Journal of the House

State of Indiana

122nd General Assembly First Regular Session

Twenty-Seventh Day **Thursday Morning** **March 18, 2021**

The invocation was offered by Chaplain Pam Russell of the Public Servant's Prayer.

The House convened at 10:30 a.m. with Speaker Todd M. Huston in the Chair.

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

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

Abbott
Andrade
Austin
Aylesworth
Baird ☐
Barrett ☐
Bartels
Bartlett
Bauer
Behning
Borders
Boy
Brown, T.
Campbell
Carbaugh
Cherry
Clere
Cook
Davis
Davisson
DeVon
DeLaney
Dvorak ☐
Eberhart
Ellington
Engleman
Errington
Fleming
Frye
GiaQuinta
Goodrich
Gore
Gutwein
Hamilton
Harris
Hatcher
Hatfield
Heaton
Heine
Hostettler ☐
Jackson
Jacob
Jeter
Johnson
Jordan
Judy
Karickhoff
King
Klinker
Lauer
Ledbetter
Lehe
Lehman
Leonard
Lindauer
Lucas
Lyness
Manning
May
Mayfield
McNamara
Miller ☐
Moed
Morris
Morrison
Moseley
Negele ☐
Nisly
Olthoff
Pack
Payne
Pfaff
Pierce
Porter
Prescott
Pressel
Pryor
Rowray
Saunders
Schaibley
Shackleford
Slager
Smaltz
Smith, V.
Snow
Soliday
Speedy
Steuerwald
Summers
Teshka
Thompson
Torr
VanNatter ☐
Vermilion
Wesco
J. Young
Zent ☐
Ziemke
Mr. Speaker

Roll Call 273: 91 present; 8 excused. The Speaker announced a quorum in attendance. [*NOTE*: ☐ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, March 22, 2021, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 14

The Speaker handed down Senate Concurrent Resolution 14, sponsored by Representative Huston:

A CONCURRENT RESOLUTION honoring Indiana Secretary of State Connie Lawson upon her retirement from the Office of the Indiana Secretary of State.

Whereas, Secretary Lawson has dedicated more than three decades to serving Hoosiers and the State of Indiana in various capacities, including as the Clerk of the Hendricks County Circuit Court, Indiana State Senator representing Senate District 24, and Secretary of State;

Whereas, Secretary Lawson was first elected as Clerk of the Hendricks County Circuit Court in 1988, during which time she served as the President of the Indiana Clerks Association and was recognized as Elections Administrator of the Year by the Indiana State Election Board and as Clerk of the Year by the Indiana Clerks Association;

Whereas, After eight years as County Clerk, Secretary Lawson continued to faithfully and honorably serve as the Indiana State Senator for the constituents of Senate District 24, encompassing parts of Putnam and Hendricks counties, from 1996 until 2012;

Whereas, During her tenure in the Senate, Secretary Lawson chaired the Senate Committees on Elections, Local Government, and Joint Rules, served as a member of the Senate Committees on Appropriations and Appointments and Claims, and was selected as the first woman Majority Floor Leader in the state's history;

Whereas, While in the Senate, Secretary Lawson championed legislation that would promote transparency and accountability in elections, expand vote centers across Indiana, and introduce no-excuse early voting;

Whereas, In addition to her work on election integrity, Secretary Lawson also advocated for policy that would keep Hoosiers healthy and promote their mental well-being;

Whereas, Upon her retirement from the Indiana State Senate in 2012, Secretary Lawson was appointed to the Office of Indiana Secretary of State, where she has served with distinction, working to ensure the integrity and security of Indiana's elections, helping to increase financial literacy for Indiana's citizens, and implementing the new INBiz portal for businesses;

Whereas, During her tenure as Secretary of State, Secretary Lawson participated in numerous organizations, including as President of the National Association of Secretaries of State, an honorary governor of the Richard G. Lugar Excellence in Public Service Series, chairwoman for the Lupus Foundation of Indiana, and co-chair of the Hendricks County United Way;

Whereas, Upon her retirement from the Office of the Indiana Secretary of State, Secretary Lawson plans to spend additional time with her husband, Jack, and their family; and

Whereas, Secretary Lawson's unquestioned integrity and leadership displayed throughout her decades of service to the State of Indiana will be greatly missed: 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 honors Indiana Secretary of State Lawson upon her retirement and thanks her for her years of service to the State of Indiana.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Secretary Lawson and her family

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

House Resolution 22

Representatives Prescott, Abbott, Aylesworth, Bartlett, Behning, T. Brown, Carbaugh, Clere, Cook, Davisson, Goodrich, Heine, Hostettler, Jacob, Jeter, Jordan, Judy, King, Lauer, Ledbetter, Lehe, Lehman, Lindauer, Lucas, Lyness, McNamara, Morris, Morrison, Negele, Nisly, Olthoff, Payne, Slager, Smaltz, Snow, Soliday, Teshka, Thompson, Torr, Wesco and Zent introduced House Resolution 22:

A HOUSE RESOLUTION recognizing Religious Freedom Day.

Whereas, The United States' democracy is rooted in the fundamental truth that all people are created equal, endowed by their Creator with certain inalienable rights, including life, liberty, and the pursuit of happiness;

Whereas, The freedom of conscience was highly valued by individuals seeking religious freedom who settled in the American colonies and by the founders of the United States;

Whereas, The Virginia Statute for Religious Freedom was enacted in 1786 and was the forerunner to the Free Exercise Clause of the First Amendment to the Constitution of the United States;

Whereas, The First Amendment to the Constitution of the United States protects the right of individuals to freely express and peacefully act on their religious beliefs;

Whereas, The First Amendment to the Constitution of the United States also protects individuals from coercion to profess or act on a religious belief to which they do not adhere;

Whereas, Every president of the United States since 1993 has issued a proclamation to celebrate Religious Freedom Day and recognized the importance of religious liberty as a core tenant of the United States and to any nation's lasting stability and well-being;

Whereas, In section 2(a)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6401(a)(1)), the United States Congress stated, "The right to freedom of religion undergirds the very origin and existence of the United States";

Whereas, For countless people of the United States, faith is an integral part of every aspect of daily life and is not limited to their homes, houses of worship, or doctrinal creeds; and

Whereas, The role of religion in United States society and public life has a long and robust tradition. Therefore:

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

SECTION 1. That the Indiana House of Representatives honors the 235th anniversary of the Virginia Statute for Religious Freedom.

SECTION 2. That the Indiana House of Representatives affirms that:

(a) For individuals of any faith and individuals of no faith, religious freedom includes the right of an individual to live, work, associate, and worship in accordance with the beliefs of the individual.

(b) All Hoosiers can be unified in supporting religious freedom, regardless of differing individual beliefs, because religious freedom is a fundamental human right.

(c) The American people will remain forever unshackled in matters of faith.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of the resolution to the office of State Representative J.D. Prescott for distribution.

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

House Resolution 23

Representatives Leonard and Negele introduced House Resolution 23:

A HOUSE RESOLUTION recognizing the Indiana Aviation Hall of Fame.

Whereas, The Indiana Aviation Hall of Fame (INAHOF) was established to recognize and honor the memory of those special individuals who made enduring contributions to aeronautics;

Whereas, The aeronautical efforts of individuals enshrined in the INAHOF left lasting impacts within Indiana and often the world through their achievements and leadership;

Whereas, The INAHOF recognizes the exceptional military or civilian service of enshrinees for the advancement of aeronautics through their courage, innovation, and entrepreneurial spirit;

Whereas, Many INAHOF enshrinees have made significant contributions to aeronautical education and safety within Indiana and beyond; and

Whereas, The INAHOF's goal is to inspire others to recognize, appreciate, and honor Indiana's aeronautical legacy and the men and women who created it through commitment and self-sacrifice: Therefore,

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

SECTION 1. That the Indiana House of Representatives recognizes the Indiana Aviation Hall of Fame for its commitment and dedication in honoring the legacy of the significant and lasting contributions to aeronautics within Indiana and beyond the state by the Indiana Aviation Hall of Fame enshrinees.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this Resolution to the Indiana Aviation Hall of Fame.

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

House Resolution 24

Representative Karickhoff introduced House Resolution 24:

A HOUSE RESOLUTION recognizing Abby Thatcher as one of the first female Eagle Scouts in Howard County.

Whereas, Abby Thatcher was a part of the first group of females in 2019 to join the Boy Scouts of America in Howard County as part of Troop 628 in Greentown;

Whereas, Abby Thatcher is part of this prestigious group of individuals to attain the rank of Eagle Scout from Howard County;

Whereas, Abby Thatcher and her troop mates set record timing in obtaining the required merits in pursuing the rank of Eagle;

Whereas, For her final Eagle Scout project, Abby and Troop 628 hand built a butterfly garden at the Kokomo-Howard County Public Library, which combined Abby's love of nature, her community, and scouting;

Whereas, The skills and lessons learned in attaining the rank of Eagle Scout provide development in leadership, character, citizenship, and physical fitness;

Whereas, The Boy Scouts of America provides diverse programs such as social activities, business networking, mentoring, recognition, event, and community service opportunities to enhance exploration, survival skills, and community involvement;

Whereas, The National Eagle Scout Association has provided an outlet for alumni to network and collaborate and stay in touch to make a positive impact on their community; and

Whereas, The National Eagle Scout Association has initiated more than 50 million Americans since February 8, 1910: Therefore,

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

SECTION 1. That the Indiana House of Representatives congratulates and recognizes Abby Thatcher for her extraordinary accomplishment and wishes her continued future success.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Michael Karickhoff for distribution.

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

House Resolution 25

Representative Karickhoff introduced House Resolution 25:

A HOUSE RESOLUTION recognizing Lilly Shallenberger as one of the first female Eagle Scouts in Howard County.

Whereas, Lilly Shallenberger was a part of the first group of females in 2019 to join the Boy Scouts of America in Howard County as part of Troop 628 in Greentown;

Whereas, Lilly Shallenberger is part of this prestigious group of individuals to attain the rank of Eagle Scout from Howard County;

Whereas, Lilly Shallenberger and her troop mates set record timing in obtaining the required merits in pursuing the rank of Eagle;

Whereas, For her final Eagle Scout project, Lilly and Troop 628 revitalized and restored a garden shed for Jerome Christian Church, which combined Lilly's love of the outdoors, her community, and scouting;

Whereas, The skills and lessons learned in attaining the rank of Eagle Scout provide development in leadership, character, citizenship, and physical fitness;

Whereas, The Boy Scouts of America provides diverse programs such as social activities, business networking, mentoring, recognition, event, and community service opportunities to enhance exploration, survival skills, and community involvement;

Whereas, The National Eagle Scout Association has provided an outlet for alumni to network and collaborate and stay in touch to make a positive impact on their community; and

Whereas, The National Eagle Scout Association has initiated more than 50 million Americans since February 8, 1910: Therefore,

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

SECTION 1. That the Indiana House of Representatives congratulates and recognizes Lilly Shallenberger for her extraordinary accomplishment and wishes her continued future success.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Michael Karickhoff for distribution.

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

House Concurrent Resolution 29

Representative Pack introduced House Concurrent Resolution 29:

A CONCURRENT RESOLUTION honoring Dr. Dennisha Murff.

Whereas, The Indiana Association of School Principals recognized Dr. Dennisha Murff, Principal of Westlake Elementary School in Indianapolis, Indiana, as the 2020 Indiana Elementary School Principal of the Year for District 7;

Whereas, Dr. Murff earned her bachelor of science degree in early childhood education and kindergarten-primary education as well as her bachelor of science in elementary education from Ball State University in 1999;

Whereas, Dr. Murff began her career at Rhoades Elementary School in Marion County, where she followed her passion for teaching from 1999 to 2003;

Whereas, Dr. Murff pursued her interest in the science and art of learning with a master of science degree in education through Indiana Wesleyan University in 2002;

Whereas, Dr. Murff, with the encouragement of friends, family, and colleagues, earned her educational administration licensure from Indiana University in 2004. She applied her talents to the administrative level, becoming assistant principal at North Wayne Elementary School in the same year;

Whereas, Dr. Murff found her calling in administration and became principal of Westlake Elementary School in 2007. She completed her doctorate in educational leadership through Purdue University in 2017;

Whereas, Dr. Murff works tirelessly to provide culturally responsive and equitable learning environments that inspire students, staff, and families in the value of education; and

Whereas, Dr. Murff built and maintains a culture of achievement and professional development for her students and staff, thereby providing a viable and high quality education to Indiana's youth: 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 House of Representatives recognizes and honors Dr. Dennisha Murff as the 2020 Elementary School Principal of the Year for District 7.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of the resolution to the office of State Representative Renee Pack for distribution.

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

House Concurrent Resolution 30

Representatives M. Bauer, Dvorak, Teshka and DeVon introduced House Concurrent Resolution 30:

A CONCURRENT RESOLUTION congratulating All-American Girls Professional Baseball pioneer Betsy Jochum on her 100th birthday.

Whereas, Betsy Jochum celebrated her 100th birthday on February 8, 2021;

Whereas, Betsy is a longtime Hoosier, educator, and baseball pioneer as an inaugural member of the All-American Girls Professional Baseball League;

Whereas, Betsy was born in 1921 in Cincinnati, Ohio, to Frank and Katherine Jochum, Hungarian immigrants who landed at Ellis Island in 1917;

Whereas, Betsy enjoyed athletics from a young age and attended Hughes High School in Cincinnati, where she played sports available to girls at the time, including after-school intramural basketball and softball;

Whereas, Betsy grew up in a sports-oriented family and played "everything and anything", including fast-pitch softball in leagues where she could find them, into adulthood;

Whereas, In 1943 Betsy's life changed forever after she read a newspaper notice from Philip K. Wrigley, owner of the Chicago Cubs, seeking young women to try out for a women's professional baseball league;

Whereas, Betsy seized the opportunity, rode a train to Chicago, and went to tryouts at Wrigley Field where she and other applicants became the first women allowed on the field;

Whereas, Betsy became an inaugural member of the All-American Girls Professional Baseball League, playing for the Blue Sox out of South Bend, Indiana;

Whereas, Betsy played with the Blue Sox for her entire career, from 1943 through 1948;

Whereas, Betsy earned $50 a week plus expenses with the Blue Sox, and she played left field and center field, and was known as a dedicated team player;

Whereas, Betsy quickly became a fan-favorite as Betsy "Sockum" Jochum as an outfielder, pitcher, and a star hitter;

Whereas, Betsy participated in the first All-Star game played under temporary lights at Wrigley Field on July 1, 1943, which was part of a recruitment rally for the Women's Army Auxiliary Corps, the women's branch of the United States Army;

Whereas, Betsy held a batting average of .296 and won the league batting crown during the 1944 season with most hits (128) and most singles (120). She struck out only four out of her 2,401 times at bat in her career;

Whereas, Betsy led the league on August 2, 1944, with most stolen bases in one game seven, and with a total of 127 in 1944. She totaled 358 stolen bases in her career, averaging 60 per year;

Whereas, Betsy became pitcher after the league switched to overhand pitching on May 29, 1948, and "gave up two singles, struck out five, walked none, and allowed only four runners on base", winning the first game 6-0. She pitched the Blue Sox to 14 of 57 victories;

Whereas, Betsy learned of a trade to the Peoria Redwings in 1948 and chose to quit the team to start a life in South Bend, where she began work full-time at Bendix Home Appliances;

Whereas, Betsy went on to earn her bachelor of arts degree in education from Illinois State University and continued her love of sports and athletics with 26 years teaching for the South Bend Community School Corporation. She retired from Muessel Elementary School in 1983;

Whereas, Betsy contributed greatly in her community as an educator and an athlete;

Whereas, Betsy was inducted to the South Bend Community Hall of Fame in 2018 and the Ohio Baseball Hall of Fame and Museum in 1999, and her South Bend Blue Sox uniform is a part of the Smithsonian Institution collection; and

Whereas, Betsy Jochum remains a South Bend resident and is an inspiration for athletes across Indiana with her advice to "follow your dreams, never give up, and keep trying": 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 centenarian Betsy Jochum on her 100th birthday, celebrated February 8, 2021.

SECTION 2. That the Indiana General Assembly recognizes Betsy Jochum for her contributions as a baseball pioneer and member of the American Girls Baseball League.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Maureen Bauer for distribution.

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

House Concurrent Resolution 31

Representatives Olthoff and Aylesworth introduced House Concurrent Resolution 31:

A CONCURRENT RESOLUTION congratulating Crown Point High School's Jesse Mendez on his third state wrestling championship.

Whereas, Jesse Mendez won his third consecutive state wrestling championship on February 20, 2021;

Whereas, Jesse Mendez finished his junior year wrestling season undefeated with a score of 34-0;

Whereas, Jesse Mendez became the 39th wrestler in Indiana's history to bring home three state titles;

Whereas, Crown Point High School boasts 14 individual state championships since 1955;

Whereas, Coach Branden Lorek led the entire wrestling team to success while safely navigating the COVID-19 pandemic; and

Whereas, Jesse Mendez's hard work and determination continue to bring success and pride to the Crown Point community: 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 Jesse Mendez on his 2021 state wrestling championship win.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Julie Olthoff.

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

House Concurrent Resolution 32

Representatives Olthoff and Aylesworth introduced House Concurrent Resolution 32:

A CONCURRENT RESOLUTION congratulating Crown Point High School's girls basketball team on winning the state championship.

Whereas, Crown Point High School's Lady Bulldogs basketball team won the Class 4A state championship on February 27th, 2021, 44-34;

Whereas, Jessica Carrothers led the Lady Bulldogs in scoring 25 points at the state championship game, along with making seven rebounds and five steals;

Whereas, Lilly Stoddard aided her team with an average of 10.7 points, 9.1 rebounds, 1.4 steals, and 2.3 blocks per game this season;

Whereas, Teammates Jessica Carrothers and Lilly Stoddard were named Indiana Junior All-Stars by the Indiana Basketball Coaches Association, the only set of teammates to do so. Carrothers and Stoddard were chosen to be a part of the Indiana Basketball Coaches Association's underclass all-state Supreme 15 team;

Whereas, The Lady Bulldogs finished the season with a 25-1 record;

Whereas, Crown Point High School's girls basketball team won state championships in 1984 and 1985;

Whereas, Head Coach Chris Seibert and the Lady Bulldog's coaching staff led the team through a safe and successful season during the COVID-19 pandemic; and

Whereas, The 2020-2021 Lady Bulldogs basketball team brought excitement and pride to all people of the Crown Point community and Hoosiers across northern Indiana: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the 2021 Crown Point High School girls basketball team on their state championship win.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Julie Olthoff.

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

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 3, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, between lines 39 and 40, begin a new paragraph and insert:

"SECTION 7. IC 25-1-9.5-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 0.5. Telehealth may not be used to provide any abortion, including the writing or filling of a prescription for any purpose that is intended to result in an abortion.**".

Page 6, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 13. IC 25-1-9.5-4, AS AMENDED BY P.L.247-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. As used in this chapter, "prescriber" means any of the following:

(1) A physician licensed under IC 25-22.5.

(2) A physician assistant licensed under IC 25-27.5 and granted the authority to prescribe by the physician assistant's collaborating physician in accordance with IC 25-27.5-5-4.

(3) An advanced practice registered nurse licensed and granted the authority to prescribe drugs under IC 25-23.

(4) An optometrist licensed under IC 25-24.

(5) A podiatrist licensed under IC 25-29.

(6) A dentist licensed under IC 25-14.

(7) A veterinarian licensed under IC 25-38.1.".

Page 6, line 28, after "technology," insert "**in compliance with the federal Health Insurance Portability and Accountability Act (HIPAA),**".

Page 7, delete lines 2 through 7, begin a new paragraph and insert:

"**(c) The term does not include a health care service provided by an employee of a practitioner who is performing a health care service listed in section 2.5(2), 2.5(3), or 2.5(4) of this chapter under the direction of the practitioner.**

SECTION 16. IC 25-1-9.5-7, AS AMENDED BY P.L.129-2018, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) A ~~prescriber~~ **practitioner** who:

(1) provides health care services through ~~telemedicine~~ **telehealth; or**

(2) directs an employee of the practitioner to perform a health care service listed in section 2.5(2), 2.5(3), or 2.5(4) of this chapter;

shall be held to the same standards of appropriate practice as those standards for health care services provided at an in-person setting.".

Page 8, delete lines 23 through 42, begin a new paragraph and insert:

"**(e) A contract, employment agreement, or policy may not require or negatively affect the performance of a practitioner who refuses to provide health care services via telehealth. Any applicable contract, employment agreement, or policy to provide telehealth services must explicitly provide that a practitioner may refuse at any time to provide health care services if in the practitioner's sole discretion the practitioner believes:**

(1) that health quality may be negatively impacted; or

(2) the practitioner would be unable to provide the same standards of appropriate practice as those provided in an in-person setting.

SECTION 17. IC 25-1-9.5-8, AS AMENDED BY P.L.52-2020, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) A prescriber may issue a prescription to a patient who is receiving services through the use of ~~telemedicine~~ **telehealth** if the patient has not been examined previously by the prescriber in person if the following conditions are met:

(1) The prescriber has satisfied the applicable standard of care in the treatment of the patient.

(2) The issuance of the prescription by the prescriber is within the prescriber's scope of practice and certification.

(3) The prescription:

(A) meets the requirements of subsection (b); and

(B) is not for an opioid. However, an opioid may be prescribed if the opioid is a partial agonist that is used to treat or manage opioid dependence.

(4) The prescription is not for an abortion inducing drug (as defined in IC 16-18-2-1.6).

(5) If the prescription is for a medical device, including an ophthalmic device, the prescriber must use ~~telemedicine~~ **telehealth** technology that is sufficient to allow the provider to make an informed diagnosis and treatment plan that includes the medical device being prescribed. However, a prescription for an ophthalmic device is also subject to the conditions in section 13 of this chapter.

(b) Except as provided in subsection (a), a prescriber may issue a prescription for a controlled substance (as defined in IC 35-48-1-9) to a patient who is receiving services through the use of ~~telemedicine,~~ **telehealth,** even if the patient has not been examined previously by the prescriber in person, if the following conditions are met:

(1) The prescriber maintains a valid controlled substance registration under IC 35-48-3.

(2) The prescriber meets the conditions set forth in 21 U.S.C. 829 et seq.

~~(3) The patient has been examined in person by a licensed Indiana health care provider and the licensed health care provider has established a treatment plan to assist the prescriber in the diagnosis of the patient.~~

~~(4) The prescriber has reviewed and approved the treatment plan described in subdivision (3) and is prescribing for the patient pursuant to the treatment plan.~~

(3) A practitioner acting in the usual course of the practitioner's professional practices issues the prescription for a legitimate medical purpose.

(4) The telehealth communication is conducted using an audiovisual, real time, two-way interactive communication system.

(5) The prescriber complies with the requirements of the INSPECT program (IC 25-26-24).

(6) All other applicable federal and state laws are followed.

(c) A prescription for a controlled substance under this section must be prescribed and dispensed in accordance with IC 25-1-9.3 and IC 25-26-24.".

Page 9, delete lines 1 through 25.

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

"SECTION 24. IC 25-1-9.5-15 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 15. If a veterinarian would be required to establish a veterinarian-client-patient relationship to perform a health care service in an in-person setting, a veterinarian shall ensure that a proper veterinarian-client-patient relationship is established, as defined in IC 25-38.1-1-14.5, when providing the service using telehealth.**".

Page 14, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 26. IC 25-33-3 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Telepsychology).".

Page 14, delete lines 40 through 41, begin a new paragraph and insert:

"**(e) If a policy provides coverage for telehealth services via:**

(1) secure videoconferencing;

(2) store and forward technology; or

(3) remote patient monitoring technology;

between a provider in one (1) location and a patient in another location, the policy may not require the use of a specific information technology application for those services.".

Page 16, delete lines 16 through 18, begin a new paragraph and insert:

"**(f) If a policy provides coverage for telehealth services via:**

(1) secure videoconferencing;

(2) store and forward technology; or

(3) remote patient monitoring technology;

between a provider in one (1) location and a patient in another location, the policy may not require the use of a specific information technology application for those services.".

Renumber all SECTIONS consecutively.

(Reference is to SB 3 as reprinted February 2, 2021.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

BARRETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 8, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 4.

Page 1, delete lines 14 through 15.

Page 1, line 16, delete "(c)" and insert "**(b)**".

Page 2, line 1, delete "(d)" and insert "**(c)**".

Page 2, line 4, delete "(e)" and insert "**(d)**".

Page 2, line 4, delete ""unit" and insert "**"residential complex**".

Page 2, line 5, delete "(f)." and insert "**(e).**".

Page 2, line 6, delete "(f)" and insert "**(e)**".

Page 2, line 6, delete "a unit" and insert "**a residential complex**".

Page 2, line 7, delete "or a homeowners association".

Page 2, line 11, delete "or board of a".

Page 2, line 12, delete "homeowners association".

Page 2, line 13, after "enforce the" delete "unit" and insert "**residential complex**".

Page 2, line 15, delete "or on property governed by a" and insert "**.**".

Page 2, delete line 16.

Page 2, line 17, delete "or the board of a".

Page 2, line 18, delete "homeowners association".

Page 2, line 20, delete "(g) A unit" and insert "**(f) A residential complex**".

Page 2, line 24, delete "or property governed by a homeowners" and insert "**.**".

Page 2, delete line 25.

Page 2, line 29, delete "or the board of the homeowners association".

Page 2, line 31, delete "subsection (i)." and insert "**subsection (h).**".

Page 2, line 36, delete "or property governed" and insert "**.**".
Page 2, delete line 37.
Page 2, line 38, delete "(h) A unit" and insert "**(g) A residential complex**".
Page 2, line 42, delete "If the unit traffic ordinance applies to a residential".
Page 3, line 1, delete "complex, define" and insert "**Define**".
Page 3, line 6, delete "unit" and insert "**residential complex**".
Page 3, line 7, delete "(i)" and insert "**(h)**".
Page 3, line 9, delete "or board of the homeowners association".
Page 3, line 11, delete "or the property governed by a homeowners".
Page 3, line 12, delete "association".
Page 3, line 12, delete "unit" and insert "**residential complex**".
Page 3, line 19, delete "or".
Page 3, line 20, delete "property governed by the homeowners association".
Page 3, line 23, delete "or board of the homeowners association".
Page 3, line 24, delete "unit" and insert "**residential complex**".
Page 3, line 25, delete "or property governed by the homeowners" and insert "**.**".
Page 3, delete line 26.
Page 3, line 27, delete "unit" and insert "**residential complex**".
Page 3, line 28, delete "or on property governed by the homeowners".
Page 3, line 29, delete "association".
Page 3, line 32, delete "or the homeowners association" and insert "**.**".
Page 3, line 33, delete "or homeowners association".
Page 3, line 35, delete "(j)" and insert "**(i)**".
Page 3, line 35, delete "or the board of a".
Page 3, line 36, delete "homeowners association".
Page 3, line 37, delete "of the residential complex, the".
Page 3, delete line 38.
Page 3, line 39, delete "homeowners association" and insert "**nor the residential complex**".
Page 4, delete lines 1 through 7.
Page 4, line 8, delete "homeowners association" begin a new paragraph and insert:
"**(j) Neither a residential complex nor its owner**".
Page 4, line 12, delete "complex, its".
Page 4, delete line 13.
Page 4, line 14, delete "association." and insert "**complex or its owner.**".
Page 4, delete lines 15 through 27.
Page 4, line 34, reset in roman "residential complex".
Page 4, line 34, delete "unit".
Page 4, line 35, delete "or on the property governed by a homeowners".
Page 4, line 36, delete "association".
Page 5, line 1, reset in roman "residential complex".
Page 5, line 1, delete "unit traffic" and insert "traffic".
Page 5, line 23, delete "homeowners associations and the".
Renumber all SECTIONS consecutively.
(Reference is to SB 8 as reprinted January 29, 2021.)
and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Small Business and Economic Development, to which was referred Senate Bill 20, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, after line 4, begin a new paragraph and insert:
"**(e) Notwithstanding any other law, administrative rule, or local ordinance, an owner or operator of a micro market shall not be required to:**
(1) submit any documentation; or
(2) be subject to any:
(A) pre-plan review;
(B) inspection process; or
(C) approval process;
by the state department, corporation, or local health department before the installation of a micro market. An owner or operator of a micro market must notify the corporation or local health department where the micro market is located not later than ten (10) business days after the installation of the micro market. An owner or operator of a micro market shall not be subject to any fee associated with the notification described in this subsection.".
(Reference is to SB 20 as printed February 19, 2021.)
and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

MORRIS, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 28, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:
"SECTION 1. IC 6-1.1-24-5.1, AS AMENDED BY P.L.247-2015, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5.1. (a) This section applies to the following:
(1) A business association that:
(A) has not obtained a certificate of authority from, or registered with, the secretary of state in accordance with the procedures described in IC 23, as applicable; or
(B) has obtained a certificate of authority from, or registered with, the secretary of state in accordance with the procedures described in IC 23, as applicable, but is not in good standing in Indiana as determined by the secretary of state.
(2) A person who is an agent of a person described in this subsection.
(b) A person subject to this section may not purchase a tract offered for sale under section 5 or 6.1 of this chapter. However, this section does not prohibit a person from bidding on a tract that is owned by the person and offered for sale under section 5 of this chapter.
~~(c) If a person purchases a tract that the person was not eligible to purchase under this section, the sale of the property is subject to forfeiture. If the county treasurer determines or is notified not more than six (6) months after the date of the sale that the sale of the property should be forfeited under this section, the county treasurer shall:~~
~~(1) notify the person in writing that the sale is subject to forfeiture within thirty (30) days after the notice if:~~
~~(A) the person does not obtain a certificate of authority, or register with, the secretary of state in accordance with the procedures described in IC 23, as applicable; or~~
~~(B) the person does not otherwise cure the noncompliance that is the basis of the person's failure to be in good standing in Indiana as determined by the~~

~~secretary of state;~~

~~(2) if the person does not meet the conditions described in subdivision (1) within thirty (30) days after the notice, refund the surplus amount of the person's bid to the person; and~~

~~(3) notify the county auditor that the sale has been forfeited.~~

~~Upon being notified that a sale has been forfeited, the county auditor shall issue a certificate to the county executive under section 6 of this chapter.~~

~~(d) A county treasurer may decline to forfeit a sale under this section because of inadvertence or mistake, lack of actual knowledge by the bidder, substantial harm to other parties with interests in the tract or item of real property, or other substantial reasons. If the treasurer declines to forfeit a sale, the treasurer shall:~~

~~(1) prepare a written statement explaining the reasons for declining to forfeit the sale; and~~

~~(2) retain the written statement as an official record.~~

~~(e) If a sale is forfeited under this section and the tract or item of real property is redeemed from the sale, the county auditor shall deposit the amount of the redemption into the county general fund and notify the county executive of the redemption. Upon being notified of the redemption, the county executive shall surrender the certificate to the county auditor.~~

~~(f)~~ **(c)** A business entity that seeks to register to bid at a tax sale must provide a certificate of good standing or proof of registration in accordance with IC 5-23 from the secretary of state to the county treasurer.".

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

"SECTION 2. IC 6-1.1-24-5.3, AS AMENDED BY P.L.159-2020, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5.3. (a) This section applies to the following:

(1) A person who:

(A) owns a fee interest, a life estate interest, or the equitable interest of a contract purchaser in an unsafe building or unsafe premises; and

(B) is subject to an order issued under IC 36-7-9-5(a)(2), IC 36-7-9-5(a)(3), IC 36-7-9-5(a)(4), or IC 36-7-9-5(a)(5) regarding which the conditions set forth in IC 36-7-9-10(a)(1) through IC 36-7-9-10(a)(4) exist.

(2) A person who:

(A) owns a fee interest, a life estate interest, or the equitable interest of a contract purchaser in an unsafe building or unsafe premises; and

(B) is subject to an order issued under IC 36-7-9-5(a), other than an order issued under IC 36-7-9-5(a)(2), IC 36-7-9-5(a)(3), IC 36-7-9-5(a)(4), or IC 36-7-9-5(a)(5), regarding which the conditions set forth in IC 36-7-9-10(b)(1) through IC 36-7-9-10(b)(4) exist.

(3) A person who is the defendant in a court action brought under IC 36-7-9-18, IC 36-7-9-19, IC 36-7-9-20, IC 36-7-9-21, or IC 36-7-9-22 that has resulted in a judgment in favor of the plaintiff and the unsafe condition that caused the action to be brought has not been corrected.

(4) A person who has any of the following relationships to a person, partnership, corporation, or legal entity described in subdivision (1), (2), (3), or (5):

(A) A partner of a partnership.

(B) A member of a limited liability company.

(C) An officer, director, or majority stockholder of a corporation.

(D) The person who controls or directs the activities or has a majority ownership in a legal entity other than a partnership or corporation.

(5) A person who owes:

(A) delinquent taxes;

(B) special assessments;

(C) penalties;

(D) interest; or

(E) costs directly attributable to a prior tax sale;

on a tract or an item of real property listed under section 1 of this chapter.

(6) A person who owns a fee interest, a life estate interest, or the equitable interest of a contract purchaser in a vacant or abandoned structure subject to an enforcement order under IC 32-30-6, IC 32-30-7, IC 32-30-8, or IC 36-7-9, or a court order under IC 36-7-37.

(7) A person who is an agent of the person described in this subsection.

(8) A person who:

(A) is delinquent in the payment of any personal property taxes; or

(B) is subject to an existing personal property tax judgment;

under IC 6-1.1-22-9.

(b) A person subject to this section may not bid on or purchase a tract offered for sale under section 5 or 6.1 of this chapter. However, this section does not prohibit a person from bidding on a tract that is owned by the person and offered for sale under section 5 of this chapter.

(c) A business entity may not bid on or purchase a tract offered for sale under section 5 or 6.1 of this chapter if:

(1) a person subject to this section:

(A) formed the business entity;

(B) joined with another person or party to form the business entity; or

(C) joined the business entity as a proprietor, incorporator, partner, shareholder, director, employee, or member; or

(2) a person subject to this section:

(A) becomes an agent, employee, or board member of the business entity; or

(B) is not an attorney at law and represents the business entity in a legal matter.

~~(c) The county treasurer shall require each person who will be bidding at the tax sale to sign a statement in a form substantially similar to the following:~~

~~"Indiana law prohibits a person who owes delinquent taxes, special assessments, penalties, interest, or costs directly attributable to a prior tax sale of a tract or item of real property listed under IC 6-1.1-24-1 from bidding on or purchasing tracts or items of real property at a tax sale. I hereby affirm under the penalties for perjury that I do not owe delinquent taxes, special assessments, penalties, interest, costs directly attributable to a prior tax sale, amounts from a final adjudication in favor of a political subdivision, any civil penalties imposed for the violation of a building code or county ordinance, or any civil penalties imposed by a county health department. I also affirm that I am not purchasing tracts or items of real property on behalf of or as an agent for a person who is prohibited from purchasing at a tax sale. Further, I hereby acknowledge that any successful bid I make in violation of this statement is subject to forfeiture. In the event of forfeiture, the amount by which my bid exceeds the minimum bid on the tract or item or real property under IC 6-1.1-24-5(e), if any, shall be applied to the delinquent taxes, special assessments, penalties, interest, costs, judgments, or civil penalties I owe, and a certificate will be issued to the county executive.".~~

~~(d) If a person purchases a tract that the person was not eligible to purchase under this section, the sale of the property is subject to forfeiture. If the county treasurer determines or is notified not more than six (6) months after the date of the sale~~

~~that the sale of the property should be forfeited, the county treasurer shall:~~

~~(1) notify the person in writing that the sale is subject to forfeiture if the person does not pay the amounts that the person owes within thirty (30) days of the notice;~~

~~(2) if the person does not pay the amounts that the person owes within thirty (30) days after the notice, apply the surplus amount of the person's bid to the person's delinquent taxes, special assessments, penalties, and interest;~~

~~(3) remit the amounts owed from a final adjudication or civil penalties in favor of a political subdivision to the appropriate political subdivision; and~~

~~(4) notify the county auditor that the sale has been forfeited.~~

~~Upon being notified that a sale has been forfeited, the county auditor shall issue a certificate to the county executive under section 6 of this chapter.~~

~~(e) A county treasurer may decline to forfeit a sale under this section because of inadvertence or mistake, lack of actual knowledge by the bidder, substantial harm to other parties with interests in the tract or item of real property, or other substantial reasons. If the treasurer declines to forfeit a sale, the treasurer shall:~~

~~(1) prepare a written statement explaining the reasons for declining to forfeit the sale; and~~

~~(2) retain the written statement as an official record.~~

~~(f) If a sale is forfeited under this section and the tract or item of real property is redeemed from the sale, the county auditor shall deposit the amount of the redemption into the county general fund and notify the county executive of the redemption. Upon being notified of the redemption, the county executive shall surrender the certificate to the county auditor.~~".

Delete pages 2 through 3.

Page 4, delete lines 1 through 31.

Page 4, between lines 31 and 32, begin a new paragraph and insert:

"SECTION 3. IC 6-1.1-24-5.4, AS ADDED BY P.L.66-2014, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5.4. (a) This section applies to the following:

(1) A foreign business association that:

(A) has not obtained a certificate of authority from, or registered with, the secretary of state in accordance with the procedures described in IC 23, as applicable; or

(B) has obtained a certificate of authority from, or registered with, the secretary of state in accordance with the procedures described in IC 23, as applicable, but is not in good standing in Indiana as determined by the secretary of state.

(2) A person who is an agent of a person described in this subsection.

(b) As used in this section, "foreign business association" means a corporation, professional corporation, nonprofit corporation, limited liability company, partnership, or limited partnership that is organized under the laws of another state or another country.

(c) A person subject to this section may not purchase a tract offered for sale under section 5 or 6.1 of this chapter. However, this section does not prohibit a person from bidding on a tract that is owned by the person and offered for sale under section 5 of this chapter.

~~(d) If a person purchases a tract that the person was not eligible to purchase under this section, the sale of the property is subject to forfeiture. If the county treasurer determines or is notified not more than six (6) months after the date of the sale that the sale of the property should be forfeited under this section, the county treasurer shall:~~

~~(1) notify the person in writing that the sale is subject to forfeiture within thirty (30) days of the notice if:~~

~~(A) the person does not obtain a certificate of authority, or register with, the secretary of state in accordance with the procedures described in IC 23, as applicable; or~~

~~(B) the person does not otherwise cure the noncompliance that is the basis of the person's failure to be in good standing in Indiana as determined by the secretary of state;~~

~~(2) if the person does not meet the conditions described in subdivision (1) within thirty (30) days after the notice, refund the surplus amount of the person's bid to the person; and~~

~~(3) notify the county auditor that the sale has been forfeited.~~

~~Upon being notified that a sale has been forfeited, the county auditor shall issue a certificate to the county executive under section 6 of this chapter.~~

~~(e) A county treasurer may decline to forfeit a sale under this section because of inadvertence or mistake, lack of actual knowledge by the bidder, substantial harm to other parties with interests in the tract or item of real property, or other substantial reasons. If the treasurer declines to forfeit a sale, the treasurer shall:~~

~~(1) prepare a written statement explaining the reasons for declining to forfeit the sale; and~~

~~(2) retain the written statement as an official record.~~

~~(f) If a sale is forfeited under this section and the tract or item of real property is redeemed from the sale, the county auditor shall deposit the amount of the redemption into the county general fund and notify the county executive of the redemption. Upon being notified of the redemption, the county executive shall surrender the certificate to the county auditor.~~

SECTION 4. IC 6-1.1-24-5.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 5.7. (a) The county treasurer shall require each person who will be bidding at the tax sale to sign a statement in a form substantially similar to the following:**

"Indiana law prohibits a person who owes delinquent taxes, special assessments, penalties, interest, or costs directly attributable to a prior tax sale of a tract or item of real property listed under IC 6-1.1-24-1 from bidding on or purchasing tracts or items of real property at a tax sale. I hereby affirm under the penalties for perjury that I do not owe delinquent taxes, special assessments, penalties, interest, costs directly attributable to a prior tax sale, amounts from a final adjudication in favor of a political subdivision, any civil penalties imposed for the violation of a building code or county ordinance, or any civil penalties imposed by a county health department. I also affirm that I am not purchasing tracts or items of real property on behalf of or as an agent for a person who is prohibited from purchasing at a tax sale. Further, I hereby acknowledge that any successful bid I make in violation of this statement is subject to forfeiture. In the event of forfeiture, the amount by which my bid exceeds the minimum bid on the tract or item or real property under IC 6-1.1-24-5(e), if any, shall be applied to the delinquent taxes, special assessments, penalties, interest, costs, judgments, or civil penalties I owe, and a certificate will be issued to the county executive. I further acknowledge that a person who knowingly or intentionally provides false information on this affidavit commits perjury, a Level 6 felony.".

(b) If a person purchases real property that the person was not eligible to purchase under section 5.1, 5.3, or 5.4 of this chapter, the sale of the real property is subject to forfeiture. If the county treasurer determines or is notified

not more than forty-five (45) days after the date of the sale that the sale of the real property should be forfeited, the county treasurer shall:

(1) not more than five (5) days after the county treasurer is notified, notify the person in writing by first class mail that the sale is subject to forfeiture if the person does not pay the amounts the person owes within fifteen (15) days of the date the written notice is mailed;

(2) if the person does not meet the conditions described in subdivision (1) within fifteen (15) days after the written notice is mailed, apply the surplus amount of the person's bid, if any, to the delinquent taxes, special assessments, penalties, and interest on the real property;

(3) remit the amounts owed from a final adjudication or civil penalties in favor of a political subdivision to the political subdivision;

(4) notify the county auditor that the sale has been forfeited; and

(5) file with the county recorder a certification identifying the forfeited sale that includes:

(A) the date of the sale;

(B) the name of the buyer;

(C) the property identification number of the real property;

(D) the real property's legal description; and

(E) a statement that the sale has been forfeited and is null and void because the buyer was not eligible to purchase the real property.

Upon being notified that a sale has been forfeited, the county auditor shall issue a certificate to the county executive under section 6 of this chapter.

(c) A county treasurer may decline to forfeit a sale under this section because of inadvertence or mistake, lack of actual knowledge by the bidder, substantial harm to other parties with interests in the real property, or other substantial reasons. If the treasurer declines to forfeit a sale, the treasurer shall:

(1) prepare a written statement explaining the reasons for declining to forfeit the sale;

(2) retain the written statement as an official record; and

(3) file with the county recorder a certification that includes:

(A) the date of the sale;

(B) the name of the buyer;

(C) the property identification number of the real property;

(D) the real property's legal description; and

(E) a statement that the sale has not been forfeited and is valid.

(d) If a sale is forfeited under this section and the tract or item of real property is redeemed from the sale, the county auditor shall deposit the amount of the redemption into the county general fund and notify the county executive of the redemption. Upon being notified of the redemption, the county executive shall surrender the certificate to the county auditor.

(e) If a county treasurer does not take action under subsection (b) within forty-five (45) days of the date the county treasurer determines or is notified that a sale should be forfeited, the person is deemed to be an eligible purchaser for that sale of that real property.

(f) If a tax deed is issued for real property under IC 6-1.1-25-4, this section cannot be invoked to invalidate, rescind, or set aside the tax deed.".

Page 6, delete lines 22 through 42, begin a new paragraph and insert:

"SECTION 6. IC 6-1.1-24-7, AS AMENDED BY P.L.85-2017, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 7. (a) When real property is sold under this chapter, the purchaser at the sale shall immediately pay the amount of the bid to the county treasurer. The county treasurer shall apply the payment in the following manner:

(1) First, to the taxes, special assessments, penalties, and costs described in section 5(e) of this chapter.

(2) Second, to other delinquent property taxes in the manner provided in IC 6-1.1-23-5(b).

(3) Third, to a separate "tax sale surplus fund".

(b) **A county treasurer shall pay taxes or special assessments, or both, as follows:**

(1) For any tract or item of real property **located in a county containing a consolidated city** for which a tax sale certificate is sold under this chapter, if taxes or special assessments, or both, become due on the tract or item of real property during the period of redemption specified under IC 6-1.1-25-4, the county treasurer may pay the taxes or special assessments, or both, on the tract or item of real property from the tax sale surplus held in the name of the taxpayer, if any, after the taxes or special assessments become due.

(2) For any tract or item of real property not located in a county containing a consolidated city for which a tax sale certificate is sold under this chapter, if taxes or special assessments, or both, accrue on the tract or item of real property through and including the year in which the owner of record is divested of title to the real property, the county treasurer shall pay all taxes or special assessments, or both, on the tract or item of real property from the tax sale surplus held in the name of the taxpayer, if any, after the tax bills are mailed. The county auditor must freeze the tax sale surplus until all payments required under this subdivision are paid.

(c) The:

(1) owner of record of the real property at the time the real property was certified for sale under this chapter and before the issuance of a tax deed; or

(2) tax sale purchaser or purchaser's assignee, upon redemption of the tract or item of real property;

may file a verified claim for money which is deposited in the tax sale surplus fund. If the claim is approved by the county auditor and the county treasurer, the county auditor shall issue a warrant to the claimant for the amount due.

(d) If the person who claims money deposited in the tax sale surplus fund under subsection (c) is:

(1) a person who has a contract or agreement described under section 7.5 of this chapter with a person described in subsection (c)(1); or

(2) a person who acts as an executor, attorney-in-fact, or legal guardian of a person described in subsection (c)(1);

the county auditor may issue a warrant to the person only as directed by the court having jurisdiction over the tax sale of the parcel for which the surplus claim is made.

(e) A court may direct the issuance of a warrant only:

(1) on petition by the claimant;

(2) within three (3) years after the date of sale of the parcel in the tax sale; and

(3) in the case of a petitioner to whom subsection (d)(1) applies, if the petitioner has satisfied the requirements of section 7.5 of this chapter.

(f) Unless the redemption period specified under IC 6-1.1-25 has been extended under federal bankruptcy law, an amount deposited in the tax sale surplus fund shall be transferred by the county auditor to the county general fund and may not be disbursed under subsection (c) if it is not claimed within the three (3) year period after the date of its receipt.

(g) If an amount applied to taxes under this section is later paid out of the county general fund to the purchaser or the

purchaser's successor due to the invalidity of the sale, all the taxes shall be reinstated and recharged to the tax duplicate and collected in the same manner as if the property had not been offered for sale.

(h) When a refund is made to any purchaser or purchaser's successor by reason of the invalidity of a sale, the county auditor shall, at the December settlement immediately following the refund, deduct the amount of the refund from the gross collections in the taxing district in which the land lies and shall pay that amount into the county general fund.".

Delete page 7.

Page 8, delete lines 1 through 3.

Renumber all SECTIONS consecutively.

(Reference is to SB 28 as reprinted February 23, 2021.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

ZENT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 35, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 35 as reprinted February 2, 2021.)

Committee Vote: Yeas 11, Nays 0.

ZENT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 59, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 59 as printed January 29, 2021.)

Committee Vote: Yeas 10, Nays 0.

BARRETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 79, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 34-26-5-2, AS AMENDED BY P.L.156-2020, SECTION 126, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) A person who is or has been a victim of domestic or family violence may file a petition for an order for protection against a:

(1) family or household member who commits an act of domestic or family violence; or

(2) person who has committed stalking under IC 35-45-10-5 or a sex offense under IC 35-42-4 against the petitioner.

(b) A person who is or has been subjected to harassment may file a petition for an order for protection against a person who has committed repeated acts of harassment against the petitioner.

(c) A parent, a guardian, or another representative may file a petition for an order for protection on behalf of a child against a:

(1) family or household member who commits an act of domestic or family violence;

(2) person who has committed stalking under IC 35-45-10-5 or a sex offense under IC 35-42-4 against the child;

(3) person who has committed repeated acts of harassment against the child; or

(4) person who engaged in a course of conduct involving repeated or continuing contact with a child that is intended to prepare or condition a child for sexual activity (as defined in IC 35-42-4-13).

(d) A court may issue only one (1) order for each respondent. If a petitioner files a petition against more than one (1) respondent, the court shall:

(1) assign a new case number; and

(2) maintain a separate court file;

for each respondent.

(e) If a petitioner seeks relief against an unemancipated minor, the case may originate in any court of record and, if it is an emergency matter, be processed the same as an ex parte petition. When a hearing is set, the matter may be transferred to a court with juvenile jurisdiction.

(f) If a petition for an order for protection is filed by a person or on behalf of an unemancipated minor, the court shall determine, after reviewing the petition or making an inquiry, whether issuing the order for protection may impact a school corporation's ability to provide in-person instruction for the person or the unemancipated minor. If the court determines that issuing the order for protection may impact a school corporation's ability to provide in-person instruction for the person or the unemancipated minor, then the court may not issue the order for protection until the following requirements are met:

(1) Notice is provided to the school corporation, by registered mail or certified mail, that includes:

(A) notice of the petition for the order for protection; and

(B) the date for the hearing on the petition for the order for protection, if applicable.

(2) Upon receipt of the notice, the school corporation is allowed to:

(A) respond to the notice not later than three (3) business days after receipt of the notice; and

(B) testify at the hearing on the petition for the order for protection.

If the school corporation fails to respond to the notice of the petition for the order for protection as described in subdivision (2), then the court may issue the order for protection described in this subsection.".

Page 2, between lines 15 and 16, begin a new line block indented and insert:

"**(7) The offense is committed against a family or household member:**

(A) who has been issued a protection order (as defined in IC 34-26-7.5-2) that protects the family or household member from the person and the protection order was in effect at the time the person committed the offense; or

(B) while a no contact order issued by the court directing the person to refrain from having any direct or indirect contact with the family or household member was in effect at the time the person committed the offense.".

Renumber all SECTIONS consecutively.

(Reference is to SB 79 as printed January 27, 2021.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 82, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, line 2, delete "or" and insert "**,**".

Page 5, line 3, after "IC 25-23" insert "**, or a physician assistant licensed under IC 25-27.5**".

Page 5, line 7, delete "recommend to the".

Page 5, line 8, delete "patient that the patient".

Page 5, line 8, after "examination" insert "**for the patient**".

Page 5, line 9, delete "or" and insert "**,**".

Page 5, line 10, delete "IC 25-23." and insert "**IC 25-23, or a physician assistant licensed under IC 25-27.5.**".

Page 5, line 11, delete "recommends" and insert "**schedules an examination**".

Page 5, line 11, delete "that a".

Page 5, line 12, delete "patient schedule an examination".

Page 5, line 13, delete "recommendation" and insert "**appointment**".

Page 5, line 19, delete "or" and insert "**,**".

Page 5, line 20, after "IC 25-23" insert "**, or a physician assistant licensed under IC 25-27.5**".

Page 5, line 24, delete "recommend to the".

Page 5, line 25, delete "patient that the patient".

Page 5, line 25, after "examination" insert "**for the patient**".

Page 5, line 26, delete "or" and insert "**,**".

Page 5, line 27, delete "IC 25-23." and insert "**IC 25-23, or a physician assistant licensed under IC 25-27.5.**".

Page 5, line 28, delete "recommends" and insert "**schedules an examination**".

Page 5, line 28, delete "that a".

Page 5, line 29, delete "patient schedule an examination".

Page 5, line 30, delete "recommendation" and insert "**appointment**".

Page 5, line 36, delete "or" and insert "**,**".

Page 5, line 37, after "IC 25-23" insert "**, or a physician assistant licensed under IC 25-27.5**".

Page 5, line 41, delete "recommend to the".

Page 5, line 42, delete "patient that the patient".

Page 5, line 42, after "examination" insert "**for the patient**".

Page 6, line 1, delete "or" and insert "**,**".

Page 6, line 2, delete "IC 25-23." and insert "**IC 25-23, or a physician assistant licensed under IC 25-27.5.**".

Page 6, line 3, delete "recommends" and insert "**schedules an examination**".

Page 6, line 3, delete "that a".

Page 6, line 4, delete "patient schedule an examination".

Page 6, line 5, delete "recommendation" and insert "**appointment**".

Page 6, line 11, delete "or" and insert "**,**".

Page 6, line 12, after "IC 25-23" insert "**, or a physician assistant licensed under IC 25-27.5**".

Page 6, line 16, delete "recommend to the".

Page 6, line 17, delete "patient that the patient".

Page 6, line 17, after "examination" insert "**for the patient**".

Page 6, line 18, delete "or" and insert "**,**".

Page 6, line 19, delete "IC 25-23." and insert "**IC 25-23, or a physician assistant licensed under IC 25-27.5.**".

Page 6, line 20, delete "recommends" and insert "**schedules an examination**".

Page 6, line 20, delete "that a".

Page 6, line 21, delete "patient schedule an examination".

Page 6, line 22, delete "recommendation" and insert "**appointment**".

(Reference is to SB 82 as printed February 5, 2021.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

BARRETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 93, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 93 as reprinted February 12, 2021.)

Committee Vote: Yeas 13, Nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 152, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 152 as printed February 19, 2021.)

Committee Vote: Yeas 11, Nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 169, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 169 as printed February 5, 2021.)

Committee Vote: Yeas 11, Nays 0.

BARRETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 196, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 35 through 42.

Delete pages 3 through 5.

(Reference is to SB 196 as printed February 19, 2021.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 201, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 201 as printed February 19, 2021.)

Committee Vote: Yeas 11, Nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 214, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 32, reset in roman "IC 36-1-8-14.2 (before its".

Page 2, line 33, reset in roman "expiration), IC 36-2-6-22 (before its expiration),".

Page 2, line 33, reset in roman "IC 36-3-2-11".

Page 2, line 34, reset in roman "(before its expiration).".

Page 2, line 34, after "expiration)" delete "." and insert ",".

(Reference is to SB 214 as reprinted February 16, 2021.)

and when so amended that said bill do pass.

Committee Vote: yeas 21, nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 218, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 5-20-10 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 10. Low Barrier Homeless Shelter Task Force

Sec. 1. As used in this chapter, "task force" refers to the low barrier homeless shelter task force established by section 2 of this chapter.

Sec. 2. The low barrier homeless shelter task force is established.

Sec. 3. The task force consists of the following members:

(1) One (1) individual representing the office of the governor, who shall serve as a cochairperson of the task force.

(2) One (1) individual representing the office of the mayor of a consolidated city, who shall serve as a cochairperson of the task force.

(3) Two (2) members of the senate, appointed as follows:

(A) One (1) member appointed by the president pro tempore.

(B) One (1) member appointed by the minority leader.

(4) Two (2) members of the house of representatives, appointed as follows:

(A) One (1) member appointed by the speaker.

(B) One (1) member appointed by the minority leader.

(5) The secretary of family and social services or a designee of the secretary.

(6) The executive director of the Indiana housing and community development authority or the executive director's designee.

(7) The commissioner of correction or the commissioner's designee.

(8) One (1) individual representing the Marion County Public Health Department.

(9) One (1) individual representing the Marion County Housing Trust Fund.

(10) One (1) individual representing the largest business association in a consolidated city.

(11) One (1) individual representing a provider of housing and services for the homeless in a consolidated city.

Sec. 4. (a) A majority of the members of the task force constitutes a quorum.

(b) The affirmative vote of at least a majority of the members at which a quorum is present is necessary for the task force to take official action other than to meet and take testimony.

(c) The task force shall meet at the call of the cochairpersons.

Sec. 5. All meetings of the task force shall be open to the public in accordance with and subject to IC 5-14-1.5. All records of the task force shall be subject to the requirements of IC 5-14-3.

Sec. 6. The task force shall do the following:

(1) Determine the cost to build and operate a low barrier homeless shelter in a consolidated city, as well as potential funding sources. The low barrier homeless shelter must provide both short term and long term housing options.

(2) Study ways in which the state and a consolidated city can access additional federal funding for community based programs for the homeless.

Sec. 7. The task force shall submit a report to the governor and the legislative council not later than December 31, 2022. The report submitted to the legislative council must be in an electronic format under IC 5-14-6.

Sec. 8. This chapter expires January 1, 2023.".

Page 2, between lines 1 and 2, begin a new line blocked left and insert:

"**The list of assistance must provide the address and telephone number of each listed public and private resource.**".

Page 2, after line 7, begin a new paragraph and insert:

"SECTION 4. IC 35-31.5-2-132.7 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 132.7. "Financial transaction", for purposes of IC 35-45-17, has the meaning set forth in IC 35-45-17-0.5.~~

SECTION 5. IC 35-31.5-2-149.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 149.5. "Harasses", for purposes of IC 35-45-17.1, has the meaning set forth in IC 35-45-17.1-1.**

SECTION 6. IC 35-31.5-2-225 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 225. "Panhandling", for purposes of IC 35-45-17, has the meaning set forth in IC 35-45-17-1.~~

SECTION 7. IC 35-31.5-2-257.5 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 257.5. "Public monument", for purposes of IC 35-45-17, has the meaning set forth in IC 35-45-17-1.5.~~

SECTION 8. IC 35-43-2-2, AS AMENDED BY P.L.276-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) As used in this section, "authorized person" means a person authorized by an agricultural operation to act on behalf of the agricultural operation.

(b) A person who:

(1) not having a contractual interest in the property, knowingly or intentionally enters the real property of another person after having been denied entry by the other person or that person's agent;

(2) not having a contractual interest in the property, knowingly or intentionally refuses to leave the real property of another person after having been asked to leave by the other person or that person's agent;

(3) accompanies another person in a vehicle, with knowledge that the other person knowingly or intentionally is exerting unauthorized control over the vehicle;

(4) knowingly or intentionally interferes with the possession or use of the property of another person

without the person's consent;
(5) not having a contractual interest in the property, knowingly or intentionally enters the:
(A) property of an agricultural operation that is used for the production, processing, propagation, packaging, cultivation, harvesting, care, management, or storage of an animal, plant, or other agricultural product, including any pasturage or land used for timber management, without the consent of the owner of the agricultural operation or an authorized person; or
(B) dwelling of another person without the person's consent;
(6) knowingly or intentionally:
(A) travels by train without lawful authority or the railroad carrier's consent; and
(B) rides on the outside of a train or inside a passenger car, locomotive, or freight car, including a boxcar, flatbed, or container without lawful authority or the railroad carrier's consent;
(7) not having a contractual interest in the property, knowingly or intentionally enters or refuses to leave the property of another person after having been prohibited from entering or asked to leave the property by a law enforcement officer when the property is:
(A) vacant real property (as defined in IC 36-7-36-5) or a vacant structure (as defined in IC 36-7-36-6); or
(B) designated by a municipality or county enforcement authority to be:
(i) abandoned property or an abandoned structure (as defined in IC 36-7-36-1); **or**
(ii) an unsafe building or an unsafe premises (as described in IC 36-7-9);
(8) not having a contractual interest in the property, knowingly or intentionally enters the real property of an agricultural operation (as defined in IC 32-30-6-1) without the permission of the owner of the agricultural operation or an authorized person, and knowingly or intentionally engages in conduct that causes property damage to:
(A) the owner of or a person having a contractual interest in the agricultural operation;
(B) the operator of the agricultural operation; or
(C) a person having personal property located on the property of the agricultural operation; or
(9) knowingly or intentionally enters the property of another person after being denied entry by a court order that has been issued to the person or issued to the general public by conspicuous posting on or around the premises in areas where a person can observe the order when the property has been designated by a municipality or county enforcement authority to be:
(A) a vacant property;
(B) an abandoned property; ~~or~~
(C) an abandoned structure (as defined in IC 36-7-36-1); **or**
(D) an unsafe building or an unsafe premises (as described in IC 36-7-9);
commits criminal trespass, a Class A misdemeanor. However, the offense is a Level 6 felony if it is committed on a scientific research facility, on a facility belonging to a public utility (as defined in IC 32-24-1-5.9(a)), on school property, or on a school bus or the person has a prior unrelated conviction for an offense under this section concerning the same property. The offense is a Level 6 felony, for purposes of subdivision (8), if the property damage is more than seven hundred fifty dollars ($750) and less than fifty thousand dollars ($50,000). The offense is a Level 5 felony, for purposes of subdivision (8), if the property damage is at least fifty thousand dollars ($50,000).

(c) A person has been denied entry under subsection (b)(1) when the person has been denied entry by means of:
(1) personal communication, oral or written;
(2) posting or exhibiting a notice at the main entrance in a manner that is either prescribed by law or likely to come to the attention of the public;
(3) a hearing authority or court order under IC 32-30-6, IC 32-30-7, IC 32-30-8, IC 36-7-9, or IC 36-7-36; or
(4) posting the property by placing identifying purple marks on trees or posts around the area where entry is denied.

(d) For the purposes of subsection (c)(4):
(1) each purple mark must be readily visible to any person approaching the property and must be placed:
(A) on a tree:
(i) as a vertical line of at least eight (8) inches in length and with the bottom of the mark at least three (3) feet and not more than five (5) feet from the ground; and
(ii) not more than one hundred (100) feet from the nearest other marked tree; or
(B) on a post:
(i) with the mark covering at least the top two (2) inches of the post, and with the bottom of the mark at least three (3) feet and not more than five (5) feet six (6) inches from the ground; and
(ii) not more than thirty-six (36) feet from the nearest other marked post; and
(2) before a purple mark that would be visible from both sides of a fence shared by different property owners or lessees may be applied, all of the owners or lessees of the properties must agree to post the properties with purple marks under subsection (c)(4).

(e) A law enforcement officer may not deny entry to property or ask a person to leave a property under subsection (b)(7) unless there is reasonable suspicion that criminal activity has occurred or is occurring.

(f) A person described in subsection (b)(7) **and (b)(9)** violates subsection (b)(7) **and (b)(9)** unless the person has the written permission of the owner, the owner's agent, an enforcement authority, or a court to come onto the property for purposes of performing maintenance, repair, or demolition.

(g) A person described in subsection (b)(9) violates subsection (b)(9) unless the court that issued the order denying the person entry grants permission for the person to come onto the property.

(h) Subsections (b), (c), and (g) do not apply to the following:
(1) A passenger on a train.
(2) An employee of a railroad carrier while engaged in the performance of official duties.
(3) A law enforcement officer, firefighter, or emergency response personnel while engaged in the performance of official duties.
(4) A person going on railroad property in an emergency to rescue a person or animal from harm's way or to remove an object that the person reasonably believes poses an imminent threat to life or limb.
(5) A person on the station grounds or in the depot of a railroad carrier:
(A) as a passenger; or
(B) for the purpose of transacting lawful business.
(6) A:
(A) person; or
(B) person's:
(i) family member;
(ii) invitee;
(iii) employee;
(iv) agent; or
(v) independent contractor;
going on a railroad's right-of-way for the purpose of crossing at a private crossing site approved by the railroad carrier to obtain access to land that the person owns, leases, or operates.

(7) A person having written permission from the railroad carrier to go on specified railroad property.

(8) A representative of the Indiana department of transportation while engaged in the performance of official duties.

(9) A representative of the federal Railroad Administration while engaged in the performance of official duties.

(10) A representative of the National Transportation Safety Board while engaged in the performance of official duties.

SECTION 9. IC 35-45-17 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Panhandling).

SECTION 10. IC 35-45-17.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 17.1. Aggressive Harassment

Sec. 1. As used in this chapter, "harasses" means unwanted contact with a person that would cause a reasonable person to suffer emotional distress or fear.

Sec. 2. An individual who harasses another person with the intent to obtain property from the other person commits aggressive harassment, a Class C misdemeanor.

SECTION 11. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 218 as printed February 12, 2021.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

ZENT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 234, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 15.

Delete page 2.

Page 3, delete lines 1 through 14.

Page 3, line 22, delete "or" and insert "**and**".

Page 4, line 42, after "knowingly" insert "**or intentionally**".

Page 5, delete lines 6 through 9, begin a new paragraph and insert:

"**(b) A responsible person of the payroll service provider who knowingly or intentionally fails to remit taxes withheld by an employer and collected by the payroll service provider pursuant to IC 6-3-4 commits failure to remit taxes, a Class A misdemeanor. However, the offense is a:**

(1) Level 6 felony if the amount of the unremitted taxes is at least seven hundred fifty dollars ($750) and less than fifty thousand dollars ($50,000); and

(2) Level 5 felony if the amount of the unremitted taxes is at least fifty thousand dollars ($50,000).".

Page 5, delete lines 40 through 42.

Page 6, delete lines 1 through 3.

Page 6, line 4, delete "10." and insert "**9.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 234 as printed February 10, 2021.)

and when so amended that said bill do pass.

Committee Vote: yeas 20, nays 1.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 236, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 36-7-38-24 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 24. A county fiscal body may adopt an ordinance requiring that, for the five (5) years succeeding the year a tract is sold by a land bank under this chapter, fifty percent (50%) of the amount of property taxes paid for the tract under IC 6-1.1 be transferred to the land bank. The county treasurer shall transfer an amount under this section not later than sixty (60) days after the date an installment of property taxes is due.**".

Page 1, line 11, delete "ninety (90)" and insert "**thirty (30)**".

Page 1, line 12, delete "shall" and insert "**may**".

Renumber all SECTIONS consecutively.

(Reference is to SB 236 as printed February 19, 2021.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

ZENT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred Senate Bill 260, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 15 through 17, begin a new line block indented and insert:

"(5) The individual:

(A) either:

(i) has the written approval of the principal of the school the individual attends at the time of the appointment; **or**

(ii) attends a school that will not be in session on election day; or

(B) if the student is educated in the home, **has** the approval of the individual responsible for the education of the student.".

Page 2, delete line 1.

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

"SECTION 3. IC 3-11-1.5-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 11. The precincts established for a general or municipal election must be the same as the precincts established for the preceding primary election. ~~except as provided in section 12 of this chapter.~~

SECTION 4. IC 3-11-1.5-12 IS REPEALED [EFFECTIVE JULY 1, 2021]. ~~Sec. 12. If a county executive adopts the use of ballot card voting systems or electronic voting systems in a county in which ballot card voting systems or electronic voting systems have not been previously used, the county executive may establish precincts after primary election day and before August 1 by combining two (2) or more precincts into one (1) precinct.~~

SECTION 5. IC 3-11-1.5-12.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 12.1. (a) A county election board may submit a proposed precinct establishment order to the election division using a module of the computerized list established under IC 3-7-26.3 in compliance with sections 15, 15.5, and 16 of this chapter as an alternative to the other procedures set forth in sections 14 through 35 of this chapter.**

(b) A proposed order under this section must comply with any deadline for submission set by the co-directors under section 14 of this chapter.

(c) The county must submit a map of each proposed precinct and documentation in an electronic format prescribed by the election division, including any digital aerial photograph necessary to depict a split census block, municipal boundary, state legislative district, municipal legislative district, or visible feature. The county must submit the map and the information set forth in sections 15, 15.5, and 16 of this chapter.

(d) The election division shall transmit a copy of the proposed order to the office for technical comments. The election division shall review the comments of the office to determine if the order would comply with this chapter.

(e) The election division shall notify the county of any changes needed for the proposed order to comply with this chapter. The county may submit a revision to the proposed order using the module in the computerized list for further review by the election division and the office or request an exemption from the commission under section 20.5 of this chapter.

(f) The election division may use the module under this chapter to notify the county if the proposed order complies with this chapter. The election division shall also notify the county executive in writing as provided in section 18 of this chapter. The county executive may issue the proposed order and shall file a copy of the proposed order with the election division. The county executive shall give notice of the proposed order under section 18 of this chapter. However, if the election division determines under section 18(g) of this chapter that there is not sufficient time to receive notice of an objection before the next period specified under section 25 of this chapter begins, the election division may request a hearing before the commission. If no objection to the proposed order is filed under section 18 of this chapter, then the order takes effect under section 24 of this chapter without further action by the county executive.

(g) If an objection is filed under section 18 of this chapter, the county executive may not adopt the order unless the commission approves the proposed order under section 18 of this chapter.

(h) The election division shall provide the office with a copy of each final order not later than ten (10) days after the order takes effect.

SECTION 6. IC 3-11-1.5-38.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 38.1. (a) This section applies to the boundaries of a precinct as established before January 1, 2021.**

(b) As used in this chapter, "federal decennial census" has the meaning set forth in IC 1-1-3.5-2(a).

(c) The office shall file with the election division the following information for a precinct described in subsection (a):

(1) A list of the census blocks comprising the voting tabulation districts used by the United States Department of Commerce, Bureau of the Census, in reporting the 2020 federal decennial census of Indiana, as supplemented by the office.

(2) A file in a format prescribed by the election division depicting the boundaries of the precinct as shown by maps included in the GIS.

(d) After a filing occurs under subsection (c), the election division shall immediately notify the county executive and the county election board (or the board of elections and registration) of the county in which the precinct is located.

(e) Not later than thirty (30) days after the date of the notice described in subsection (d), the county executive shall notify the election division if the filing described in subsection (c) contains errors or is otherwise incorrect or incomplete. The notice must state one (1) of the following:

(1) The county executive will submit to the election division, not later than January 1, 2022, additional information for or corrections to the filing, which will become the precinct boundaries for the county for purposes of an election conducted after January 1, 2022, and until a new precinct establishment order for the county is adopted as provided in this chapter.

(2) The county executive will adopt a new precinct establishment order for the county as provided in this chapter.

(f) The election division shall provide the office with the additional information and corrections submitted by a county executive under subsection (e)(1), and the office shall add the additional information and corrections to the GIS.

(g) If a county executive does not file a notice under subsection (e), the following apply:

(1) The precinct descriptions filed by the office under subsection (c) become the precinct boundaries for the county for purposes of an election conducted after January 1, 2022, and until a new precinct establishment order for the county is adopted as provided in this chapter.

(2) A registered voter of the county may not file an objection under section 18 of this chapter to the precinct descriptions filed by the office under subsection (c).

(h) This subsection applies to an order to establish precinct boundaries approved under this chapter before January 1, 2021. Not later than January 1, 2022, the county executive shall do the following:

(1) Correct any precinct boundaries that contain incorrect information as the result of the enactment of any of the following:

(A) The 2021 Indiana congressional district plan.

(B) The 2021 senate district plan.

(C) The 2021 house district plan.

(2) File with the election division any corrections as described in subdivision (1) on a form prescribed by the election division or through the module on the computerized list established under IC 3-7-26.3 as described in section 12.1 of this chapter.

(i) This section does not prohibit the establishment of precincts in a county using a precinct establishment order as provided in this chapter.

(j) This section expires December 31, 2024.".

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

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

Page 3, delete lines 23 through 27.

Renumber all SECTIONS consecutively.

(Reference is to SB 260 as printed February 10, 2021.)

and when so amended that said bill do pass.

Committee Vote: yeas 8, nays 4.

WESCO, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 329, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 329 as printed Digest Correction as reprinted February 12, 2021.)

Committee Vote: Yeas 11, Nays 0.

ZENT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 384, has had the same under

consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, delete lines 5 through 12.

Page 5, line 13, delete "professional sports and convention development area fund.".

Page 7, delete lines 3 through 42.

Delete page 8.

(Reference is to SB 384 as printed February 5, 2021.)

and when so amended that said bill do pass.

Committee Vote: yeas 21, nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred Senate Bill 398, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 3. IC 3-5-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. (a) Except as provided in sections 7 through 10 of this chapter, the county auditor shall pay the expenses of voter registration and for all election supplies, equipment, and expenses out of the county treasury in the manner provided by law. The county fiscal body shall make the necessary appropriations for these purposes.

(b) The county executive shall pay to the circuit court clerk or board of registration the expenses of:

(1) removing voters from the registration record under IC 3-7-43, IC 3-7-45, or IC 3-7-46; and

(2) performing voter list maintenance programs under IC 3-7;

out of the county treasury without appropriation.

(c) Registration expenses incurred by a circuit court clerk or board of registration for:

(1) the salaries of members of a board of registration appointed under IC 3-7-12-9;

(2) the salaries of chief clerks appointed under IC 3-7-12-17; and

(3) the salaries of assistants employed under IC 3-7-12-19;

may not be charged to a municipality. However, the municipality may be charged for wages of extra persons employed to provide additional assistance reasonably related to the municipal election.

(d) A political subdivision that conducts or administers an election may not receive or expend funds received from a person for preparing, administering, or conducting elections, including registering voters. This subsection does not prohibit a political subdivision from receiving or expending funds from the state or from the federal government to prepare for, administer, or conduct an election.".

Page 2, delete lines 17 through 42.

Page 3, delete lines 1 through 12.

Page 14, line 8, delete ", the office".

Page 14, line 9, after "application" insert "**to the voter**".

Page 22, line 10, strike "military" and insert "**Indiana National Guard deployed or on assignment inside Indiana**".

Page 22, line 10, delete "public" and insert "**a** public".

Page 28, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 27. IC 3-11-10-26.2, AS AMENDED BY P.L.157-2019, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 26.2. (a) A county election board or board of elections and registration shall comply with IC 3-11-9-6 by providing an electronic voting system **or marking device that produces a marked optical scan ballot** for voting by absentee ballot in the office of the circuit court clerk, the board of elections and registration, or a satellite office established under section 26.3 of this chapter, by a voter with disabilities or any other qualified absentee voter who wishes to cast an absentee ballot on the electronic voting system.

(b) The county election board or board of elections and registration may adopt a resolution under this section to authorize the circuit court clerk to use an electronic voting system **or marking device that produces a marked optical scan ballot** for voting by voters eligible to cast an absentee ballot before an absentee board under section 25 of this chapter. A resolution adopted under this section must be adopted by the unanimous vote of the board's entire membership.

(c) A county providing absentee ballot voting under this section must adopt procedures to do the following:

(1) Secure absentee votes cast on an electronic voting system **or marking device that produces a marked optical scan ballot** that provide protection comparable to the protection provided to absentee votes cast by paper ballot.

(2) Compare the signature on an absentee ballot application (or on an electronic poll book if no application was executed by the voter) with the applicant's signature on the applicant's voter registration record.

(3) Ensure that an invalid ballot (as determined under IC 3-11.5) is not counted.

(4) Specify how a spoiled absentee ballot is to be canceled in the direct record electronic voting system if a voter casts and returns a replacement absentee ballot.

(d) A resolution adopted under this section may contain other provisions to implement this section that the board considers useful and that are not contrary to Indiana or federal law.

(e) If a resolution is adopted under this section, the circuit court clerk may use as many electronic voting machines for recording absentee votes as the clerk considers necessary, subject to the resolution adopted by the board.

(f) Notwithstanding any other law, an absentee ballot voted on an electronic voting system under this section is not required to bear the seal, signature, and initials prescribed by section 27 of this chapter.

(g) If a resolution is adopted under this section, the procedure for casting an absentee ballot on an electronic voting system must, except as provided in this section, be substantially the same as the procedure for casting an absentee ballot in the office of the circuit court clerk under section 26 of this chapter.".

Page 29, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 29. IC 3-11-10-26.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 26.7. (a) As used in this section, "facility" refers to the facility in which a voter may vote a ballot under section 26 or 26.3 of this chapter.**

(b) For purposes of this chapter, a facility is an "accessible facility" for elderly voters and voters with disabilities only if all the following apply:

(1) The facility meets the standards for accessibility for elderly voters and voters with disabilities established under 52 U.S.C. 20101 through 52 U.S.C. 20107.

(2) All the following are accessible to elderly voters and voters with disabilities in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters:

(A) Parking spaces, marked and available to conform with IC 5-16-9.

(B) The path to the facility that an individual must travel on the property where the facility is located.

(C) The entrances of the facility to be used by voters.

(D) The paths of travel within the facility to the rooms or areas where the voting systems are located.

(E) The rooms or areas in the facility where the voting systems are located.

(c) The requirements of subsection (b) are satisfied if a facility will comply with subsection (b) by implementing temporary measures.".

Page 42, line 31, strike "noon" and insert "**6 p.m.**".

Page 42, between lines 32 and 33, begin a new paragraph and insert:

"**(b) This subsection applies to a county described in subsection (a). An absentee ballot that is returned to the county election board between noon and 6 p.m. on election day may not be reviewed or counted under this article until all of the following have occurred:**

(1) The polls in each precinct have closed.

(2) The poll list for the precinct with an absentee ballot that has not been counted has been returned to the county election board.

(3) The county election board confirms whether the voter cast a ballot at the polls on election day.".

Page 42, line 33, delete "(b)" and insert "**(c)**".

Page 43, line 5, delete "IC 37-29-6(a)(1)" and insert "**IC 3-7-29-6(a)(1)**".

Page 48, line 24, after "IC 3-5-4-8," insert "**shall be**".

Page 50, line 38, after "13.5(f)" insert "**of this chapter**".

Page 52, line 4, after "IC 3-5-4-8," insert "**shall be**".

Renumber all SECTIONS consecutively.

(Reference is to SB 398 as reprinted February 12, 2021.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

WESCO, Chair

Report adopted.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 91

Representative Frye called down Engrossed Senate Bill 91 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 164

Representative DeVon called down Engrossed Senate Bill 164 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 276

Representative Young called down Engrossed Senate Bill 276 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 381

Representative T. Brown called down Engrossed Senate Bill 381 for third reading:

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

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

Roll Call 274: yeas 77, nays 13. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed House Bill 385

Representative Speedy called down Engrossed Senate Bill 385 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?

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 46, I request to be excused from voting on the question of Senate Bill 385. Pursuant to House Rule 168, I cannot be fully objective when considering the proposition.

STEUERWALD

Motion prevailed.

Roll Call 275: yeas 83, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Act 1109 on March 17.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that Engrossed Senate Bill 234 had been referred to the Committee on Courts and Criminal Code.

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that Engrossed Senate Bill 236 and 271 had been referred to to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representative Morrison be removed as 1ST sponsor of Senate Bill 39 and Representative Morris be substituted therefor and Representative Morrison be added as cosponsor.

MORRISON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as cosponsor of Engrossed Senate Bill 59.

VERMILION

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Jackson be added as cosponsor of Engrossed Senate Bill 303.

MCNAMARA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Austin be added as cosponsor of Engrossed Senate Bill 310.

SMALTZ

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as cosponsor of Engrossed Senate Bill 381.

T. BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three cosponsors and that Representatives Zent, Carbaugh, Leonard, Abbott, Judy, Snow, Smaltz, Lehman and GiaQuinta be added as cosponsors of Engrossed Senate Bill 384.

HEINE

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Slager be added as coauthor of House Concurrent Resolution 18.

PRESCOTT

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bills 1033, 1068, 1079, 1230, 1246, 1285, 1384 and 1464 with amendments and the same are herewith returned to the House for concurrence.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bills 1006, 1065, 1082, 1084, 1111, 1120, 1231 and 1496 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 24, 25, 26 and 27 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 14 and the same is herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has concurred in the House amendments to Engrossed Senate Bill 2.

JENNIFER L. MERTZ
Principal Secretary of the Senate

On the motion of Representative Davis, the House adjourned at 11:02 a.m., this eighteenth day of March, 2021, until Monday, March 22, 2021, at 1:30 p.m.

TODD M. HUSTON
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives