senate Resolution 19

Senate Resolution 19, introduced by Senators Tallian, Lanane, Breaux, Melton, Mrvan, Niezgodski, Lonnie M. Randolph, Stoops and G. Taylor:

A SENATE RESOLUTION memorializing Laura Jane Bauman's 41 years of service to the Indiana Senate and Indiana Senate Democratic Caucus.

Whereas, Laura Bauman was a lifelong resident of Indianapolis, dedicating her life to public service;

Whereas, Laura's career with the Indiana Senate and Indiana Senate Democratic Caucus spanned 41 years, she served in several roles throughout that time, culminating in her role as Chief of Staff;

Whereas, Laura retired from the Senate on September 1, 2017 as Chief of Staff;

Whereas, Upon her retirement, Laura was presented with the Sagamore of the Wabash honoring her lifetime of service;

Whereas, Her hobbies included painting, knitting, gourmet cooking, travel, and attending her nephews' sporting events and cheering them on;

Whereas, Laura Jane Bauman passed away October 1, 2017 after a courageous battle with cancer;

Whereas, She is survived by her sister Sara L. Bauman, brother Robert R.S. Barnard, nephews Bailly and Beau, and nieces Megan, Carissa and Stephanie;

Whereas, Those who knew Laura during her life, career, and battle with cancer were amazed by her courage and strength and she is greatly missed by her family, friends and colleagues; and

Whereas, It is fitting that the Indiana Senate honors and memorializes the life and career of Laura Jane Bauman: Therefore,

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

SECTION 1. That the Indiana Senate memorializes the life of Laura Jane Bauman.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Sara L. Bauman, Robert R.S. Barnard, Tom Hannify, Diane Masariu Carter, and Betty Cockrum.

The resolution was read in full and adopted by standing vote.

Senate Concurrent Resolution 47

Senate Concurrent Resolution 47, introduced by Senator M. Young:

A CONCURRENT RESOLUTION congratulating Larry A. Landis on his retirement from the Indiana Public Defender Council.

Whereas, Larry A. Landis graduated from IU Bloomington in 1969 and received his Juris Doctorate from Indiana University School of Law - Indianapolis in 1973;

Whereas, Larry worked as a deputy state public defender representing inmates in post-convicting proceedings from 1973 to 1976, where he witnessed the poor quality of lawyering and general disregard for indigent individuals accused of crimes and in 1976, began a training program for trial level public defenders in Indiana through LEAA grant funding;

Whereas, In 1977, Larry worked with the Indiana General Assembly to create the Indiana Public Defender Council, which

now sits as a multi-faceted support agency with a \$1.4 million budget under Larry's leadership;

Whereas, As executive director of the Indiana Public Defender Council, Larry conducted over 120 seminars and workshops for criminal defense lawyers, wrote six books on Indiana criminal law and procedure, assisted public defenders with legal consultation and research, and created a 16-week personal coaching program, where lawyers are coached on their actual public defender cases;

Whereas, Larry oversaw the development of research databases and communication tools for public defenders, designed a case digest system to index over 3,000 Indiana and U.S. Supreme Court cases, began a Listserv for more than 500 defenders to share information, and negotiated an arrangement to give more than 1,000 public defenders free access to legal research;

Whereas, In 1989, Larry drafted and spearheaded legislation to create the Indiana Public Defender Commission, which adopted state standards, including standards for defense counsel in death penalty cases, for indigent defense services and reimburses Indiana counties that provide indigent defense services meeting the standards;

Whereas, Larry was a founder of the Indiana Association of Criminal Defense Lawyers, chaired the Criminal Justice Section of the Indiana State Bar Association, served on the ISBA House of Delegates and Board of Governors, the Board of Trustees for the Indiana Criminal Justice Institute, Commission on Children, Commission to Combat Drugs, and Commission on the Interstate Compact on Probation and Parole, and was a member of the Criminal Code Evaluation Commission and the Criminal Law and Sentencing Policy Study Committee;

Whereas, For nearly 40 years, Larry has been a fixture at the State House advocating support for rational and fair criminal justice policy on behalf of public defenders and indigent citizens by working with Senators and Representatives on criminal and juvenile justice legislation; and

Whereas, Larry's assistance to the Indiana General Assembly, public defenders, and Hoosiers around the state over the last forty-five years has helped create one of the strongest and best-funded indigent defense support systems in the country: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates Larry A. Landis on his exemplary career and retirement from the Indiana Public Defender Council and wishes

him well during his retirement.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Larry A. Landis.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Steuerwald.

House Concurrent Resolution 54

House Concurrent Resolution 54, sponsored by Senator Zay:

A CONCURRENT RESOLUTION congratulating the Whitko High School art students who participated in the 48th World School Children's Art Exhibition.

Whereas, The World School Children's Art Exhibition is held "to promote mutual understanding and friendship among the young generation of the world through the exchange of children's art work";

Whereas, The exhibition is organized by the Association for Education through Art, the Republic of China, and the Association of Formative Art Education for the Republic of China;

Whereas, The exhibition is open to schoolchildren ages 6 through 15;

Whereas, Students from Whitko High School, South Whitley, participated in the 48th World School Children's Art Exhibition in Taipei in the Republic of China, receiving seven of 12 awards presented to the United States;

Whereas, Art students from all over the world submitted oil paintings, watercolors, woodcut prints, pencil sketches, crayon drawings, pastels, collages, etchings, graphic designs, and various other art as entries into the 48th World School Children's Art Exhibition;

Whereas, It is through international interactions such as the 48th World School Children's Art Exhibition that the youth of our nation and state will learn to create a better, more understanding world; and

Whereas, Whitko High School art students have received 37 state, 43 national, and 141 international awards for their exceptional artwork: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Whitko High School art students who have

used their great creativity and their artistic expression to forge new friendships and understanding across the world at the 48th World School Children's Art Exhibition in Taipei in the Republic of China.

SECTION 2. That Brielle Harrison, Megan Licata, Chase Meade, Katarina Rojas, Julia Seifert, Derek Stouder, and Trysten Tucker and their art teacher, Daniel Malicki, are to be commended for their accomplishments.

SECTION 3. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Brielle Harrison, Megan Licata, Chase Meade, Katarina Rojas, Julia Seifert, Derek Stouder, and Trysten Tucker, art teacher Daniel Malicki, Principal John Snyder, and Superintendent Steve Clason.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 55

House Concurrent Resolution 55, sponsored by Senators Crider, Merritt and Perfect:

A CONCURRENT RESOLUTION honoring Indiana Task Force One.

Whereas, Indiana Task Force One is one of 28 urban search and rescue teams in the country;

Whereas, In existence since 1992, the team is made up of 70 multifaceted, cross-trained personnel who serve in six major functional areas: search, rescue, medical, hazardous materials, logistics, and planning;

Whereas, Indiana Task Force One is sponsored by the city of Indianapolis under the Indianapolis Fire Department as well as 29 other participating agencies, many of which are located within central Indiana;

Whereas, Indiana Task Force One is comprised of emergency responders from fire departments in and around Marion County and civilians, including physicians, paramedics, engineers, damage-structure specialists, and search dogs and their handlers;

Whereas, Indiana Task Force One has been deployed three times in Indiana to assist local emergency personnel in search and rescue operations resulting from tornados in Klondike, Evansville, and Henryville;

Whereas, The task force has also deployed to national disasters such as the Oklahoma City bombing, the World Trade Center disaster on September 11, 2001, Hurricane Katrina, Hurricane Harvey in Houston, Texas, Hurricane Irma in Florida, and Hurricane Maria in Puerto Rico;

Whereas, Indiana Task Force One also deployed a Mission Ready Package-Water (14 personnel) to assist in search and rescue operations with other federal and state of Texas personnel in the Houston, Beaumont, and Port Arthur, Texas, metro areas and supported the Federal Emergency Management Agency (FEMA) Hazardous Materials Equipment Push Package by sending four additional personnel to support decontamination of personnel and equipment during Hurricanes Harvey and Irma; and

Whereas, It is the efforts of these brave men and women that help to keep Americans safe during times of disaster whether they be natural or manmade: Therefore,

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

SECTION 1. That the Indiana General Assembly expresses its sincere gratitude to the members of Indiana Task Force One for their dedication to protecting those in need here at home and around the nation.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the city of Indianapolis and each member of Indiana Task Force One.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

MESSAGE FROM THE PRESIDENT OF THE SENATE

Members of the Senate: I have on the 27th day of February, 2018, signed Senate Enrolled Act: 1.

SUZANNE CROUCH
Lieutenant Governor

MESSAGE FROM THE PRESIDENT PRO TEMPORE

Madam President and Members of the Senate: I have on Monday, February 26, 2018, signed Senate Enrolled Act: 1 and I have on Tuesday, February 27, 2018, signed Senate Enrolled Acts: 4, 9, 13, 24, 44, 100, 105, 165, 182, 184, 233, 246, 351 and 360.

DAVID C. LONG
President Pro Tempore

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 37, 40 and 45 and the same are herewith returned to the Senate.

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, with amendments, Engrossed Senate Bills 75, 98, 180, 297, 354 and 438 and the same are herewith returned to the Senate for concurrence.

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 53 and the same is herewith transmitted 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, without amendments, Engrossed Senate Bills 27, 36, 99 and 300 and the same are herewith returned to the Senate.

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 Resolutions 54 and 55 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

RESOLUTIONS ON SECOND READING**Senate Concurrent Resolution 15**

Senator Lanane called up Senate Concurrent Resolution 15 for second reading. The resolution was read a second time and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Austin and Cherry.

**ENGROSSED HOUSE BILLS
ON SECOND READING****Engrossed House Bill 1058**

Senator Charbonneau called up Engrossed House Bill 1058 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1060

Senator Ruckelshaus called up Engrossed House Bill 1060 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1060-1)

Madam President: I move that Engrossed House Bill 1060 be amended to read as follows:

Page 3, line 12, delete "section." and insert "**section, less any deductible included in the waiver.**".

(Reference is to EHB 1060 as printed February 20, 2018.)

ZAY

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1104

Senator Bassler called up Engrossed House Bill 1104 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1104-1)

Madam President: I move that Engrossed House Bill 1104 be amended to read as follows:

Page 58, delete lines 23 through 42, begin a new paragraph and insert:

"SECTION 53. IC 33-32-2-9, AS AMENDED BY P.L.279-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 9. (a) As used in this section, "training courses" refers to training courses related to the office of circuit court clerk that are compiled or developed by the Association of Indiana Counties and approved by the state board of accounts.

(b) An individual elected to the office of circuit court clerk ~~after November 2, 2010~~, shall complete at least:

- (1) fifteen (15) hours of training courses within one (1) year; and
- (2) forty (40) hours of training courses within three (3) years;

after the individual is elected to the office of circuit court clerk.

(c) **An individual first elected to the office of circuit court clerk shall complete five (5) hours of newly elected official training courses before the individual first takes the office of circuit court clerk.** A training course that an individual completes

- ~~(1) after being elected to the office of circuit court clerk;~~
- ~~and~~
- ~~(2) before the individual begins serving in the office of circuit court clerk;~~

under this subsection shall be counted toward the individual's requirements under subsection (b).

(d) An individual shall fulfill the training requirements established by subsection (b) for each term to which the individual is elected as circuit court clerk.

(e) The failure of an individual to complete the training required by this section does not prevent the individual from taking an office to which the individual was elected.

~~(e)~~ **(f)** This subsection applies only to an individual appointed to fill a vacancy in the office of circuit court clerk. An individual

described in this subsection may, but is not required to, take training courses required by subsection (b). If an individual described in this subsection takes a training course required by subsection (b) for an elected circuit court clerk, the county shall pay for the training course as if the individual had been an elected circuit court clerk."

Page 59, delete lines 1 through 13.

Page 60, delete lines 16 through 42, begin a new paragraph and insert:

"SECTION 56. IC 36-2-7-19, AS AMENDED BY P.L.127-2017, SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 19. (a) As used in this section, "fund" refers to a county elected officials training fund established under subsection (b).

(b) Each county legislative body shall ~~before July 1, 2011~~, establish a county elected officials training fund to supplement appropriations that may come from the county general fund to provide training of elected officials. The county fiscal body shall appropriate money from the fund.

(c) The fund consists of money deposited under IC 36-2-7.5-6(b)(2) and any other sources required or permitted by law. Money in the fund does not revert to the county general fund.

(d) Money in the fund shall be used solely to provide training of:

(1) county elected officials; and

(2) individuals first elected to a county office;

required by IC 33-32-2-9, IC 36-2-9-2.5, IC 36-2-9.5-2.5, IC 36-2-10-2.5, IC 36-2-11-2.5, and IC 36-2-12-2.5.

(e) Money in the fund may be used to provide any of the following:

(1) Travel, lodging, and related expenses associated with any training paid for from the fund.

(2) Training of one (1) or more designees of a county elected official if sufficient funds are appropriated by the county fiscal body.

SECTION 57. IC 36-2-9-2.5, AS AMENDED BY P.L.279-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2.5. (a) As used in this section, "training courses" refers to training courses related to the office of county auditor that are compiled or developed by the Association of Indiana Counties and approved by the state board of accounts.

(b) An individual elected to the office of county auditor ~~on or after November 6, 2012~~, shall complete at least:

(1) fifteen (15) hours of training courses within one (1) year; and

(2) forty (40) hours of training courses within three (3) years;

after the individual is elected to the office of county auditor.

(c) **An individual first elected to the office of county auditor shall complete five (5) hours of newly elected official training courses before the individual first takes the office of county auditor.** A training course that an individual completes

~~(1) after being elected to the office of county auditor; and~~

~~(2) before the individual begins serving in the office of county auditor;~~

under this subsection shall be counted toward the requirements under subsection (b).

(d) An individual shall fulfill the training requirements established by subsection (b) for each term to which the individual is elected as county auditor.

(e) The failure of an individual to complete the training required by this section does not prevent the individual from taking an office to which the individual was elected.

~~(e)~~ (f) This subsection applies only to an individual appointed to fill a vacancy in the office of county auditor. An individual described in this subsection may, but is not required to, take training courses required by subsection (b). If an individual described in this subsection takes a training course required by subsection (b) for an elected county auditor, the county shall pay for the training course as if the individual had been an elected county auditor.

SECTION 58. IC 36-2-9.5-2.5, AS AMENDED BY P.L.279-2013, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2.5. (a) As used in this section, "training courses" refers to training courses related to the office of county auditor that are compiled or developed by the Association of Indiana Counties and approved by the state board of accounts.

(b) An individual elected to the office of county auditor ~~on or after November 6, 2012~~, shall complete at least:

(1) fifteen (15) hours of training courses within one (1) year; and

(2) forty (40) hours of training courses within three (3) years;

after the individual is elected to the office of county auditor.

(c) **An individual first elected to the office of county auditor shall complete five (5) hours of newly elected official training courses before the individual first takes the office of county auditor.** A training course that an individual completes

~~(1) after being elected to the office of county auditor; and~~

~~(2) before the individual begins serving in the office of county auditor;~~

under this subsection shall be counted toward the requirements under subsection (b).

(d) An individual shall fulfill the training requirements established by subsection (b) for each term to which the individual is elected as county auditor.

(e) The failure of an individual to complete the training required by this section does not prevent the individual from taking an office to which the individual was elected.

~~(e)~~ (f) This subsection applies only to an individual appointed to fill a vacancy in the office of county auditor. An individual described in this subsection may, but is not required to, take training courses required by subsection (b). If an individual described in this subsection takes a training course required by subsection (b) for an elected county auditor, the county shall pay for the training course as if the individual had been an elected

county auditor.

SECTION 59. IC 36-2-10-2.5, AS AMENDED BY P.L.279-2013, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2.5. (a) As used in this section, "training courses" refers to training courses related to the office of county treasurer that are compiled or developed by the Association of Indiana Counties and approved by the state board of accounts.

(b) An individual elected to the office of county treasurer ~~on or after November 6, 2012~~, shall complete at least:

- (1) fifteen (15) hours of training courses within one (1) year; and
- (2) forty (40) hours of training courses within three (3) years;

after the individual is elected to the office of county treasurer.

(c) An individual first elected to the office of county treasurer shall complete five (5) hours of newly elected official training courses before the individual first takes the office of county treasurer. A training course that the individual completes

- ~~(1) after being elected to the office of county treasurer; and~~
- ~~(2) before the individual begins serving in the office of county treasurer;~~

under this subsection shall be counted toward the requirements under subsection (b).

(d) An individual shall fulfill the training requirements established by subsection (b) for each term to which the individual is elected as county treasurer.

(e) The failure of an individual to complete the training required by this section does not prevent the individual from taking an office to which the individual was elected.

~~(e) (f)~~ This subsection applies only to an individual appointed to fill a vacancy in the office of county treasurer. An individual described in this subsection may, but is not required to, take any training courses required by subsection (b). If an individual described in this subsection takes a training course required by subsection (b) for an elected county treasurer, the county shall pay for the training course as if the individual had been an elected county treasurer.

SECTION 60. IC 36-2-11-2.5, AS AMENDED BY P.L.279-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2.5. (a) As used in this section, "training courses" refers to training courses related to the office of county recorder that are compiled or developed by the Association of Indiana Counties and approved by the state board of accounts.

(b) An individual elected to the office of county recorder ~~after November 4, 2008~~, shall complete at least:

- (1) fifteen (15) hours of training courses within one (1) year; and
- (2) forty (40) hours of training courses within three (3) years;

after the individual is elected to the office of county recorder.

(c) An individual first elected to the office of county

recorder shall complete five (5) hours of newly elected official training courses before the individual first takes the office of county recorder. A training course that the individual completes

- ~~(1) after being elected to the office of county recorder; and~~
- ~~(2) before the individual begins serving in the office of county recorder;~~

under this subsection shall be counted toward the requirements under subsection (b).

(d) An individual shall fulfill the training requirements established by subsection (b) for each term to which the individual is elected as county recorder.

(e) The failure of an individual to complete the training required by this section does not prevent the individual from taking an office to which the individual was elected.

~~(e) (f)~~ This subsection applies only to an individual appointed to fill a vacancy in the office of county recorder. An individual described in this subsection may, but is not required to, take any training courses required by subsection (b). If an individual described in this subsection takes a training course required by subsection (b) for an elected county recorder, the county shall pay for the training course as if the individual had been an elected county recorder.

SECTION 61. IC 36-2-12-2.5, AS AMENDED BY P.L.279-2013, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2.5. (a) As used in this section, "training course" refers to:

- (1) a training course related to the office of county surveyor that is compiled or developed by the Association of Indiana Counties and approved by the state board of accounts; or
- (2) an educational course regarding land surveying that is taken by an individual who is:

- (A) serving in the office of county surveyor; and
- (B) an actively registered professional surveyor.

~~(b) An individual elected to the office of county surveyor after June 30, 2009, but before July 1, 2013, shall, within two (2) years after beginning the county surveyor's term, complete at least twenty-four (24) hours of training courses.~~

~~(e) (b)~~ An individual elected to the office of county surveyor ~~after June 30, 2013~~, shall complete at least:

- (1) fifteen (15) hours of training courses within one (1) year; and
- (2) forty (40) hours of training courses within three (3) years;

after the individual is elected to the office of county surveyor.

(d) (c) An individual first elected to the office of county surveyor shall complete five (5) hours of newly elected official training courses before the individual first takes the office of county surveyor. A training course that an individual completes

- ~~(1) after being elected to the office of county surveyor; and~~
- ~~(2) before that individual begins serving in the office of county surveyor;~~

under this subsection shall be counted toward the requirements

under subsection ~~(c)~~: **(b)**.

~~(c)~~ **(d)** An individual shall fulfill the training requirement established by subsection ~~(c)~~ **(b)** for each term the individual serves.

(e) The failure of an individual to complete the training required by this section does not prevent the individual from taking an office to which the individual was elected.

(f) This subsection applies only to an individual appointed to fill a vacancy in the office of county surveyor. An individual described in this subsection may, but is not required to, take any training courses required by subsection ~~(c)~~: **(b)**. If an individual described in this subsection takes a training course required by subsection ~~(c)~~ **(b)** for an elected county surveyor, the county shall pay for the training course as if the individual had been an elected county surveyor."

Delete pages 61 through 64.

Page 65, delete line 1.

Re-number all SECTIONS consecutively.

(Reference is to EHB 1104 as printed February 23, 2018.)

BUCK

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1230

Senator Raatz called up Engrossed House Bill 1230 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 1230-1)

Madam President: I move that Engrossed House Bill 1230 be amended to read as follows:

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

"SECTION 1. IC 5-2-10.1-11, AS AMENDED BY P.L.25-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 11. (a) The school safety specialist training and certification program is established.

(b) The school safety specialist training program shall provide:

- (1) annual training sessions, which may be conducted through distance learning or at regional centers; and
- (2) information concerning best practices and available resources;

for school safety specialists and county school safety commissions.

(c) The department of education shall do the following:

- (1) Assemble an advisory group of school safety specialists from around the state to make recommendations concerning the curriculum and standards for school safety specialist training.
- (2) Develop an appropriate curriculum and the standards for the school safety specialist training and certification program. The department of education may consult with national school safety experts in developing the curriculum

and standards. The curriculum developed under this subdivision must include training in:

(A) identifying, preventing, and intervening in bullying;
~~and~~

(B) identifying, preventing, and intervening in criminal organization activity; **and**

(C) identifying, preventing, and intervening in actions by a person who is present on school property with the intent to harm another person.

(3) Administer the school safety specialist training program and notify the institute of candidates for certification who have successfully completed the training program.

(d) The institute shall do the following:

(1) Establish a school safety specialist certificate.

(2) Review the qualifications of each candidate for certification named by the department of education.

(3) Present a certificate to each school safety specialist that the institute determines to be eligible for certification.

SECTION 2. IC 5-2-10.1-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 13. A charter school (as defined in IC 20-24-1-4) or an accredited nonpublic school may do one (1) or more of the following:**

(1) Designate an individual to serve as the school safety specialist for the school and comply with section 9 of this chapter.

(2) Establish a school safety plan in accordance with this chapter.

(3) Establish a safe school committee as described under section 12 of this chapter."

Page 4, between lines 22 and 23, begin a new paragraph and insert:

"SECTION 7. IC 20-34-3-23 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 23. (a) Each charter school and accredited nonpublic school shall adopt a local school safety and emergency plan that includes:**

(1) safety and emergency training and educational opportunities for school employees; and

(2) periodic safety and emergency preparedness and evacuation drills.

(b) Each charter school and accredited nonpublic school shall provide a copy of the floor plans for each building located on the school's property that clearly indicates each exit, the interior rooms and hallways, and the location of any hazardous materials located in the building to the law enforcement agency and the fire department that have jurisdiction over the school."

Re-number all SECTIONS consecutively.

(Reference is to EHB 1230 as printed February 23, 2018.)

RAATZ

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1263

Senator Sandlin called up Engrossed House Bill 1263 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1263-2)

Madam President: I move that Engrossed House Bill 1263 be amended to read as follows:

Page 8, line 2, after "(2)" insert "**except as provided in IC 36-1-8-19(b),**".

Page 8, line 2, delete "fiscal body" and insert "**executive**".

Page 11, line 36, delete "requirements," and insert "**requirements and except as provided in subsection (b),**".

Page 11, line 41, delete "fiscal body" and insert "**executive**".

Page 12, between lines 3 and 4, begin a new paragraph and insert:

"(b) The feasibility study and public hearing under subsection (a) are not required for the construction or reconstruction of a county jail in the case of a county in which the county executive before July 1, 2018, has voted on or otherwise approved a proposal or contract concerning the construction or reconstruction of the county jail."

Page 12, line 4, delete "(b)" and insert "(c)".

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

Page 12, line 14, delete "fiscal body" and insert "**executive**".

Page 12, line 18, delete "fiscal body" and insert "**executive**".

(Reference is to EHB 1263 as printed February 21, 2018.)

SANDLIN

Motion prevailed.

SENATE MOTION
(Amendment 1263-3)

Madam President: I move that Engrossed House Bill 1263 be amended to read as follows:

Page 11, delete lines 5 through 33.

(Reference is to EHB 1263 as printed February 21, 2018.)

TOMES

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1383

Senator Niemeyer called up Engrossed House Bill 1383 for second reading. The bill was re-read a second time by title.

SENATE MOTION
(Amendment 1383-1)

Madam President: I move that Engrossed House Bill 1383 be amended to read as follows:

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

"SECTION 1. IC 3-6-5.2-10, AS ADDED BY P.L.262-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) ~~As used in this section; "committee" refers to the small precinct committee~~

established by subsection (b):

(b) ~~Effective May 1, 2017, the small precinct committee is established in the county:~~

(c) ~~The committee consists of the following:~~

(1) ~~The director of the board:~~

(2) ~~The assistant director of the board:~~

(3) ~~Any additional members appointed by unanimous vote of the entire membership of the board. If an additional member is appointed under this subdivision, the following apply:~~

(A) ~~The additional member must be an employee of the board:~~

(B) ~~A second additional member must be appointed under this subdivision who is:~~

(i) ~~an employee of the board; and~~

(ii) ~~a member of the major political party in the county other than the political party of the member described in clause (A):~~

(d) ~~The committee Except as provided in subsection (d), not later than August 1, 2018, and not later than July 1 each year immediately following a year in which presidential electors are chosen, the secretary of state shall determine the following:~~

(1) ~~Which precincts within the county had fewer than six hundred (600) active voters (as defined in IC 3-11-18.1-2) as of November 1 2016: of the preceding year.~~

(2) ~~Whether compliance with the precinct boundary standards set forth in IC 3-11-1.5-4 or IC 3-11-1.5-5 would prevent the combination of a precinct described in subdivision (1) with one (1) or more adjoining precincts.~~

(3) ~~The potential savings in the administration of elections resulting from the combination of precincts under this section.~~

~~The committee Notwithstanding IC 3-11-1.5, the secretary of state shall establish a proposed plan issue an order to consolidate precincts within the county that is consistent with the standards stated in this subsection and shall file the order with the board and the election division.~~

(e) ~~Not later than noon June 1, 2017, the board shall:~~

(1) ~~adopt a proposed precinct establishment order implementing the committee's proposed plan under subsection (d); and~~

(2) ~~file the proposed order with the election division not later than noon August 1, 2017.~~

(f) ~~(b) If a proposed precinct establishment order is not filed as provided under subsection (e), the commission shall adopt a precinct establishment order for the county not later than September 1, 2017, based on the committee's proposed plan. If the commission does not have the committee's plan and findings available, the commission shall adopt an The order the commission considers will issued by the secretary of state must do both of the following:~~

(1) ~~Realize savings for the county.~~

(2) ~~Not impose unreasonable obstacles on the ability of the voters of the county to vote at the polls.~~

(g) (c) If the proposed precinct establishment order is approved under this chapter, the An order issued under subsection (a) takes effect January 1, 2018. However, if an objection to the proposed order is filed under IC 3-11-1.5-18, the proposed precinct establishment order takes effect January 1, 2018, unless at least three (3) members of the commission affirmatively vote to sustain the objection.

(h) This section expires January 1, 2020: **January 1, 2019, and September 1 each year following the year in which presidential electors are chosen.**

(d) **Not later than July 1, 2018, the commission shall adopt a precinct establishment order for the county that the commission considers will do both of the following:**

(1) **Realize savings for the county.**

(2) **Not impose unreasonable obstacles on the ability of the voters of the county to vote at the polls.**

If the commission adopts an order under this subsection, the order takes effect January 1, 2019. If the commission does not adopt an order under this subsection, the secretary of state shall issue an order as provided in subsection (a)."

Page 2, line 16, delete "section" and insert "section,".

Page 3, line 27, after "shall" insert "**or the secretary of state**".

Page 4, after line 9, begin a new paragraph and insert:

"(I) Not later than ninety (90) days after each election in which an audit is conducted under this section, the secretary of state shall publish a report stating whether the results of each audit indicate that the discrepancy was the result of human error, intentional violations of election laws, unknown causes, or a combination of these factors.

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

Renumber all SECTIONS consecutively.

(Reference is to EHB 1383 as printed February 20, 2018.)

NIEMEYER

After discussion, Senator Niemeyer withdrew the motion to amend.

After discussion, Senator Niemeyer withdrew the call.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1006

Senator M. Young called up Engrossed House Bill 1006 for third reading:

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

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

Roll Call 241: yeas 50, 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.

Engrossed House Bill 1017

Senator Charbonneau called up Engrossed House Bill 1017 for third reading:

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

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

Roll Call 242: yeas 50, 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.

Engrossed House Bill 1023

Senator Messmer called up Engrossed House Bill 1023 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 243: yeas 50, 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.

Engrossed House Bill 1024

Senator Kruse called up Engrossed House Bill 1024 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 244: yeas 40, nays 10. 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.

Engrossed House Bill 1035

Senator Messmer called up Engrossed House Bill 1035 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 245: yeas 47, nays 2. The bill was declared passed.

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

Engrossed House Bill 1070

Senator Bray called up Engrossed House Bill 1070 for third reading:

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

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

Roll Call 246: yeas 46, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1074

Senator Raatz called up Engrossed House Bill 1074 for third reading:

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

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

Roll Call 247: yeas 50, 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.

Engrossed House Bill 1089

Senator Glick called up Engrossed House Bill 1089 for third reading:

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

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

Roll Call 248: 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.

Engrossed House Bill 1095

Senator Crider called up Engrossed House Bill 1095 for third reading:

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

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

Roll Call 249: yeas 50, 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.

Engrossed House Bill 1120

Senator Charbonneau called up Engrossed House Bill 1120 for third reading:

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

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

Roll Call 250: yeas 50, 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.

Engrossed House Bill 1135

Senator Holdman called up Engrossed House Bill 1135 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

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

Roll Call 251: yeas 50, 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.

Engrossed House Bill 1143

Senator L. Brown called up Engrossed House Bill 1143 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 252: yeas 50, 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.

Engrossed House Bill 1175

Senator Becker called up Engrossed House Bill 1175 for third reading:

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

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

Roll Call 253: yeas 49, 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.

Engrossed House Bill 1250

Senator Koch called up Engrossed House Bill 1250 for third reading:

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

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

Roll Call 254: yeas 42, nays 8. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1260

Senator Crider called up Engrossed House Bill 1260 for third reading:

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

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

Roll Call 255: yeas 50, 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.

Engrossed House Bill 1270

Senator Head called up Engrossed House Bill 1270 for third reading:

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

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

Roll Call 256: yeas 50, 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.

Engrossed House Bill 1286

Senator Boots called up Engrossed House Bill 1286 for third reading:

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

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

Roll Call 257: yeas 50, 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.

Engrossed House Bill 1288

Senator Raatz called up Engrossed House Bill 1288 for third reading:

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

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

Roll Call 258: yeas 50, 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.

Engrossed House Bill 1303

Senator Bray called up Engrossed House Bill 1303 for third reading:

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

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

Roll Call 259: yeas 49, 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.

Engrossed House Bill 1314

Senator Zay called up Engrossed House Bill 1314 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 260: yeas 50, 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.

Engrossed House Bill 1328

Senator M. Young called up Engrossed House Bill 1328 for third reading:

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

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

Roll Call 261: yeas 50, 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.

Engrossed House Bill 1359

Senator M. Young called up Engrossed House Bill 1359 for third reading:

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

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

Roll Call 262: yeas 41, nays 9. 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.

Engrossed House Bill 1397

Senator Perfect called up Engrossed House Bill 1397 for third reading:

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

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

Roll Call 263: yeas 50, 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.

Engrossed House Bill 1398

Senator Raatz called up Engrossed House Bill 1398 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 264: yeas 41, nays 9. 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.

Engrossed House Bill 1412

Senator Glick called up Engrossed House Bill 1412 for third reading:

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

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

Roll Call 265: yeas 50, 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.

MOTIONS TO CONCUR IN HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 212.

L. BROWN

Roll Call 266: yeas 48, nays 2. Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be added as cosponsor of House Concurrent Resolution 55.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, L. Brown, Buchanan, Buck, Charbonneau, Crane, Crider, Delph, Doriot, Eckerty, Ford, Freeman, Glick, Grooms, Head, Holdman, Houchin, Koch, Kruse, Leising, Long, Merritt, Messmer, Mishler, Niemeyer, Perfect, Raatz, Ruckelshaus, Sandlin, J. Smith, Spartz, Tomes, Walker, M. Young, Zakas and Zay be added as coauthors of Senate Resolution 19.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Resolution 21.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buchanan, Buck, Charbonneau, Crane, Crider, Delph, Doriot, Eckerty, Ford, Freeman, Glick, Grooms, Head, Holdman, Houchin, Koch, Kruse, Leising, Long, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Ruckelshaus, Sandlin, J. Smith, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young, Zakas and Zay be added as coauthors of Senate Resolution 22.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Raatz and Houchin be added as coauthors of Senate Resolution 42.

BASSLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buchanan, Buck, Charbonneau, Crane, Crider, Delph, Doriot, Eckerty, Ford, Freeman, Glick, Grooms, Head, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Long, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Ruckelshaus, Sandlin, J. Smith, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, Zakas and Zay be added as coauthors of Senate Concurrent Resolution 47.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as cosponsor of Engrossed House Bill 1017.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as cosponsor of Engrossed House Bill 1024.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ford be added as cosponsor of Engrossed House Bill 1056.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1060.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as cosponsor of Engrossed House Bill 1089.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as third sponsor of Engrossed House Bill 1125.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as third sponsor of Engrossed House Bill 1175.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators G. Taylor and Lanane be added as cosponsors of Engrossed House Bill 1214.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second sponsor and Senators Niezgodski, Delph, Merritt, Ford, Sandlin, Mrvan and Niemeyer be added as cosponsors of Engrossed House Bill 1244.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Doriot and Melton be added as cosponsors of Engrossed House Bill 1244.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as cosponsor of Engrossed House Bill 1245.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as cosponsor of Engrossed House Bill 1267.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as cosponsor of Engrossed House Bill 1267.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as cosponsor of Engrossed House Bill 1270.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Crane and Buck be added as cosponsors of Engrossed House Bill 1270.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as cosponsor of Engrossed House Bill 1278.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bassler be added as second sponsor of Engrossed House Bill 1290.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as cosponsor of Engrossed House Bill 1359.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Zakas and Holdman be added as cosponsors of Engrossed House Bill 1359.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as second sponsor and Senator Tallian be added as cosponsor of Engrossed House Bill 1374.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be removed as cosponsor of Engrossed House Bill 1383.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be removed as cosponsor of Engrossed House Bill 1383.

BREAUX

Motion prevailed.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1060, which is eligible for third reading, be returned to second reading for purposes of amendment.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Thursday, March 1, 2018.

LONG

Motion prevailed.

The Senate adjourned at 5:26 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate