



# Journal of the Senate

State of Indiana

119th General Assembly

First Regular Session

Thirty-third Meeting Day

Thursday Afternoon

March 19, 2015

The Senate convened at 1:30 p.m., with the President Pro Tempore of the Senate, David C. Long, in the Chair.

Prayer was offered by Pastor Jeffrey Harpole, New Life Fellowship, Terre Haute.

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

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

Alting	Leising
Arnold	Long
Banks, A. ▣	Merritt
Bassler	Messmer
Becker ▣	Miller, Patricia
Boots	Miller, Pete
Bray	Mishler
Breaux	Mrvan
Broden	Niemeyer
Brown	Perfect
Buck	Raatz
Charbonneau	Randolph
Crider	Rogers
Delph	Schneider
Eckerty	Smith
Ford	Steele
Glick	Stoops
Grooms	Tallian
Head	Taylor
Hershman	Tomes
Holdman	Walker
Houchin	Waltz
Kenley	Yoder
Kruse	Young, M.
Lanane	Zakas

Roll Call 309: present 48; excused 2. [Note: A ▣ indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

## RESOLUTIONS ON FIRST READING

### Senate Concurrent Resolution 34

Senate Concurrent Resolution 34, introduced by Senator Head:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename the U.S. 24 bridge over U.S. 31 on the northwest side of Peru the "Miami County Fallen

Soldiers Memorial Bridge".

*Whereas, All through history, brave Americans have shed their blood during time of war to preserve, protect, and defend the principles of democracy and freedom;*

*Whereas, The torch of patriotism has been held high in Indiana by brave men and women willing to fight and die to ensure that freedom forever lives in our country and around the world;*

*Whereas, The Indiana General Assembly recognizes that many of these brave soldiers have paid the ultimate price in the service of their state and country;*

*Whereas, Our nation should never forget these men and women who died in service of their country;*

*Whereas, The people of Miami County wish to designate the U.S. 24 bridge over U.S. 31 on the northwest side of Peru in honor of Miami County's fallen soldiers; and*

*Whereas, It is, therefore, fitting that the proper signage be placed on the U.S. 24 bridge over U.S. 31 on the northwest side of Peru to rename it the "Miami County Fallen Soldiers Memorial Bridge": 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 urges the Indiana Department of Transportation to rename the U.S. 24 bridge over U.S. 31 on the northwest side of Peru as the "Miami County Fallen Soldiers Memorial Bridge".

SECTION 2. That a copy of this resolution be transmitted by the Secretary of the Senate to the Commissioner of the Indiana Department of Transportation.

The resolution was read in full and referred to the Committee on Homeland Security & Transportation.

### Senate Concurrent Resolution 35

Senate Concurrent Resolution 35, introduced by Senator Grooms:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to name the bridge currently under construction on Interstate 65 over the Ohio River as the "Abraham Lincoln Memorial Bridge".

*Whereas, Abraham Lincoln, the sixteenth President, was responsible for ending American slavery and guiding our nation through its most difficult time;*

*Whereas, Abraham Lincoln has many ties to the state of Indiana;*

*Whereas, Abraham Lincoln spent 14 years, from December 1816 through March 1830, in southern Indiana near the town of Little Pigeon Creek;*

*Whereas, The Lincoln family of Thomas, Nancy, Sarah, and Abraham moved to what is now Spencer County in southern Indiana and began farming;*

*Whereas, Abraham Lincoln's beloved mother, Nancy Hanks Lincoln, died in October 1818 while the family lived in Indiana;*

*Whereas, Lincoln's formative years were spent in Indiana, where he attended school taught by James Swany and Azel Dorsey, and had his first jobs while living in Indiana, helping to develop his keen sense of responsibility and duty;*

*Whereas, Indiana has several historic sites with connections to Abraham Lincoln, including the Lincoln Boyhood National Memorial and Lincoln State Park;*

*Whereas, Young Abe Lincoln spent part of his youth in what is now the 1,747-acre Lincoln State Park, which was established in 1932 as a memorial to his mother, Nancy Hanks Lincoln; the park is also home to the Lincoln Bicentennial Plaza celebrating Lincoln's 200th birthday; and*

*Whereas, Abraham Lincoln is universally regarded as one of the greatest presidents; therefore, it is fitting that the state of Indiana further recognize the life, service, accomplishments, and legacy of this humble man: 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 urges the Indiana Department of Transportation in honor of the life, service, accomplishments, and legacy of the nation's sixteenth President and native son, Abraham Lincoln, to designate the bridge currently under construction on Interstate 65 over the Ohio River as the "Abraham Lincoln Memorial Bridge" by erecting signs denoting this designation.

SECTION 2. That a copy of this resolution be transmitted by the Secretary of the Senate to the Commissioner of the Indiana Department of Transportation.

The resolution was read in full and referred to the Committee on Homeland Security & Transportation.

### **Senate Concurrent Resolution 37**

Senate Concurrent Resolution 37, introduced by Senators Becker and Tomes:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to place a memorial sign where the

38<sup>th</sup> parallel crosses Interstate 69, just north of Morgan Avenue in Evansville, entitled "Veterans of the Korean War Memorial - 38<sup>th</sup> Parallel."

*Whereas, Indiana's veterans display the spirit of patriotism, love of country, and a willingness to serve and sacrifice for the common good, which has always helped to make our country and state great;*

*Whereas, The Indiana General Assembly recognizes the many sacrifices made by Indiana veterans during times of war;*

*Whereas, Many states, including Indiana, have designated and named portions of federal and state highways as memorials to those brave men and women who served their country so well in perilous times;*

*Whereas, The Korean War began on June 25, 1950, when President Harry S. Truman committed the American military to a United Nations effort to stop North Korea's annexation of South Korea;*

*Whereas, Between June 25, 1950, and July 27, 1953, approximately 5,720,000 Americans served in the military, many of whom were stationed in Korea;*

*Whereas, The Korean War cost our nation dearly, taking 33,667 American lives;*

*Whereas, The military personnel involved in the Korean War sacrificed greatly for their country but received little thanks;*

*Whereas, The people of the state of Indiana and the city of Evansville wish to honor the Korean War veterans by erecting a memorial sign where the 38<sup>th</sup> parallel crosses Interstate 69, just north of Morgan Avenue; and*

*Whereas, It is fitting and proper that these brave Americans receive the recognition that they so justly deserve: 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 urges the Indiana Department of Transportation to place a memorial sign where the 38<sup>th</sup> parallel crosses Interstate 69, just north of Morgan Avenue in Evansville, entitled "Veterans of the Korean War Memorial - 38<sup>th</sup> Parallel," to commemorate the service of Indiana veterans to our state and nation during the Korean War.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Don Gillies and the Commissioner of the Indiana Department of Transportation, Karl Browning.

The resolution was read in full and referred to the Committee on Homeland Security & Transportation.

**REPORTS FROM COMMITTEES**

COMMITTEE REPORT

Madam President: The Senate Committee on Rules & Legislative Procedure reports that pursuant to Senate Rule 35(c), the following technical corrections are to be made to Engrossed House Bill 1062.

Page 3, line 4, after "IC 24-4-9-14" insert ", AS AMENDED BY SEA 199-2015, SECTION 44,".

(Reference is to EHB 1062 as printed March 13, 2015.)

LONG

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Resolution 34, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass. Committee Vote: Yeas 6, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred House Bill 1006, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 19, after "housed" insert "in".

Page 7, line 10, delete "unless" and insert "unless:

(1)".

Page 7, line 13, delete "offense." and insert "offense; or

(2) the person is convicted of:

(A) at least two (2) Level 6 felonies that are ordered to be served consecutively; or

(B) a Level 6 felony that is enhanced by an additional fixed term under IC 35-50-2-8 through IC 35-50-2-16;

and the person's earliest possible release date is more than three hundred sixty-five (365) days after the date of sentencing.".

Page 7, line 20, after "jail." insert "**The per diem amount may be used by the sheriff to fund mental health and substance abuse services and programs that are mutually agreed upon by the county fiscal body and the county sheriff for persons described in subsections (c) and (d).**".

Page 8, between lines 16 and 17, begin a new line block indented and insert:

**"(5) The commissioner of the Indiana department of correction or the commissioner's designee.**

**(6) The executive director of the Indiana judicial center or the executive director's designee.**

**(7) The executive director of the Indiana criminal justice institute or the executive director's designee.**

**(8) The president of the Indiana Association of Community Corrections Act Counties or the president's designee.**

**(9) The president of the Probation Officers Professional Association of Indiana or the president's designee."**

Page 8, line 17, delete "public defender council" and insert "**judicial center shall serve**".

Page 8, line 18, delete "serves".

Page 8, line 18, delete "council in even-numbered" and insert "**council**".

Page 8, delete lines 19 through 21.

Page 8, line 25, delete "public defender council" and insert "**judicial center**".

Page 8, line 25, after "advisory" insert "**council**".

Page 8, delete lines 26 through 28.

Page 9, line 25, after "grant." insert "**If the Indiana judicial center does not follow the recommendation of the advisory council, the Indiana judicial center shall give the advisory council a written explanation of its reasons for not following the recommendation of the advisory council.**".

Page 9, between lines 37 and 38, begin a new paragraph and insert:

**"(d) The executive director of the Indiana judicial center may do the following:**

**(1) Visit and inspect any court or program receiving financial aid under this chapter.**

**(2) Require a participating county, court, or program to submit information or statistics pertinent to the review of applications and programs.**

**(3) Expend up to three percent (3%) of the money appropriated to the justice reinvestment community grants to provide technical assistance, consultation, and training to counties and to monitor and evaluate program delivery."**

Page 10, line 7, delete "for" and insert "**for:**

**(1)".**

Page 10, line 7, delete "addiction," and insert "**addiction; or (2) cognitive behavior intervention;**".

Page 10, line 7, beginning with "directly" begin a new line blocked left.

Page 10, line 27, delete "(a) The Indiana judicial center shall monitor funding".

Page 10, delete lines 28 through 37.

Page 10, line 38, delete "(b)" and insert "**(a)**".

Page 10, line 38, delete "listed under subsection (a)," and insert "**funded under this chapter,**".

Page 10, run in lines 27 through 38.

Page 11, line 4, delete "(c)" and insert "**(b)**".

Page 11, line 14, delete "(d)" and insert "**(c)**".

Page 11, line 14, delete "(b) and (c)" and insert "(a) and (b)".

Page 11, line 15, after "to the" insert "advisory council, the Indiana criminal justice institute, and the".

Page 11, line 18, delete "in an electronic format under IC 5-14-6".

Page 11, line 19, after "year." insert "The report to the executive director of the legislative services agency must be submitted in an electronic format under IC 5-14-6".

Page 11, line 20, delete "(e)" and insert "(d)".

Page 11, line 22, delete "(b) and (c);" and insert "(a) and (b);".

Page 11, line 26, delete "under agencies" and insert "any other agencies".

Page 11, line 26, delete "section 5(a) of".

Page 11, after line 32, begin a new paragraph and insert:

**"Sec. 6. (a) Every entity that receives a grant under this chapter shall submit a report at least one (1) time every six (6) months to the following:**

- (1) The legislative council.
- (2) The Indiana criminal justice institute.
- (3) The Indiana judicial center.
- (4) The Indiana prosecuting attorneys council.
- (5) The Indiana public defender commission.
- (6) The budget committee.
- (7) The office of management and budget, for placement in and analysis by the governor's management and performance hub.

**(b) The report to the legislative council must be in an electronic format under IC 5-14-6.**

**(c) The first report of each year shall be submitted before July 1 of that year. The second report of each year shall be submitted before December 31 of that year.**

**(d) The report required by this section must include the following with respect to all programs and treatment plans funded directly or indirectly from a grant awarded under this section:**

- (1) The recidivism rate of persons participating in the program or treatment plan, including the recidivism rate (when available):
  - (A) while participating in the program or treatment plan;
  - (B) within six (6) months of completing the program or treatment plan;
  - (C) within one (1) year of completing the program or treatment plan;
  - (D) within two (2) years of completing the program or treatment plan; and
  - (E) within three (3) years of completing the program or treatment plan.

**(2) The overall success and failure rate of a program and treatment plan and the measures used to determine the overall success and failure rate.**

**(3) The number of persons who complete or fail to complete a program or treatment plan, and, for persons who do not complete the plan, the reason that the**

**person did not complete the plan, if available.**

**(4) The number of persons participating in the program or treatment plan and the duration of their participation.**

**(5) The number and percentage of persons able to obtain employment after participating in the plan, the type of employment obtained, the length of time required to obtain employment, and, when available, the number of persons still employed after six (6) months and after one (1) year.**

**(6) Other information relevant to the operation of the program or treatment plan."**

(Reference is to HB 1006 as printed February 17, 2015.) and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.  
Committee Vote: Yeas 9, Nays 0.

STEELE, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Education & Career Development, to which was referred House Bill 1056, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

KRUSE, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Health & Provider Services, to which was referred House Bill 1093, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 1, delete "IC 16-35-9" and insert "IC 16-35-9.2".

Page 1, line 4, delete "9." and insert "9.2".

Page 2, line 2, after "includes" insert "a".

(Reference is to HB 1093 as printed February 3, 2015.) and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Tax & Fiscal Policy, to which was referred House Bill 1104, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 9, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 10. IC 5-11-1-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. The state board of accounts shall formulate, prescribe, and approve the forms for reports required to be made by this chapter. ~~The state examiner shall annually furnish to the officers required to make reports by this chapter such printed blanks and forms; on which shall be indicated the information required; together with suitable printed instructions for filling out the same.~~"

Page 10, line 35, strike "biennially".

Page 11, line 3, strike "shall" and insert "**may**".

Page 13, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 14. IC 5-11-1-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 18. All examinations under this chapter ~~shall~~ **may** be made without notice to the officers whose accounts are to be examined, and without notice to any clerk, deputy, employee, or other person employed in or connected with the office or the business of such an officer. A person who recklessly communicates knowledge of any proposed examination of any public account:

**(1) that the board has determined to make without notice under this section; and**

**(2) to the officer in charge of the account or to any other unauthorized person;**

commits a Class B misdemeanor."

Page 14, line 2, delete ")" and insert "**or a college or university (as defined in IC 21-7-13-10))**".

Page 14, line 5, after "entity." insert "**However, the requirements of this section do not apply to a consolidated city that hires an internal auditor or an independent certified public accountant, or both, as authorized under IC 36-3-4-24 to examine the books and records of the consolidated city.**".

Page 15, line 16, delete "appointed by the legislative" and insert ":".

Page 15, delete line 17.

Page 15, line 18, delete "." and insert "**appointed by the legislative body.**".

Page 15, line 19, after "accountant" insert "**appointed by the legislative body**".

Page 15, line 21, after "person" insert "**appointed by the executive of the audited entity**".

Page 15, line 22, after "matters" insert ", **and**".

Page 24, between lines 40 and 41, begin a new paragraph and insert:

**"(i) Unless in accordance with a judicial order or as otherwise provided in this section, the state board of accounts or its employees, former employees, counsel, or agents, or any other person may not divulge the examination workpapers and investigation records of a deputy examiner, a field examiner, or a private examiner acting as an agent of the state examiner, except to:**

**(1) employees and members of the state board of accounts;**

**(2) the audit committee;**

**(3) law enforcement officers, the attorney general, a prosecuting attorney, or any other legal representative of the state in any action with respect to the misappropriation or diversion of public funds; or**

**(4) an authorized representative of the United States.**

SECTION 20. IC 5-14-3-4, AS AMENDED BY P.L.168-2014, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) The following public records are excepted from section 3 of this chapter and may not be disclosed by a public agency, unless access to the records is specifically required by a state or federal statute or is ordered by a court under the rules of discovery:

(1) Those declared confidential by state statute.

(2) Those declared confidential by rule adopted by a public agency under specific authority to classify public records as confidential granted to the public agency by statute.

(3) Those required to be kept confidential by federal law.

(4) Records containing trade secrets.

(5) Confidential financial information obtained, upon request, from a person. However, this does not include information that is filed with or received by a public agency pursuant to state statute.

(6) Information concerning research, including actual research documents, conducted under the auspices of a state educational institution, including information:

(A) concerning any negotiations made with respect to the research; and

(B) received from another party involved in the research.

(7) Grade transcripts and license examination scores obtained as part of a licensure process.

(8) Those declared confidential by or under rules adopted by the supreme court of Indiana.

(9) Patient medical records and charts created by a provider, unless the patient gives written consent under IC 16-39 or as provided under IC 16-41-8.

(10) Application information declared confidential by the board of the Indiana economic development corporation under IC 5-28-16.

(11) A photograph, a video recording, or an audio recording of an autopsy, except as provided in IC 36-2-14-10.

(12) A Social Security number contained in the records of a public agency.

(13) The following information that is part of a foreclosure action subject to IC 32-30-10.5:

(A) Contact information for a debtor, as described in IC 32-30-10.5-8(d)(1)(B).

(B) Any document submitted to the court as part of the debtor's loss mitigation package under IC 32-30-10.5-10(a)(3).

**(14) The following information obtained from a call made to a fraud hotline established under IC 36-1-8-8.5:**

**(A) The identity of any individual who makes a call to the fraud hotline.**

**(B) A report, transcript, audio recording, or other information concerning a call to the fraud hotline.**

**However, records described in this subdivision may be disclosed to a law enforcement agency, the attorney general, the inspector general, the state examiner, or a prosecuting attorney.**

(b) Except as otherwise provided by subsection (a), the following public records shall be excepted from section 3 of this chapter at the discretion of a public agency:

(1) Investigatory records of law enforcement agencies. However, certain law enforcement records must be made available for inspection and copying as provided in section 5 of this chapter.

(2) The work product of an attorney representing, pursuant to state employment or an appointment by a public agency:

(A) a public agency;

(B) the state; or

(C) an individual.

(3) Test questions, scoring keys, and other examination data used in administering a licensing examination, examination for employment, or academic examination before the examination is given or if it is to be given again.

(4) Scores of tests if the person is identified by name and has not consented to the release of the person's scores.

(5) The following:

(A) Records relating to negotiations between the Indiana economic development corporation, the ports of Indiana, the Indiana state department of agriculture, the Indiana finance authority, an economic development commission, a local economic development organization (as defined in IC 5-28-11-2(3)), or a governing body of a political subdivision with industrial, research, or commercial prospects, if the records are created while negotiations are in progress.

(B) Notwithstanding clause (A), the terms of the final offer of public financial resources communicated by the Indiana economic development corporation, the ports of Indiana, the Indiana finance authority, an economic development commission, or a governing body of a political subdivision to an industrial, a research, or a commercial prospect shall be available for inspection and copying under section 3 of this chapter after negotiations with that prospect have terminated.

(C) When disclosing a final offer under clause (B), the Indiana economic development corporation shall certify that the information being disclosed accurately and completely represents the terms of the final offer.

(D) Notwithstanding clause (A), an incentive agreement with an incentive recipient shall be available for inspection and copying under section 3 of this chapter after the date the incentive recipient and the Indiana economic development corporation execute the incentive agreement regardless of whether negotiations

are in progress with the recipient after that date regarding a modification or extension of the incentive agreement.

(6) Records that are intra-agency or interagency advisory or deliberative material, including material developed by a private contractor under a contract with a public agency, that are expressions of opinion or are of a speculative nature, and that are communicated for the purpose of decision making.

(7) Diaries, journals, or other personal notes serving as the functional equivalent of a diary or journal.

(8) Personnel files of public employees and files of applicants for public employment, except for:

(A) the name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first and last employment of present or former officers or employees of the agency;

(B) information relating to the status of any formal charges against the employee; and

(C) the factual basis for a disciplinary action in which final action has been taken and that resulted in the employee being suspended, demoted, or discharged.

However, all personnel file information shall be made available to the affected employee or the employee's representative. This subdivision does not apply to disclosure of personnel information generally on all employees or for groups of employees without the request being particularized by employee name.

(9) Minutes or records of hospital medical staff meetings.

(10) Administrative or technical information that would jeopardize a record keeping or security system.

(11) Computer programs, computer codes, computer filing systems, and other software that are owned by the public agency or entrusted to it and portions of electronic maps entrusted to a public agency by a utility.

(12) Records specifically prepared for discussion or developed during discussion in an executive session under IC 5-14-1.5-6.1. However, this subdivision does not apply to that information required to be available for inspection and copying under subdivision (8).

(13) The work product of the legislative services agency under personnel rules approved by the legislative council.

(14) The work product of individual members and the partisan staffs of the general assembly.

(15) The identity of a donor of a gift made to a public agency if:

(A) the donor requires nondisclosure of the donor's identity as a condition of making the gift; or

(B) after the gift is made, the donor or a member of the donor's family requests nondisclosure.

(16) Library or archival records:

(A) which can be used to identify any library patron; or

(B) deposited with or acquired by a library upon a condition that the records be disclosed only:

- (i) to qualified researchers;
- (ii) after the passing of a period of years that is specified in the documents under which the deposit or acquisition is made; or
- (iii) after the death of persons specified at the time of the acquisition or deposit.

However, nothing in this subdivision shall limit or affect contracts entered into by the Indiana state library pursuant to IC 4-1-6-8.

(17) The identity of any person who contacts the bureau of motor vehicles concerning the ability of a driver to operate a motor vehicle safely and the medical records and evaluations made by the bureau of motor vehicles staff or members of the driver licensing medical advisory board regarding the ability of a driver to operate a motor vehicle safely. However, upon written request to the commissioner of the bureau of motor vehicles, the driver must be given copies of the driver's medical records and evaluations.

(18) School safety and security measures, plans, and systems, including emergency preparedness plans developed under 511 IAC 6.1-2-2.5.

(19) A record or a part of a record, the public disclosure of which would have a reasonable likelihood of threatening public safety by exposing a vulnerability to terrorist attack.

A record described under this subdivision includes:

- (A) a record assembled, prepared, or maintained to prevent, mitigate, or respond to an act of terrorism under IC 35-47-12-1 or an act of agricultural terrorism under IC 35-47-12-2;
- (B) vulnerability assessments;
- (C) risk planning documents;
- (D) needs assessments;
- (E) threat assessments;
- (F) intelligence assessments;
- (G) domestic preparedness strategies;
- (H) the location of community drinking water wells and surface water intakes;
- (I) the emergency contact information of emergency responders and volunteers;
- (J) infrastructure records that disclose the configuration of critical systems such as communication, electrical, ventilation, water, and wastewater systems;
- (K) detailed drawings or specifications of structural elements, floor plans, and operating, utility, or security systems, whether in paper or electronic form, of any building or facility located on an airport (as defined in IC 8-21-1-1) that is owned, occupied, leased, or maintained by a public agency. A record described in this clause may not be released for public inspection by any public agency without the prior approval of the public agency that owns, occupies, leases, or maintains

the airport. The public agency that owns, occupies, leases, or maintains the airport:

- (i) is responsible for determining whether the public disclosure of a record or a part of a record has a reasonable likelihood of threatening public safety by exposing a vulnerability to terrorist attack; and
  - (ii) must identify a record described under item (i) and clearly mark the record as "confidential and not subject to public disclosure under IC 5-14-3-4(b)(19)(J) without approval of (insert name of submitting public agency)"; and
- (L) the home address, home telephone number, and emergency contact information for any:
- (i) emergency management worker (as defined in IC 10-14-3-3);
  - (ii) public safety officer (as defined in IC 35-47-4.5-3);
  - (iii) emergency medical responder (as defined in IC 16-18-2-109.8); or
  - (iv) advanced emergency medical technician (as defined in IC 16-18-2-6.5).

This subdivision does not apply to a record or portion of a record pertaining to a location or structure owned or protected by a public agency in the event that an act of terrorism under IC 35-47-12-1 or an act of agricultural terrorism under IC 35-47-12-2 has occurred at that location or structure, unless release of the record or portion of the record would have a reasonable likelihood of threatening public safety by exposing a vulnerability of other locations or structures to terrorist attack.

(20) The following personal information concerning a customer of a municipally owned utility (as defined in IC 8-1-2-1):

- (A) Telephone number.
- (B) Address.
- (C) Social Security number.

(21) The following personal information about a complainant contained in records of a law enforcement agency:

- (A) Telephone number.
- (B) The complainant's address. However, if the complainant's address is the location of the suspected crime, infraction, accident, or complaint reported, the address shall be made available for public inspection and copying.

(22) Notwithstanding subdivision (8)(A), the name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first employment of a law enforcement officer who is operating in an undercover capacity.

(23) Records requested by an offender that:

- (A) contain personal information relating to:

- (i) a correctional officer (as defined in IC 5-10-10-1.5);
- (ii) a law enforcement officer (as defined in IC 35-31.5-2-185);
- (iii) a judge (as defined in IC 33-38-12-3);
- (iv) the victim of a crime; or
- (v) a family member of a correctional officer, law enforcement officer (as defined in IC 35-31.5-2-185), judge (as defined in IC 33-38-12-3), or victim of a crime; or

(B) concern or could affect the security of a jail or correctional facility.

(24) Information concerning an individual less than eighteen (18) years of age who participates in a conference, meeting, program, or activity conducted or supervised by a state educational institution, including the following information regarding the individual or the individual's parent or guardian:

- (A) Name.
- (B) Address.
- (C) Telephone number.
- (D) Electronic mail account address.

(25) Criminal intelligence information.

(26) The following information contained in a report of unclaimed property under IC 32-34-1-26 or in a claim for unclaimed property under IC 32-34-1-36:

- (A) date of birth;
- (B) driver's license number;
- (C) taxpayer identification number;
- (D) employer identification number; or
- (E) account number.

(c) Nothing contained in subsection (b) shall limit or affect the right of a person to inspect and copy a public record required or directed to be made by any statute or by any rule of a public agency.

(d) Notwithstanding any other law, a public record that is classified as confidential, other than a record concerning an adoption or patient medical records, shall be made available for inspection and copying seventy-five (75) years after the creation of that record.

(e) Only the content of a public record may form the basis for the adoption by any public agency of a rule or procedure creating an exception from disclosure under this section.

(f) Except as provided by law, a public agency may not adopt a rule or procedure that creates an exception from disclosure under this section based upon whether a public record is stored or accessed using paper, electronic media, magnetic media, optical media, or other information storage technology.

(g) Except as provided by law, a public agency may not adopt a rule or procedure nor impose any costs or liabilities that impede or restrict the reproduction or dissemination of any public record.

(h) Notwithstanding subsection (d) and section 7 of this chapter:

- (1) public records subject to IC 5-15 may be destroyed only in accordance with record retention schedules under IC 5-15; or
- (2) public records not subject to IC 5-15 may be destroyed in the ordinary course of business."

Page 37, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 49. IC 36-1-8-8.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8.5. An executive or a fiscal officer of a unit may establish a fraud hotline telephone number maintained by the unit that the public may use to report suspected fraudulent activity concerning officers or employees of the unit, including misuse of public funds.**"

Page 37, delete lines 8 through 41, begin a new paragraph and insert:

"SECTION 51. IC 36-8-16.6-16, AS ADDED BY P.L.113-2010, SECTION 151, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 16. (a) A seller is subject to the same audit and appeal procedures with respect to the collection and remittance of enhanced prepaid wireless charges as with collection and remittance of the state gross retail tax under IC 6-2.5.

- (b) An audit under subsection (a) must be conducted **either:**
  - (1) jointly by the department of state revenue and the board; **or**
  - (2) by an independent auditor engaged by the board to conduct a cost effective flat rate audit.

**(c) If an independent auditor is engaged by the board under subsection (b)(2), the terms of the engagement may not:**

- (1) be of an indefinite term;
- (2) include hourly or per diem fees; **or**
- (3) include payment based on contingency."

Renumber all SECTIONS consecutively.

(Reference is to HB 1104 as reprinted February 4, 2015.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

HERSHMAN, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Education & Career Development, to which was referred House Bill 1108, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 12, delete "and".

Page 1, line 15, delete "." and insert "; **and**

- (4) may require the provision of special education services after an eligibility determination is made in accordance with 511 IAC 7-40."



Page 2, delete lines 9 through 42, begin a new paragraph and insert:

"SECTION 1. IC 20-28-3-3, AS ADDED BY P.L.246-2005, SECTION 149, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) The department shall develop guidelines for use by accredited teacher education institutions and departments in preparing individuals to teach in various environments.

(b) The guidelines developed under subsection (a) must include courses and methods that assist individuals in developing cultural competency (as defined in IC 20-31-2-5).

**(c) The guidelines developed under subsection (a) must include content that prepares teachers to recognize that a student who is not progressing at a normal rate related to reading may need to be referred to the school's multidisciplinary team to determine the student's special learning needs, including learning needs related to dyslexia."**

Delete page 3.

Renumber all SECTIONS consecutively.

(Reference is to HB 1108 as reprinted February 4, 2015.) and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

KRUSE, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Health & Provider Services, to which was referred House Bill 1157, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 5, delete "meets practice and education requirements for" and insert "**is certified under this article.**".

Page 2, delete line 6.

(Reference is to HB 1157 as printed January 23, 2015.) and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Education & Career Development, to which was referred House Bill 1188, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

KRUSE, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Insurance & Financial Institutions, to which was referred House Bill 1192, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 33, after "(b)" insert "**Section 5 of this chapter does not apply to a claim for coverage for a loss incurred by any person other than an uninsured motorist with a previous violation.**

(c)".

Page 2, line 39, delete "IC 34-30-29" and insert "**IC34-30-29.2**".

Page 3, line 2, delete "IC 34-30-29," and insert "**IC 34-30-29.2,**".

Page 3, line 2, delete "IC 34-30-29-2." and insert "**IC 34-30-29.2-2.**".

Page 3, line 6, delete "IC 34-30-29," and insert "**IC 34-30-29.2,**".

Page 3, line 8, delete "IC 34-30-29" and insert "IC 34-30-29.2".

Page 3, line 11, delete "29." and insert "**29.2.**".

Page 4, line 5, delete "another person who was" and insert "**the owner or operator of**".

Page 4, line 6, delete "operating".

Page 4, line 6, delete "when that other motor vehicle was".

Page 4, line 13, delete "another person who was operating" and insert "**the owner or operator of**".

Page 4, line 14, delete "when that other motor vehicle was".

(Reference is to HB 1192 as printed February 13, 2015.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

HOLDMAN, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Education & Career Development, to which was referred House Bill 1194, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 12, delete "," and insert "**; and**".

Page 1, delete lines 13 through 14.

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

Page 2, delete lines 6 through 7.

Page 2, line 10, delete "reporting" and insert "**grading**".

Page 2, line 22, delete "October" and insert "**September**".

Page 2, line 31, delete "alternate".

Page 2, line 33, after "satisfying" insert "**certain**".

Page 2, line 34, delete "Such alternate pathways shall allow a student to offset".

Page 2, delete lines 35 through 36.

Page 2, line 37, delete "shall" and insert "**may**".  
 (Reference is to HB 1194 as printed February 17, 2015.)  
 and when so amended that said bill do pass.  
 Committee Vote: Yeas 8, Nays 0.

KRUSE, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Education & Career Development, to which was referred House Bill 1231, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning higher education and to make an appropriation.

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

"SECTION 1. IC 21-12-1.7-2 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 2: For purposes of this chapter, "accelerated progress" means successfully completing:

- (1) at least thirty-nine (39) credit hours or the equivalent by the end of the student's first academic year; or
- (2) at least seventy-eight (78) credit hours or the equivalent by the end of the student's second academic year.

SECTION 2. IC 21-12-1.7-4, AS ADDED BY P.L.281-2013, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) This section applies to a student who initially enrolls in an eligible institution for an academic year beginning after August 31, 2013.

(b) The commission shall offer an additional award to a recipient who:

- (1) is an academic honors student; or
- (2) received an associate degree before enrolling in a baccalaureate degree program. or
- (3) made accelerated progress during the recipient's most recently concluded academic year.

(c) The commission may establish one (1) or more student performance incentives in addition to those listed under subsection (b).

(d) The commission shall determine the amount of each incentive bonus annually, based on the available appropriation."

Page 3, line 8, delete "(a)".

Page 3, line 12, after "achieves" insert ":

**(A)**".

Page 3, line 13, delete ";" and insert ", for an established program; or

**(B) annual retention rates of seventy percent (70%) or higher, for a program that has not yet established a graduation rate;".**

Page 3, line 15, delete "tuition and fees" and insert "**attendance costs**".

Page 3, line 16, delete "less than ten percent (10%)" and insert "**more than ninety percent (90%)**".

Page 3, line 16, delete "tuition and fees" and insert "**total attendance costs**".

Page 4, line 7, delete "tuition and fees charged by" and insert "**total cost of attending**".

Page 4, after line 19, begin a new paragraph and insert:

"SECTION 5. [EFFECTIVE JULY 1, 2015] (a) **There is appropriated from the state general fund to the commission for higher education one million dollars (\$1,000,000) for the biennium beginning July 1, 2015, and ending June 30, 2017, for providing grants to state educational institutions, as defined in IC 21-7-13-32, to establish eligible programs under IC 21-12-15, as added by this act. A grant under this subsection may be used only for establishing degree programs that award a baccalaureate degree within thirty-six (36) months of first enrolling in higher education for students described in IC 21-12-15-4. A program may not reduce the number of credit hours required for the baccalaureate degree.**

(b) **A state educational institution must apply for a grant under subsection (a) as required by the commission. A state educational institution must commit in its application that it will use the grant only to cover expenses directly related to establishing the proposed program. To receive the grant, the commission must approve the proposed program and expenditures.**

(c) **The commission for higher education may use the 2015-2016 state fiscal year appropriation only for grants for programs that are implemented before May 1, 2016, and the 2016-2017 state fiscal year appropriation only for grants for programs that are implemented after April 30, 2016, and before May 1, 2017.**

(d) **This SECTION expires June 30, 2017.**

SECTION 6. [EFFECTIVE JULY 1, 2015] (a) **There is appropriated from the state general fund to the accelerate your success award fund established under IC 21-12-15-2, as added by this act, one million five hundred thousand dollars (\$1,500,000) for the 2015-2016 state fiscal year and one million five hundred thousand dollars (\$1,500,000) for the 2016-2017 state fiscal year for providing accelerate your success awards to students under IC 21-12-15.**

(b) **This SECTION expires June 30, 2017."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1231 as printed February 17, 2015.)  
 and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 8, Nays 0.

KRUSE, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Insurance & Financial Institutions, to which was referred House Bill 1287, has had the same under consideration and begs leave to report the

same back to the Senate with the recommendation that said bill be amended as follows:

Page 13, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 11. IC 24-4.5-1-108, AS AMENDED BY P.L.35-2010, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 108. (1) This article prescribes maximum charges for all creditors, except lessors and those excluded (IC 24-4.5-1-202), extending consumer credit, including consumer credit sales (~~IC 24-4.5-1-301.5(8)~~); **(IC 24-4.5-1-301.5)**, consumer loans (~~IC 24-4.5-1-301.5(9)~~); **(IC 24-4.5-1-301.5)**, and consumer related sales and loans (IC 24-4.5-2-602 and IC 24-4.5-3-602), and displaces existing limitations on the powers of those creditors based on maximum charges.

(2) With respect to sellers of goods or services, small loan companies, licensed lenders, consumer and sales finance companies, industrial loan and investment companies, and commercial banks and trust companies, this article displaces existing limitations on their powers based solely on amount or duration of credit.

(3) Except as provided in subsection (1) and IC 24-4.6-1, this article does not displace limitations on powers of credit unions, savings banks, savings or building and loan associations, or other thrift institutions whether organized for the profit of shareholders or as mutual organizations.

(4) Except as provided in subsections (1) and (2), this article does not displace:

- (a) limitations on powers of depository institutions (IC 24-4.5-1-301.5) with respect to the amount of a loan to a single borrower, the ratio of a loan to the value of collateral, the duration of a loan that is a mortgage transaction, or other similar restrictions designed to protect deposits; or
- (b) limitations on powers an organization is authorized to exercise under the laws of this state or the United States."

Page 15, line 42, strike "301.5(45)" and insert "**301.5**".

Page 16, line 1, strike "(a)" and insert "**(A)**".

Page 16, line 8, strike "(b)" and insert "**(B)**".

Page 16, between lines 40 and 41, begin a new paragraph and insert:

"SECTION 13. IC 24-4.5-1-301.5, AS AMENDED BY P.L.137-2014, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 301.5. In addition to definitions appearing in subsequent chapters in this article, the following definitions apply throughout this article:

(1) "Affiliate", with respect to any person subject to this article, means a person that, directly or indirectly, through one (1) or more intermediaries:

- (a) controls;
- (b) is controlled by; or
- (c) is under common control with;

the person subject to this article.

(2) "Agreement" means the bargain of the parties in fact as found in their language or by implication from other circumstances, including course of dealing or usage of trade or course of performance.

(3) "Agricultural purpose" means a purpose related to the production, harvest, exhibition, marketing, transportation, processing, or manufacture of agricultural products by a natural person who cultivates, plants, propagates, or nurtures the agricultural products. "Agricultural products" includes agricultural, horticultural, viticultural, and dairy products, livestock, wildlife, poultry, bees, forest products, fish and shellfish, and any and all products raised or produced on farms and any processed or manufactured products thereof.

(4) "Average daily balance" means the sum of each of the daily balances in a billing cycle divided by the number of days in the billing cycle, and if the billing cycle is a month, the creditor may elect to treat the number of days in each billing cycle as thirty (30).

**(5) "Civil justice funding company" means a person that enters into a civil justice funding transaction with a consumer. The term does not include the following:**

- (a) An immediate family member of the consumer.**
- (b) A bank, lender, financing entity, or other special purpose entity:**
  - (i) that provides financing to the person; or**
  - (ii) to which the person grants a security interest or transfers rights or interest in a civil justice funding transaction.**
- (c) An attorney or accountant who provides services to the consumer.**

**(6) "Civil justice funding transaction" means a transaction in which a:**

- (a) person purchases; and**
- (b) consumer assigns to the person described in paragraph (a);**

**a contingent right to receive an amount of the potential proceeds of a settlement, judgment, award, or verdict obtained in the consumer's legal claim.**

~~(5)~~ **(7) "Closing costs" with respect to a subordinate lien mortgage transaction includes:**

- (a) fees or premiums for title examination, title insurance, or similar purposes, including surveys;**
- (b) fees for preparation of a deed, settlement statement, or other documents;**
- (c) escrows for future payments of taxes and insurance;**
- (d) fees for notarizing deeds and other documents;**
- (e) appraisal fees; and**
- (f) fees for credit reports.**

~~(6)~~ **(8) "Conspicuous" refers to a term or clause when it is so written that a reasonable person against whom it is to operate ought to have noticed it.**

~~(7)~~ **(9) "Consumer credit" means credit offered or extended to a consumer primarily for a personal, family, or household purpose.**

~~(8)~~ **(10)** "Consumer credit sale" is a sale of goods, services, or an interest in land in which:

- (a) credit is granted by a person who regularly engages as a seller in credit transactions of the same kind;
- (b) the buyer is a person other than an organization;
- (c) the goods, services, or interest in land are purchased primarily for a personal, family, or household purpose;
- (d) either the debt is payable in installments or a credit service charge is made; and

(e) with respect to a sale of goods or services, either:

- (i) the amount of credit extended, the written credit limit, or the initial advance does not exceed fifty-three thousand five hundred dollars (\$53,500) or another amount as adjusted in accordance with the annual adjustment of the exempt threshold amount specified in Regulation Z (12 CFR 226.3 or 12 CFR 1026.3(b), as applicable); or
- (ii) the debt is secured by personal property used or expected to be used as the principal dwelling of the buyer.

Unless the sale is made subject to this article by agreement (IC 24-4.5-2-601), "consumer credit sale" does not include a sale in which the seller allows the buyer to purchase goods or services pursuant to a lender credit card or similar arrangement or except as provided with respect to disclosure (IC 24-4.5-2-301), debtors' remedies (IC 24-4.5-5-201), providing payoff amounts (IC 24-4.5-2-209), and powers and functions of the department (IC 24-4.5-6) a sale of an interest in land which is a first lien mortgage transaction.

~~(9)~~ **(11)** "Consumer loan" means a loan made by a person regularly engaged in the business of making loans in which:

- (a) the debtor is a person other than an organization;
- (b) the debt is primarily for a personal, family, or household purpose;
- (c) either the debt is payable in installments or a loan finance charge is made; and
- (d) either:

- (i) the amount of credit extended, the written credit limit, or the initial advance does not exceed fifty-three thousand five hundred dollars (\$53,500) or another amount as adjusted in accordance with the annual adjustment of the exempt threshold amount specified in Regulation Z (12 CFR 226.3 or 12 CFR 1026.3(b), as applicable); or
- (ii) the debt is secured by an interest in land or by personal property used or expected to be used as the principal dwelling of the debtor.

**The term includes a civil justice funding transaction.** Except as described in IC 24-4.5-3-105, the term does not include a first lien mortgage transaction.

~~(10)~~ **(12)** "Credit" means the right granted by a creditor to a debtor to defer payment of debt or to incur debt and defer its payment.

~~(11)~~ **(13)** "Creditor" means a person:

- (a) who regularly engages in the extension of consumer credit that is subject to a credit service charge or loan finance charge, as applicable, or is payable by written agreement in more than four (4) installments (not including a down payment); and
- (b) to whom the obligation is initially payable, either on the face of the note or contract, or by agreement when there is not a note or contract.

~~(12)~~ **(14)** "Depository institution" has the meaning set forth in the Federal Deposit Insurance Act (12 U.S.C. 1813(c)) and includes any credit union.

~~(13)~~ **(15)** "Director" means the director of the department of financial institutions or the director's designee.

~~(14)~~ **(16)** "Dwelling" means a residential structure that contains one (1) to four (4) units, regardless of whether the structure is attached to real property. The term includes an individual:

- (a) condominium unit;
- (b) cooperative unit;
- (c) mobile home; or
- (d) trailer;

that is used as a residence.

~~(15)~~ **(17)** "Earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonus, or otherwise, and includes periodic payments under a pension or retirement program.

~~(16)~~ **(18)** "Employee" means an individual who is paid wages or other compensation by an employer required under federal income tax law to file Form W-2 on behalf of the individual.

~~(17)~~ **(19)** "Federal banking agencies" means the Board of Governors of the Federal Reserve System, the Office of the Comptroller of the Currency, the Office of Thrift Supervision, the National Credit Union Administration, and the Federal Deposit Insurance Corporation.

~~(18)~~ **(20)** "First lien mortgage transaction" means:

- (a) a consumer loan; or
- (b) a consumer credit sale;

that is or will be used by the debtor primarily for personal, family, or household purposes and that is secured by a mortgage or a land contract (or another consensual security interest equivalent to a mortgage or a land contract) that constitutes a first lien on a dwelling or on residential real estate upon which a dwelling is constructed or intended to be constructed.

~~(19)~~ **(21)** "Immediate family member" means a spouse, child, sibling, parent, grandparent, or grandchild. The term includes stepparents, stepchildren, stepsiblings, and adoptive relationships.

~~(20)~~ **(22)** "Individual" means a natural person.

~~(21)~~ **(23)** "Lender credit card or similar arrangement" means an arrangement or loan agreement, other than a seller credit card, pursuant to which a lender gives a debtor the privilege of using a credit card, letter of credit, or other credit confirmation or identification in transactions out of which debt arises:

- (a) by the lender's honoring a draft or similar order for the payment of money drawn or accepted by the debtor;
- (b) by the lender's payment or agreement to pay the debtor's obligations; or
- (c) by the lender's purchase from the obligee of the debtor's obligations.

~~(22)~~ **(24)** "Licensee" means a person licensed as a creditor under this article.

~~(23)~~ **(25)** "Loan brokerage business" means any activity in which a person, in return for any consideration from any source, procures, attempts to procure, or assists in procuring, a mortgage transaction from a third party or any other person, whether or not the person seeking the mortgage transaction actually obtains the mortgage transaction.

~~(24)~~ **(26)** "Loan processor or underwriter" means an individual who performs clerical or support duties as an employee at the direction of, and subject to the supervision and instruction of, a person licensed or exempt from licensing under this article. For purposes of this subsection, the term "clerical or support duties" may include, after the receipt of an application, the following:

- (a) The receipt, collection, distribution, and analysis of information common for the processing or underwriting of a mortgage transaction.
- (b) The communication with a consumer to obtain the information necessary for the processing or underwriting of a loan, to the extent that the communication does not include:
  - (i) offering or negotiating loan rates or terms; or
  - (ii) counseling consumers about mortgage transaction rates or terms.

An individual engaging solely in loan processor or underwriter activities shall not represent to the public through advertising or other means of communicating or providing information, including the use of business cards, stationery, brochures, signs, rate lists, or other promotional items, that the individual can or will perform any of the activities of a mortgage loan originator.

~~(25)~~ **(27)** "Mortgage loan originator" means an individual who, for compensation or gain, or in the expectation of compensation or gain, regularly engages in taking a mortgage transaction application or in offering or negotiating the terms of a mortgage transaction that either is made under this article or under IC 24-4.4 or is made by an employee of a person licensed or exempt from licensing under this article or under IC 24-4.4, while the employee is engaging in the loan brokerage business. The term does not include the following:

- (a) An individual engaged solely as a loan processor or underwriter as long as the individual works exclusively as an employee of a person licensed or exempt from licensing under this article.
- (b) Unless the person or entity is compensated by:
  - (i) a creditor;
  - (ii) a loan broker;
  - (iii) another mortgage loan originator; or

- (iv) any agent of the creditor, loan broker, or other mortgage loan originator described in items (i) through (iii);

a person or entity that only performs real estate brokerage activities and is licensed or registered in accordance with applicable state law.

(c) A person solely involved in extensions of credit relating to timeshare plans (as defined in 11 U.S.C. 101(53D)).

~~(26)~~ **(28)** "Mortgage servicer" means the last person to whom a mortgagor or the mortgagor's successor in interest has been instructed by a mortgagee to send payments on a loan secured by a mortgage.

~~(27)~~ **(29)** "Mortgage transaction" means:

- (a) a consumer loan; or
- (b) a consumer credit sale;

that is or will be used by the debtor primarily for personal, family, or household purposes and that is secured by a mortgage or a land contract (or another consensual security interest equivalent to a mortgage or a land contract) on a dwelling or on residential real estate upon which a dwelling is constructed or intended to be constructed.

~~(28)~~ **(30)** "Nationwide Mortgage Licensing System and Registry", or "NMLSR", means a mortgage licensing system developed and maintained by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators for the licensing and registration of creditors and mortgage loan originators.

~~(29)~~ **(31)** "Nontraditional mortgage product" means any mortgage product other than a thirty (30) year fixed rate mortgage.

~~(30)~~ **(32)** "Official fees" means:

- (a) fees and charges prescribed by law which actually are or will be paid to public officials for determining the existence of or for perfecting, releasing, or satisfying a security interest related to a consumer credit sale, consumer lease, or consumer loan; or
- (b) premiums payable for insurance in lieu of perfecting a security interest otherwise required by the creditor in connection with the sale, lease, or loan, if the premium does not exceed the fees and charges described in paragraph (a) that would otherwise be payable.

~~(31)~~ **(33)** "Organization" means a corporation, a government or governmental subdivision, an agency, a trust, an estate, a partnership, a limited liability company, a cooperative, an association, a joint venture, an unincorporated organization, or any other entity, however organized.

~~(32)~~ **(34)** "Payable in installments" means that payment is required or permitted by written agreement to be made in more than four (4) installments not including a down payment.

~~(33)~~ **(35)** "Person" includes an individual or an organization.

~~(34)~~ **(36)** "Person related to" with respect to an individual means:

- (a) the spouse of the individual;

- (b) a brother, brother-in-law, sister, or sister-in-law of the individual;
- (c) an ancestor or lineal descendants of the individual or the individual's spouse; and
- (d) any other relative, by blood or marriage, of the individual or the individual's spouse who shares the same home with the individual.

~~(35)~~ **(37)** "Person related to" with respect to an organization means:

- (a) a person directly or indirectly controlling, controlled by, or under common control with the organization;
- (b) a director, an executive officer, or a manager of the organization or a person performing similar functions with respect to the organization or to a person related to the organization;
- (c) the spouse of a person related to the organization; and
- (d) a relative by blood or marriage of a person related to the organization who shares the same home with the person.

~~(36)~~ **(38)** "Presumed" or "presumption" means that the trier of fact must find the existence of the fact presumed, unless and until evidence is introduced that would support a finding of its nonexistence.

~~(37)~~ **(39)** "Real estate brokerage activity" means any activity that involves offering or providing real estate brokerage services to the public, including the following:

- (a) Acting as a real estate agent or real estate broker for a buyer, seller, lessor, or lessee of real property.
- (b) Bringing together parties interested in the sale, purchase, lease, rental, or exchange of real property.
- (c) Negotiating, on behalf of any party, any part of a contract relating to the sale, purchase, lease, rental, or exchange of real property (other than in connection with providing financing with respect to the sale, purchase, lease, rental, or exchange of real property).
- (d) Engaging in any activity for which a person is required to be registered or licensed as a real estate agent or real estate broker under any applicable law.
- (e) Offering to engage in any activity, or act in any capacity, described in this subsection.

~~(38)~~ **(40)** "Registered mortgage loan originator" means any individual who:

- (a) meets the definition of mortgage loan originator and is an employee of:
  - (i) a depository institution;
  - (ii) a subsidiary that is owned and controlled by a depository institution and regulated by a federal banking agency; or
  - (iii) an institution regulated by the Farm Credit Administration; and
- (b) is registered with, and maintains a unique identifier through, the NMLSR.

~~(39)~~ **(41)** "Regularly engaged", with respect to a person who extends consumer credit, refers to a person who:

- (a) extended consumer credit:
  - (i) more than twenty-five (25) times; or
  - (ii) more than five (5) times for a mortgage transaction secured by a dwelling;
 in the preceding calendar year; or
- (b) extends or will extend consumer credit:
  - (i) more than twenty-five (25) times; or
  - (ii) more than five (5) times for a mortgage transaction secured by a dwelling;
 in the current calendar year, if the person did not meet the numerical standards described in subdivision (a) in the preceding calendar year.

~~(40)~~ **(42)** "Residential real estate" means any real property that is located in Indiana and on which there is located or intended to be constructed a dwelling.

~~(41)~~ **(43)** "Seller credit card" means an arrangement that gives to a buyer or lessee the privilege of using a credit card, letter of credit, or other credit confirmation or identification for the purpose of purchasing or leasing goods or services from that person, a person related to that person, or from that person and any other person. The term includes a card that is issued by a person, that is in the name of the seller, and that can be used by the buyer or lessee only for purchases or leases at locations of the named seller.

~~(42)~~ **(44)** "Subordinate lien mortgage transaction" means:

- (a) a consumer loan; or
- (b) a consumer credit sale;

that is or will be used by the debtor primarily for personal, family, or household purposes and that is secured by a mortgage or a land contract (or another consensual security interest equivalent to a mortgage or a land contract) that constitutes a subordinate lien on a dwelling or on residential real estate upon which a dwelling is constructed or intended to be constructed.

~~(43)~~ **(45)** "Unique identifier" means a number or other identifier assigned by protocols established by the NMLSR.

~~(44)~~ **(46)** "Land contract" means a contract for the sale of real estate in which the seller of the real estate retains legal title to the real estate until the total contract price is paid by the buyer.

~~(45)~~ **(47)** "Bona fide nonprofit organization" means an organization that does the following, as determined by the director under criteria established by the director:

- (a) Maintains tax exempt status under Section 501(c)(3) of the Internal Revenue Code.
- (b) Promotes affordable housing or provides home ownership education or similar services.
- (c) Conducts the organization's activities in a manner that serves public or charitable purposes.
- (d) Receives funding and revenue and charges fees in a manner that does not encourage the organization or the organization's employees to act other than in the best interests of the organization's clients.
- (e) Compensates the organization's employees in a manner that does not encourage employees to act other than in the best interests of the organization's clients.

(f) Provides to, or identifies for, debtors mortgage transactions with terms that are favorable to the debtor (as described in section 202(b)(15) of this chapter) and comparable to mortgage transactions and housing assistance provided under government housing assistance programs.

(g) Maintains certification by the United States Department of Housing and Urban Development or employs counselors who are certified by the Indiana housing and community development authority.

SECTION 14. IC 24-4.5-2-103, AS AMENDED BY P.L.89-2011, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 103. Definitions — The following definitions apply to this article and appear in this article as follows:

"Amount financed"	Section 111 of this chapter
"Cash price"	Section 110 of this chapter
"Consumer credit sale"	<del>IC 24-4.5-1-301.5(8)</del> <b>IC 24-4.5-1-301.5</b>
"Consumer lease"	Section 106 of this chapter
"Consumer related sale"	Section 602 of this chapter
"Credit service charge"	Section 109 of this chapter
"Goods"	Section 105(1) of this chapter
"Home solicitation sale"	Section 501 of this chapter
"Merchandise certificate"	Section 105(2) of this chapter
"Precomputed"	Section 105(7) of this chapter
"Revolving charge account"	Section 108 of this chapter
"Sale of goods"	Section 105(4) of this chapter
"Sale of an interest in land"	Section 105(6) of this chapter
"Sale of services"	Section 105(5) of this chapter
"Seller"	Section 107 of this chapter
"Services"	Section 105(3) of this chapter".

Page 16, between lines 40 and 41, begin a new paragraph and insert:

"SECTION 16. IC 24-4.5-2-301, AS AMENDED BY P.L.35-2010, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 301. (1) For purposes of this section, "consumer credit sale" includes the sale of an interest in land which is a first lien mortgage transaction if the sale is otherwise a consumer credit sale (~~IC 24-4.5-1-301.5(8)~~; **IC 24-4.5-1-301.5**).

(2) The seller shall disclose to the buyer to whom credit is extended with respect to a consumer credit sale, and the lessor shall disclose to the lessee with respect to a consumer lease, the information required by the Federal Consumer Credit Protection Act.

(3) For purposes of subsection (2), disclosures shall not be required on a consumer credit sale if the transaction is exempt from the Federal Consumer Credit Protection Act."

Page 17, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 18. IC 24-4.5-3-106 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 106. Definition: "Loan" — "Loan" includes:

(1) the creation of debt by the lender's payment of or agreement to pay money to the debtor or to a third party for the account of the debtor;

(2) the creation of debt by a credit to an account with the lender upon which the debtor is entitled to draw immediately;

(3) the creation of debt pursuant to a lender credit card or similar arrangement; ~~and~~

(4) the forbearance of debt arising from a loan; ~~and~~

**(5) the creation of a debt under a civil justice funding transaction."**

Page 18, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 20. IC 24-4.5-3-301, AS AMENDED BY P.L.35-2010, SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 301. (1) For the purposes of this section, "consumer loan" includes a loan that is a first lien mortgage transaction if the loan is otherwise a consumer loan (~~IC 24-4.5-1-301.5(9)~~; **IC 24-4.5-1-301.5**).

(2) The lender shall disclose to the debtor to whom credit is extended with respect to a consumer loan the information required by the Federal Consumer Credit Protection Act.

(3) For purposes of subsection (2), disclosures shall not be required on a consumer loan if the transaction is exempt from the Federal Consumer Credit Protection Act."

Page 24, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 27. IC 24-4.5-4-102, AS AMENDED BY P.L.35-2010, SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 102. (1) Except as provided in subsection (2), this chapter applies to insurance provided or to be provided in relation to a consumer credit sale (~~IC 24-4.5-1-301.5(8)~~; **IC 24-4.5-1-301.5**), a consumer lease (IC 24-4.5-2-106), or a consumer loan (~~IC 24-4.5-1-301.5(9)~~; **IC 24-4.5-1-301.5**).

(2) The provision on cancellation by a creditor (IC 24-4.5-4-304) applies to loans the primary purpose of which is the financing of insurance. No other provision of this chapter applies to insurance so financed.

(3) This chapter supplements and does not repeal IC 27-8-4 (the credit insurance act). The provisions of this article concerning administrative controls, liabilities, and penalties do not apply to persons acting as insurers, and the similar provisions of IC 27-8-4 do not apply to creditors and debtors."

Page 28, line 21, delete "(1)" and insert "**(a)**".

Page 28, line 23, delete "(2)" and insert "**(b)**".

Page 28, line 30, delete "(1)" and insert "**(a)**".

Page 28, line 31, delete "(2)" and insert "(b)".

Page 29, line 15, delete "IC 24-4.5-1-301.5(39)," and insert "**IC 24-4.5-1-301.5,**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1287 as reprinted February 4, 2015.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

HOLDMAN, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Insurance & Financial Institutions, to which was referred House Bill 1341, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 13, line 4, delete "section 12 of this chapter" and insert "**this section**". Page 25, line 16, delete "non-resident" and insert "**nonresident**".

Page 28, line 4, delete "pre-licensing" and insert "**prelicensing**".

Page 31, line 24, delete "non-subsidiary" and insert "**nonsubsidiary**".

(Reference is to HB 1341 as reprinted February 4, 2015.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

HOLDMAN, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Tax & Fiscal Policy, to which was referred House Bill 1349, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 6-2.5-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: Sec. 2. (a) Transactions involving agricultural machinery, tools, and equipment are exempt from the state gross retail tax if the person acquiring that property acquires it for ~~his~~ **the person's** direct use in the direct production, extraction, harvesting, or processing of agricultural commodities (**including timber harvesting**), and **including material handling equipment purchased for the purpose of transporting materials into such activities from an onsite location.**

(b) Transactions involving agricultural machinery or equipment are exempt from the state gross retail tax if:

(1) the person acquiring the property acquires it for use in conjunction with the production of food and food ingredients or commodities for sale;

(2) the person acquiring the property is occupationally engaged in the production of food or commodities which ~~he~~ **the person** sells for human or animal consumption or uses for further food and food ingredients or commodity production; and

(3) the machinery or equipment is designed for use in gathering, moving, or spreading animal waste.

SECTION 2. IC 6-2.5-5-3, AS AMENDED BY P.L.211-2007, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: Sec. 3. (a) For purposes of this section:

(1) the retreading of tires shall be treated as the processing of tangible personal property; and

(2) commercial printing shall be treated as the production and manufacture of tangible personal property.

(b) Except as provided in subsection (c), transactions involving manufacturing machinery, tools, and equipment are exempt from the state gross retail tax if the person acquiring that property acquires it for direct use in the direct production, manufacture, fabrication, assembly, extraction, mining, processing, refining, or finishing of other tangible personal property, **including material handling equipment purchased for the purpose of transporting materials into such activities from an onsite location.**

(c) The exemption provided in subsection (b) does not apply to transactions involving distribution equipment or transmission equipment acquired by a public utility engaged in generating electricity.

SECTION 3. IC 6-2.5-5-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: Sec. 4. Transactions involving tangible personal property are exempt from the state gross retail tax if the person acquiring the property acquires it for ~~his~~ **the person's** direct use in the direct production of the machinery, tools, or equipment described in section 2 or 3 of this chapter, **including material handling equipment purchased for the purpose of transporting materials into such activities from an onsite location.**

Page 20, line 19, after "and" insert ":".

Page 20, line 20, reset in roman "(A)".

Page 20, line 20, after "government" delete "." and insert ";".

Page 20, line 20, reset in roman "or".

Page 20, reset in roman line 21.

Page 20, line 22, before "Gross" insert "**However, sales of tangible personal property are not in this state if the property is shipped from the location of a third party logistics services provider in this state.**".

Page 24, between lines 10 and 11, begin a new paragraph and insert:

"(t) For purposes of subsection (e), the following definitions apply:

(1) "**Third party logistics provider**" means a person, corporation, partnership, or other entity that provides logistics services to unrelated parties.



(2) "Logistics services" means the provision of warehousing, management, distribution, transportation, fulfillment, or other services by a third party logistics services provider on behalf of an unrelated party with respect to, but not taking title to, the property of the unrelated party.

(3) "Unrelated party" means a person, corporation, partnership, or other entity that is not related to the third party logistics provider within the meaning of Section 267 of the Internal Revenue Code."

Page 24, delete lines 11 through 42.

Page 25, delete lines 1 through 5.

Page 25, delete lines 25 through 42.

Page 26, delete lines 1 through 25.

Page 36, line 36, reset in roman "as it existed before being".

Page 36, reset in roman line 37.

Page 36, line 38, reset in roman "and Job Creation Act of 2010 (P.L. 111-312)".

Page 37, line 1, delete "." and reset in roman "as it existed before".

Page 37, reset in roman line 2.

Page 37, reset in roman line 3.

Page 56, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 42. IC 24-3-2-2, AS AMENDED BY P.L.172-2011, SECTION 130, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. Unless the context in this chapter requires otherwise, the term:

(a) "Cigarette" shall mean and include any roll for smoking made wholly or in part of tobacco, irrespective of size or shape and irrespective of tobacco being flavored, adulterated, or mixed with any other ingredient, where such roll has a wrapper or cover made of paper or any other material; provided the definition in this paragraph shall not be construed to include cigars.

(b) "Person" or the term "company", used in this chapter interchangeably, means and includes any individual, assignee, receiver, commissioner, fiduciary, trustee, executor, administrator, institution, bank, consignee, firm, partnership, limited liability company, joint vendor, pool, syndicate, bureau, association, cooperative association, society, club, fraternity, sorority, lodge, corporation, municipal corporation, or other political subdivision of the state engaged in private or proprietary activities or business, estate, trust, or any other group or combination acting as a unit, and the plural as well as the singular number, unless the intention to give a more limited meaning is disclosed by the context.

(c) "Distributor" shall mean and include every person who sells, barter, exchanges, or distributes cigarettes in the state of Indiana to retail dealers for the purpose of resale, or who purchases for resale cigarettes from a manufacturer of cigarettes or from a wholesaler, jobber, or distributor outside the state of Indiana who is not a distributor holding a registration certificate issued under the provisions of IC 6-7-1.

(d) "Retailer" shall mean every person, other than a distributor, who purchases, sells, offers for sale, or distributes

cigarettes to consumers or to any person for any purpose other than resale, irrespective of quantity or amount or the number of sales.

(e) "Sell at retail", "sale at retail", and "retail sales" shall mean and include any transfer of title to cigarettes for a valuable consideration made in the ordinary course of trade or usual conduct of the seller's business to the purchaser for consummation or use.

(f) "Sell at wholesale", "sale at wholesale", and "wholesale sales" shall mean and include any transfer of title to cigarettes for a valuable consideration made in the ordinary course of trade or usual conduct of a distributor's business.

(g) "Basic cost of cigarettes" shall mean the invoice cost of cigarettes to the retailer or distributor, as the case may be, or the replacement cost of cigarettes to the retailer or distributor, as the case may be, within thirty (30) days prior to the date of sale, in the quantity last purchased, whichever is the lower, less all trade discounts and customary discounts for cash, plus the cost at full face value of any stamps which may be required by IC 6-7-1, if not included by the manufacturer in his selling price to the distributor.

(h) "Department" shall mean the alcohol and tobacco commission or its duly authorized assistants and employees.

(i) "Cost to the retailer" shall mean the basic cost of cigarettes to the retailer, plus the cost of doing business by the retailer as evidenced by the standards and methods of accounting regularly employed by him in his allocation of overhead costs and expenses paid or incurred and must include without limitation labor (including salaries of executives and officers), rent, depreciation, selling costs, maintenance of equipment, delivery costs, all types of licenses, taxes, insurance, and advertising; however, any retailer who, in connection with the retailer's purchase, receives not only the discounts ordinarily allowed upon purchases by a retailer, but also, in whole or in part, discounts ordinarily allowed on purchases by a distributor shall, in determining costs to the retailer pursuant to this section, add the cost to the distributor, as defined in paragraph (j), to the basic cost of cigarettes to said retailer as well as the cost of doing business by the retailer. In the absence of proof of a lesser or higher cost of doing business by the retailer making the sale, the cost of doing business by the retailer shall be presumed to be ~~ten percent (10%)~~ **twelve percent (12%)** of the basic cost of cigarettes to the retailer. In the absence of proof of a lesser or higher cost of doing business, the cost of doing business by the retailer, who in connection with the retailer's purchase receives not only the discounts ordinarily allowed upon purchases by a retailer, but also, in whole or in part, the discounts ordinarily allowed upon purchases by a distributor, shall be presumed to be ~~ten percent (10%)~~ **twelve percent (12%)** of the sum of the basic cost of cigarettes plus the cost of doing business by the distributor.

(j) "Cost to the distributor" shall mean the basic cost of cigarettes to the distributor, plus the cost of doing business by the distributor as evidenced by the standards and methods of

accounting regularly employed by him in his allocation of overhead costs and expenses, paid or incurred, and must include without limitation labor costs (including salaries of executives and officers), rent, depreciation, selling costs, maintenance of equipment, delivery costs, all types of licenses, taxes, insurance, and advertising. In the absence of proof of a lesser or higher cost of doing business by the distributor making the sale, the cost of doing business by the wholesaler shall be presumed to be four percent (4%) of the basic cost of cigarettes to the distributor, plus cartage to the retail outlet, if performed or paid for by the distributor, which cartage cost, in the absence of proof of a lesser or higher cost, shall be deemed to be one-half of one percent (0.5%) of the basic cost of cigarettes to the distributor.

(k) "Registration certificate" refers to the registration certificate issued to cigarette distributors by the department of state revenue under IC 6-7-1-16."

Renumber all SECTIONS consecutively.

(Reference is to HB 1349 as printed February 17, 2015.) and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 4.

HERSHMAN, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred House Bill 1371, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, delete lines 1 through 7, begin a new paragraph and insert:

"SECTION 3. IC 32-28-13-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 1.5. As used in this chapter, "public employee" means an individual who is an employee in the executive, judicial, or legislative branch of:**

**(1) the state or a political subdivision (as defined in IC 5-11-10.5-1); or**

**(2) the federal government;**

**in Indiana."**

Page 2, delete lines 13 through 21, begin a new paragraph and insert:

"SECTION 5. IC 32-28-13-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 3. As used in this chapter, "public official" means an individual who holds office in or is an employee of formerly held office at any time during the preceding four (4) years in the executive, judicial, or legislative branch of:**

**(1) the state or federal government or a political subdivision (as defined in IC 5-11-10.5-1); of the state; or**

**(2) the federal government;**

**in Indiana."**

Page 2, line 26, reset in roman "A common law".

Page 2, reset in roman line 27.

Page 2, line 28, reset in roman "performance or nonperformance of the public official's official duty."

Page 2, line 41, delete "against a person who is not a public official or public".

Page 2, line 42, delete "employee".

Page 3, line 13, after "That" insert "if".

Page 3, line 13, delete "not".

Page 3, line 14, delete "." and insert **"who has filed a written notice in accordance with section 6.5 of this chapter, the common law lien is void within thirty (30) days of filing the written notice if the suit has not been commenced."**

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

"SECTION 9. IC 32-28-13-6.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 6.5. If a property owner who is a public official or public employee receives a statement of intention to hold a common law lien under section 5 of this chapter, the property owner may provide written notice to the county recorder swearing and affirming that the property owner is a public official or public employee. Not later than three (3) business days after receiving a written notice, the county recorder shall send to the lienholder the following:**

**(1) A copy of the property owner's written notice.**

**(2) A statement that if the lienholder fails to commence suit on the common law lien within thirty (30) days after the date that the county recorder's notice was mailed, the common law lien is void.**

**The recorder shall send a copy of the written notice to the property owner. The county recorder's notice to the lienholder must be made by certified mail, return receipt requested to the lienholder at the address given in the lienholder's statement filed under section 5 of this chapter. The county recorder shall record the date the statement is mailed to the lienholder under this section."**

Page 4, line 13, delete "who is not a public official".

Page 4, line 14, delete "or public employee".

Page 5, delete lines 2 through 42.

Page 6, delete lines 1 through 22.

Renumber all SECTIONS consecutively.

(Reference is to HB 1371 as printed February 20, 2015.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

HEAD, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security & Transportation, to which was referred House Bill 1393, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 35, line 30, delete "member institution" and insert "**special group**".

Page 35, line 31, delete "member institution" and insert "**special group**".

Page 35, line 33, delete "member institution;" and insert "**special group;**".

Page 36, delete lines 12 through 32.

Page 38, delete lines 39 through 42.

Page 39, delete lines 1 through 2.

Page 61, delete lines 29 through 34.

Renumber all SECTIONS consecutively.

(Reference is to HB 1393 as printed February 20, 2015.)

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

Committee Vote: Yeas 6, Nays 0.

YODER, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security & Transportation, to which was referred House Bill 1394, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 1, after "driving," insert " ".

Page 9, after line 4, begin a new paragraph and insert:

"SECTION 6. IC 9-27-6-11, AS AMENDED BY P.L.85-2013, SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 11. In addition to adopting rules under sections 6(b), 8(b), and 9(b) of this chapter, the bureau shall adopt rules under IC 4-22-2 concerning the following:

(1) Methods and procedures for the investigation and evaluation of the qualifications of individuals applying for licenses under sections 6 and 8 of this chapter.

(2) The criteria upon which to issue, deny, suspend, renew, and revoke licenses under section 10 of this chapter, including requirements for continuing education for instructors.

(3) Procedures for:

(A) the investigation into potential grounds for; and

(B) conduct of hearings on;

the issuance, renewal, cancellation, suspension, or revocation of a license.

(4) Standards for classroom and in-car driver education curriculum (including classroom instruction, Internet instruction, and practice driving) and equipment. Classroom instruction standards established under this subdivision must provide for instruction about:

(A) railroad-highway grade crossing safety; and

(B) the procedure for participation in the human organ donor program;

and must limit classroom instruction to students at least fifteen (15) years of age.

(5) Limitations on the number of:

(A) hours an instructor may teach in a day; and

(B) classroom and driving hours in which a driver education student may participate during a day.

(6) Programs to improve parental involvement in driver education.

(7) Establishment and maintenance of standards for instructors of driver education, including:

(A) secondary school driver education instructors;

(B) driver training school instructors; and

(C) higher education driver education instructors.

**(8) Minimum hours of instruction for an approved driver education course that include:**

**(A) thirty (30) hours of classroom or online training; and**

**(B) six (6) hours of behind-the-wheel training."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1394 as reprinted February 10, 2015.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

YODER, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Tax & Fiscal Policy, to which was referred Engrossed House Bill 1432, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

HERSHMAN, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred House Bill 1435, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 4, delete "in" and insert "at".

Page 1, delete lines 6 through 15, begin a new paragraph and insert:

"SECTION 2. IC 7.1-3-1-13 IS REPEALED [EFFECTIVE JULY 1, 2015]. ~~Sec. 13: A person may make a payment to the commission:~~

~~(1) in cash;~~

~~(2) by a valid postal money order of the United States;~~

~~(3) by certified check;~~

~~(4) by cashier's check;~~

~~(5) by check drawn on the bank deposit of a business;~~

~~(6) by bank draft;~~

~~(7) by money order;~~

(8) by credit card, debit card, charge card, or similar method; or

(9) if approved by the commission, by an electronic funds transfer (as defined in IC 4-8.1-2-7).

However, payment made by one (1) of the methods listed in subdivisions (3) through (6) must be of or drawn upon a solvent bank or trust company. However, if a payment is made by bank draft, check, cashier's check, or money order, the liability is not finally discharged and the person has not paid the obligation until the draft, check, or money order has been honored by the institution on which it is drawn. If the payment is made by credit card, debit card, charge card, or similar method, the liability is not finally discharged and the person has not paid the liability until the commission receives payment or credit from the institution responsible for making the payment or credit. The commission may contract with a bank or credit card vendor for acceptance of bank or credit cards. However, if there is a vendor transaction charge or discount fee, whether billed to the commission or charged directly to the commission's account, the commission or credit card vendor may collect from the person using the bank or credit card a fee. The fee is a permitted additional charge under IC 24-4.5-3-202.

SECTION 3. IC 7.1-3-1-13.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 13.5. (a) As used in this section, "credit card" means a:**

- (1) credit card;
- (2) debit card;
- (3) charge card; or
- (4) stored value card.

(b) The commission shall accept a payment to the commission for any purpose by any of the following financial instruments:

- (1) Cash.
- (2) Certified check.
- (3) Cashier's check.
- (4) Check drawn on the bank deposit of a business.
- (5) Valid postal money order of the United States.
- (6) Bank draft.
- (7) Money order.
- (8) Bank card or credit card.
- (9) Electronic funds transfer.
- (10) Any other financial instrument authorized by the commission.

(c) If there is a charge to the commission for the use of a financial instrument, the commission may collect a sum equal to the amount of the charge from the person who uses the financial instrument.

(d) A procedure authorized for a particular type of payment must be uniformly applied to all payments of the same type.

(e) The commission may contract with a bank card or credit card vendor for acceptance of bank cards or credit cards. However, if there is a vendor transaction charge or discount fee, whether billed to the commission or charged

directly to the commission's account, the commission may collect from the person using the card:

- (1) an official fee that may not exceed the transaction charge or discount fee charged to the commission by bank or credit card vendors; or
- (2) a reasonable convenience fee:
  - (A) that may not exceed three dollars (\$3); and
  - (B) that must be uniform regardless of the bank card or credit card used.

The fees described in subdivisions (1) and (2) may be collected regardless of retail merchant agreements between the bank and credit card vendors that may prohibit such fees. These fees are permitted additional charges under IC 24-4.5-3-202.

(f) The commission may pay any applicable bank card or credit card service charge associated with the use of a bank card or credit card under this section.

SECTION 4. IC 7.1-3-3-5, AS AMENDED BY P.L.94-2008, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 5. (a)** The holder of a beer wholesaler's permit may purchase and import from the primary source of supply, possess, and sell at wholesale, beer and flavored malt beverages manufactured within or without this state.

(b) A beer wholesaler permittee may possess, transport, sell, and deliver beer to:

- (1) another beer wholesaler authorized by the brewer to sell the brand purchased;
- (2) an employee; or
- (3) a holder of a beer retailer's permit, beer dealer's permit, temporary beer permit, dining car permit, boat permit, airplane permit, or supplemental caterer's permit; and
- (4) a qualified organization for:

(A) an allowable event to which IC 7.1-3-6.1 applies; or

(B) a charity auction to which IC 7.1-3-6.2 applies;

located within this state. The sale, donation to a qualified organization, transportation, and delivery of beer shall be made only from inventory that has been located on the wholesaler's premises before the time of invoicing and delivery.

(c) The beer wholesaler's bona fide regular employees may purchase beer from the wholesaler in:

- (1) bottles, cans, or any other type of permissible containers in an amount not to exceed forty-eight (48) pints; or
- (2) one (1) keg;

at any one (1) time.

(d) The importation, transportation, possession, sale, and delivery of beer shall be subject to the rules of the commission and subject to the same restrictions provided in this title for a person holding a brewer's permit.

(e) The holder of a beer wholesaler's permit may purchase, import, possess, transport, sell, and deliver any commodity listed in IC 7.1-3-10-5, unless prohibited by this title. However, a beer

wholesaler may deliver flavored malt beverages only to the holder of one (1) of the following permits:

- (1) A beer wholesaler or wine wholesaler permit, if the wholesaler is authorized by the primary source of supply to sell the brand of flavored malt beverage purchased.
- (2) A wine retailer's permit, wine dealer's permit, temporary wine permit, dining car wine permit, boat permit, airplane permit, or supplemental caterer's permit.
- (f) A beer wholesaler may:
  - (1) store beer for an out-of-state brewer described in IC 7.1-3-2-9 and deliver the stored beer to another beer wholesaler that the out-of-state brewer authorizes to sell the beer;
  - (2) perform all necessary accounting and auditing functions associated with the services described in subdivision (1); and
  - (3) receive a fee from an out-of-state brewer for the services described in subdivisions (1) through (2).

**SECTION 5. IC 7.1-3-6-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:** Sec. 5. ~~Scope of Permit.~~ The holder of a temporary beer permit shall be entitled to purchase and receive beer on any day of the year, only from a person who holds a brewer's permit, a beer wholesaler's permit, or a beer dealer's permit at their respective places of business. A lawful supplier may sell and deliver beer to a temporary beer permit holder on any day of the year at his place of business. **Except as provided in IC 7.1-3-6.1-8 and IC 7.1-3-6.2-8,** the holder of a temporary beer permit shall be entitled to sell beer only for consumption on the licensed premises, and shall be subject to the same restrictions as apply to the sale of beer by the holder of a beer retailer's permit. **Except as provided in IC 7.1-3-6.1-8 and IC 7.1-3-6.2-8,** a temporary beer permittee shall not be entitled to sell at wholesale or for carry-out from the licensed premises.

**SECTION 6. IC 7.1-3-6.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:**

**Chapter 6.1. Charity Gaming Prizes**

**Sec. 1. As used in this chapter, "allowable event" has the meaning set forth in IC 4-32.2-2-2.**

**Sec. 2. As used in this chapter, "qualified organization" has the meaning set forth in IC 4-32.2-2-24.**

**Sec. 3. A qualified organization that holds a license under IC 4-32.2-4 may give an alcoholic beverage as a prize at an allowable event without obtaining an alcoholic beverage permit under this title.**

**Sec. 4. A qualified organization may give away as a prize for an allowable event an alcoholic beverage that is:**

- (1) purchased by or donated to the qualified organization by a permittee or person described in section 5 of this chapter;
- (2) in sealed bottles or cases; and
- (3) provided for consumption off the premises only.

**Sec. 5. A qualified organization may:**

**(1) purchase or receive donations of alcoholic beverages in sealed bottles or cases from:**

- (A) a wholesaler permittee;
- (B) a dealer permittee;
- (C) a farm winery permittee;
- (D) a brewer permittee for a brewery that manufactures not more than thirty thousand (30,000) barrels of beer in a calendar year for sale or distribution within Indiana; or
- (E) an artisan distiller permittee; and

**(2) receive donations of alcoholic beverages in sealed bottles or cases from persons who are not permittees.**

**Sec. 6. (a) An individual must be present at the allowable event in order to win an alcoholic beverage prize. The prize winner must be given the alcoholic beverage prize in person by an individual designated by the qualified organization.**

**(b) The individual designated by the qualified organization to give away an alcoholic beverage prize must meet the following requirements:**

- (1) The individual must be at least twenty-one (21) years of age.
- (2) The individual must successfully complete an alcohol server training program approved by the commission under IC 7.1-3-1.5. However, the individual may not be required to obtain an employee's permit under IC 7.1-3-18-9 or a temporary bartender's permit under IC 7.1-3-18-11 to award a prize at an allowable event.

**(c) When giving away an alcoholic beverage prize, the individual designated by the qualified organization shall comply with IC 7.1-5-10-15, IC 7.1-5-10-23, and any other provision of this title that applies to the furnishing of alcoholic beverages for consumption off the premises.**

**Sec. 7. An allowable event to which this chapter applies may be conducted on premises that are not licensed under this title for the sale of alcoholic beverages.**

**Sec. 8. An alcoholic beverage given away as a prize by a qualified organization at an allowable event under this chapter may be carried out in a closed and sealed container.**

**SECTION 7. IC 7.1-3-6.2 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:**

**Chapter 6.2. Charity Auctions**

**Sec. 1. As used in this chapter, "qualified organization" has the meaning set forth in IC 4-32.2-2-24.**

**Sec. 2. A qualified organization may sell an alcoholic beverage at auction as provided under this chapter without obtaining an alcoholic beverage permit under this title.**

**Sec. 3. A qualified organization may sell at auction an alcoholic beverage that is:**

- (1) purchased from or received as a donation from a permittee or person described in section 5 of this chapter;
- (2) in sealed bottles or cases; and
- (3) for consumption off the premises only.

**Sec. 4. All sale proceeds of each auctioned alcoholic beverage must be used to support the institutional activities of the qualified organization.**

**Sec. 5. A qualified organization may auction alcoholic beverages that are purchased by or donated to the qualified organization in sealed bottles or cases from:**

- (1) a wholesaler permittee;
- (2) a dealer permittee;
- (3) a farm winery permittee;
- (4) a brewer permittee for a brewery that manufactures not more than thirty thousand (30,000) barrels of beer in a calendar year for sale or distribution within Indiana;
- (5) an artisan distiller permittee; or
- (6) a person who is not a permittee.

**Sec. 6. (a) An individual must be present in order to bid on and purchase an alcoholic beverage at auction. The successful bidder must be given the alcoholic beverage in person by an individual designated by the qualified organization.**

**(b) The individual designated by the qualified organization to give away an alcoholic beverage purchased at the auction must meet the following requirements:**

- (1) The individual must be at least twenty-one (21) years of age.
- (2) The individual must successfully complete an alcohol server training program approved by the commission under IC 7.1-3-1.5. However, the individual may not be required to obtain an employee's permit under IC 7.1-3-18-9 or a temporary bartender's permit under IC 7.1-3-18-11 to give away an alcoholic beverage purchased at the auction.

**(c) When giving away an alcoholic beverage purchased at the auction, the individual designated by the qualified organization shall comply with IC 7.1-5-10-15, IC 7.1-5-10-23, and any other provision of this title that applies to the furnishing of alcoholic beverages for consumption off the premises.**

**Sec. 7. A charity auction to which this chapter applies may be conducted on premises that are not licensed under this title for the sale of alcoholic beverages.**

**Sec. 8. An alcoholic beverage purchased at a charity auction under this chapter may be carried out in a closed and sealed container.**

SECTION 8. IC 7.1-3-8-3, AS AMENDED BY P.L.109-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) The holder of a liquor wholesaler's permit shall be entitled to sell liquor at wholesale.

(b) A liquor wholesaler shall be entitled to purchase liquor within this state from a person who holds an artisan distiller's permit, a distiller's permit, a rectifier's permit, or a liquor wholesaler's permit. A liquor wholesaler also may purchase liquor outside this state from the primary source of supply and, from that source, may transport and import liquor into this state.

(c) A liquor wholesaler may sell, transport, and deliver liquor only to a person who, under this title, holds a:

- (1) liquor retailer's permit;
- (2) supplemental caterer's permit;
- (3) liquor dealer's permit; or
- (4) liquor wholesaler's permit.

**A liquor wholesaler may sell, donate, transport, and deliver liquor to a qualified organization for an allowable event to which IC 7.1-3-6.1 applies or charity auction to which IC 7.1-3-6.2 applies.** The sale, transportation, donation to a qualified organization, and delivery of liquor shall be made only from inventory that has been located on the wholesaler's premises before the time of invoicing and delivery, and only in permissible containers and is subject to the rules of the commission fixing the quantity which may be sold or delivered at any one (1) time.

(d) A liquor wholesaler's bona fide regular employees may purchase liquor from the wholesaler in an amount not to exceed eighteen (18) liters.

SECTION 9. IC 7.1-3-9.5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. ~~Scope of Permit.~~ The holder of a supplemental caterer's permit is entitled to purchase alcoholic beverages only from a permittee entitled to sell to him under this title. **Except as provided in IC 7.1-3-6.1-8 and IC 7.1-3-6.2-8,** the holder of a supplemental caterer's permit is entitled to sell alcoholic beverages only for on premise consumption at those locations approved by the commission and at times lawful under his retailers' permits. **Except as provided in IC 7.1-3-6.1-8 and IC 7.1-3-6.2-8,** the holder of a supplemental caterer's permit is not entitled to sell alcoholic beverages at wholesale, nor for carry-out or at-home delivery.

SECTION 10. IC 7.1-3-13-3, AS AMENDED BY P.L.165-2006, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) The holder of a wine wholesaler's permit may purchase, import, and transport wine, brandy, or flavored malt beverage from the primary source of supply. A wine wholesaler may export and transport wine, brandy, or flavored malt beverage by the bottle, barrel, cask, or other container, to points outside Indiana. A wine wholesaler is entitled to sell, furnish, and deliver wine or flavored malt beverage from inventory that has been located on the wholesaler's premises before the time of invoicing and delivery to a wine wholesaler, a wine retailer, a supplemental caterer, a temporary wine permittee, and a wine dealer, but not at retail. A wine wholesaler may sell, furnish, and deliver brandy from inventory that has been located on the wholesaler's premises before the time of invoicing and delivery, but not at retail, only to a person who holds a liquor retailer's permit, a supplemental caterer's permit, or a liquor dealer's permit. A holder of a wine wholesaler's permit may sell wine to the wine wholesaler's bona fide regular employees. **A wine wholesaler may sell, donate, and deliver wine or flavored malt beverage from inventory that has been located on the wholesaler's premises before the time of invoicing and delivery to a qualified organization that**

**is conducting an allowable event to which IC 7.1-3-6.1 applies or a charity auction to which IC 7.1-3-6.2 applies.**

- (b) As used in this section, "brandy" means:
  - (1) any alcoholic distillate described in 27 CFR 5.22(d) as in effect on January 1, 1983; or
  - (2) a beverage product that:
    - (A) is prepared from a liquid described in subdivision (1);
    - (B) is classified as a cordial or liqueur as defined in 27 CFR 5.22(h) as in effect on January 1, 1997; and
    - (C) meets the following requirements:
      - (i) At least sixty-six and two-thirds percent (66 2/3%) of the product's alcohol content is composed of a substance described in subdivision (1).
      - (ii) The product's label makes no reference to any distilled spirit other than brandy.
      - (iii) The product's alcohol content is not less than sixteen percent (16%) by volume or thirty-two (32) degrees proof.
      - (iv) The product contains dairy cream.
      - (v) The product's sugar, dextrose, or levulose content is at least twenty percent (20%) of the product's weight.
      - (vi) The product contains caramel coloring.
- (c) Nothing in this section allows a wine wholesaler to sell, give, purchase, transport, or export beer (as defined in IC 7.1-1-3-6) unless the wine wholesaler also holds a beer wholesaler's permit under IC 7.1-3-3-1.
- (d) A wine wholesaler that also holds a liquor wholesaler's permit under IC 7.1-3-8 may not:
  - (1) hold a beer wholesaler's permit under IC 7.1-3-3;
  - (2) possess, sell, or transport beer; or
  - (3) sell more than one million (1,000,000) gallons of flavored malt beverage during a calendar year.

SECTION 11. IC 7.1-3-16-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 9. **Scope of Permit.** The holder of a temporary wine permit shall be entitled to purchase and receive wine on any day of the year, only from a lawful supplier under this title at his place of business. A lawful supplier may sell and deliver wine to a temporary wine permit holder on any day of the year at his place of business. **Except as provided in IC 7.1-3-6.1-8 and IC 7.1-3-6.2-8,** the holder of a temporary wine permit shall be entitled to sell wine only for consumption on the licensed premises, and shall be subject to the same restrictions as apply to the sale of beer by the holder of a temporary beer permit. **Except as provided in IC 7.1-3-6.1-8 and IC 7.1-3-6.2-8,** a temporary wine permittee shall not be entitled to sell at ~~wholesale~~ **wholesale** nor for carry-out from the licensed premises.

SECTION 12. IC 7.1-5-7-11, AS AMENDED BY P.L.10-2010, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 11. (a) The provisions of sections 9 and 10 of this chapter shall not apply if the public place involved is one (1) of the following:

- (1) Civic center.
- (2) Convention center.
- (3) Sports arena.
- (4) Bowling center.
- (5) Bona fide club.
- (6) Drug store.
- (7) Grocery store.
- (8) Boat.
- (9) Dining car.
- (10) Pullman car.
- (11) Club car.
- (12) Passenger airplane.
- (13) Horse racetrack facility holding a recognized meeting permit under IC 4-31-5.
- (14) Satellite facility (as defined in IC 4-31-2-20.5).
- (15) Catering hall under IC 7.1-3-20-24 that is not open to the public.
- (16) That part of a hotel or restaurant which is separate from a room in which is located a bar over which alcoholic beverages are sold or dispensed by the drink.
- (17) Entertainment complex.
- (18) Indoor golf facility.
- (19) A recreational facility such as a golf course, bowling center, or similar facility that has the recreational activity and not the sale of food and beverages as the principal purpose or function of the person's business.
- (20) A licensed premises owned or operated by a postsecondary educational institution described in IC 21-17-6-1.
- (21) An automobile racetrack.
- (22) An indoor theater under IC 7.1-3-20-26.
- (23) The location of an allowable event to which IC 7.1-3-6.1 applies.**
- (24) The location of a charity auction to which IC 7.1-3-6.2 applies.**

(b) For the purpose of this subsection, "food" means meals prepared on the licensed premises. It is lawful for a minor to be on licensed premises in a room in which is located a bar over which alcoholic beverages are sold or dispensed by the drink if all the following conditions are met:

- (1) The minor is eighteen (18) years of age or older.
- (2) The minor is in the company of a parent, guardian, or family member who is twenty-one (21) years of age or older.
- (3) The purpose for being on the licensed premises is the consumption of food and not the consumption of alcoholic beverages.

SECTION 13. IC 7.1-5-8-4, AS AMENDED BY P.L.159-2014, SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) It is a Class B misdemeanor for a person who owns or operates a private or public restaurant or place of public or private entertainment to knowingly or intentionally permit another person to come into the establishment with an alcoholic beverage for sale or gift, or for consumption in the establishment by that

person or another, or to serve a setup to a person who comes into the establishment. However, the provisions of this section do not apply to the following:

- (1) A private room hired by a guest of a bona fide club or hotel that holds a retail permit.
- (2) A facility that is used in connection with the operation of a paved track that is used primarily in the sport of auto racing.
- (3) An outdoor place of public entertainment that:
  - (A) has an area of at least four (4) acres and not more than six (6) acres;
  - (B) is located within one (1) mile of the White River;
  - (C) is owned and operated by a nonprofit corporation exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code; and
  - (D) is used primarily in connection with live music concerts.

(b) An establishment operated in violation of this section is declared to be a public nuisance and subject to abatement as other public nuisances are abated under the provisions of this title.

**(c) This section does not apply to a person who owns or operates a private or public restaurant or place of public or private entertainment where a qualified organization is conducting:**

- (1) an allowable event to which IC 7.1-3-6.1 applies, and the alcoholic beverage brought into the establishment is:**
  - (A) in sealed bottles or cases; and**
  - (B) donated to or purchased by the qualified organization to be offered as a prize in the allowable event; or**
- (2) a charity auction to which IC 7.1-3-6.2 applies, and the alcoholic beverage brought into the establishment is:**
  - (A) in sealed bottles or cases; and**
  - (B) donated to or purchased by the qualified organization to be offered for sale in the charity auction.**

SECTION 14. IC 7.1-5-8-6, AS AMENDED BY P.L.94-2008, SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) It is a Class C misdemeanor for a person to knowingly carry liquor into a restaurant or place of public entertainment for the purpose of consuming it, displaying it, or selling, furnishing, or giving it away to another person on the premises, or for the purpose of having it served to himself or another person, then and there. It is a Class C misdemeanor to knowingly consume liquor brought into a public establishment in violation of this section.

(b) This section does not apply to a person at an outdoor place of public entertainment that:

- (1) has an area of at least four (4) acres and not more than six (6) acres;
- (2) is located within one (1) mile of the White River;

- (3) is owned and operated by a nonprofit corporation exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code; and
- (4) is used primarily in connection with live music concerts.

**(c) This section does not apply to a person who carries liquor into a restaurant or place of public entertainment where a qualified organization is conducting:**

- (1) an allowable event to which IC 7.1-3-6.1 applies, and the liquor brought into the establishment is:**
  - (A) in sealed bottles or cases; and**
  - (B) donated to or purchased by the qualified organization to be offered as a prize in the allowable event; or**
- (2) a charity auction to which IC 7.1-3-6.2 applies, and the liquor brought into the establishment is:**
  - (A) in sealed bottles or cases; and**
  - (B) donated to or purchased by the qualified organization to be offered for sale in the charity auction."**

Delete pages 2 through 10.

(Reference is to HB 1435 as reprinted February 10, 2015.) and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

ALTING, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Education & Career Development, to which was referred House Bill 1438, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

KRUSE, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Pensions & Labor, to which was referred House Bill 1469, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 1, delete "may" and insert "**shall**".

Page 2, line 3, after "paid" insert ":

**(A)**".

Page 2, line 3, delete "not to exceed" and insert "**equal to three (3) times the amount of wages due the employee; plus (B) if the amount due to the employee remains unpaid thirty (30) days after the date the court enters an order determining the amount of wages due and all appeals have been exhausted, an additional amount equal to**".



Page 2, line 4, after "day" insert "after the thirtieth day".

Page 2, line 5, after "unpaid" delete "," and insert ";".

Page 2, line 5, delete "with the total amount".

Page 2, delete line 6.

Page 2, line 7, delete "amount of wages due to the employee;".

Page 2, run in lines 5 through 7.

Page 2, line 8, strike "tax and assess" and insert "order".

Page 3, line 35, delete "the amount limits set forth in section 4(c) of this" and insert "five percent (5%) of the employee's weekly disposable earnings (as defined in IC 24-4.5-5-105(1)(a)).".

Page 3, delete line 36.

(Reference is to HB 1469 as printed February 3, 2015.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 4.

BOOTS, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Tax & Fiscal Policy, to which was referred House Bill 1475, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 33, strike "subsection" and insert "subsections".

Page 3, line 33, after "(k)" insert ",".

Page 3, line 33, strike "or".

Page 3, line 33, after "(l)," insert "(m), and (n)".

Page 5, delete lines 18 through 25, begin a new paragraph and insert:

**"(m) This subsection applies to a county in which a tax rate under this section is not in effect on July 1, 2015. The county council may adopt a resolution providing that up to one hundred percent (100%) of the tax revenue to be distributed under this section shall be dedicated to a PSAP (as defined in IC 36-8-16.7-20) that is part of the statewide 911 system (as defined in IC 36-8-16.7-22) and contained in the county. Any amount of tax revenue dedicated to a PSAP under this subsection shall be distributed before the remainder of the tax revenue is distributed under this section.**

**(n) This subsection applies to a county in which a tax rate under this section is in effect on July 1, 2015. If the tax rate under this section is increased after July 1, 2015, the county council may adopt a resolution providing that up to one hundred percent (100%) of the tax revenue derived from the part of the tax rate under this section that exceeds the tax rate in effect on July 1, 2015, shall be dedicated to a PSAP (as defined in IC 36-8-16.7-20) that is part of the statewide 911 system (as defined in IC 36-8-16.7-22) and contained in the county. Any amount of tax revenue dedicated to a PSAP under this subsection shall be distributed before the**

**remainder of the tax revenue is distributed under this section."**

Page 7, line 14, after "(l)" insert ",".

Page 7, line 14, strike "and".

Page 7, line 14, after "(m)," insert "(n), and (o)".

Page 9, delete lines 2 through 10, begin a new paragraph and insert:

**"(n) This subsection applies to a county in which a tax rate under this section is not in effect on July 1, 2015. The county income tax council or, in Lake County, the county council, may adopt a resolution providing that up to one hundred percent (100%) of the tax revenue to be distributed under this section shall be dedicated to a PSAP (as defined in IC 36-8-16.7-20) that is part of the statewide 911 system (as defined in IC 36-8-16.7-22) and contained in the county. Any amount of tax revenue dedicated to a PSAP under this subsection shall be distributed before the remainder of the tax revenue is distributed under this section.**

**(o) This subsection applies to a county in which a tax rate under this section is in effect on July 1, 2015. If the tax rate under this section is increased after July 1, 2015, the county income tax council or, in Lake County, the county council, may adopt a resolution providing that up to one hundred percent (100%) of the tax revenue derived from the part of the tax rate under this section that exceeds the tax rate in effect on July 1, 2015, shall be dedicated to a PSAP (as defined in IC 36-8-16.7-20) that is part of the statewide 911 system (as defined in IC 36-8-16.7-22) and contained in the county. Any amount of tax revenue dedicated to a PSAP under this subsection shall be distributed before the remainder of the tax revenue is distributed under this section."**

Page 9, line 21, delete "as follows:" and insert "one dollar (\$1)".

Page 9, delete lines 22 through 24.

Page 9, line 25, strike "Subject to legislative approval,".

Page 9, line 26, after "2012," delete "the" and insert "The".

Page 9, line 29, after "IC 36-8-16.7." insert "The following apply to an increase in the enhanced prepaid wireless charge:

**(1) The board may increase the charge only one (1) time after June 30, 2015, and before July 1, 2020.**

**(2) The board may increase the charge only after review by the budget committee.**

**(3) If the board increases the charge, the amount of the increase must be ten cents (\$0.10)."**

Page 9, line 41, strike "prepaid wireless".

Page 9, line 42, strike "telecommunications service provided by the provider" and insert "service to each end user for which the provider receives reimbursement".

Page 15, between lines 2 and 3, begin a new line block indented and insert:

**"(1) The following apply to an increase in the fee:**

**(A) The board may increase the fee only one (1) time after June 30, 2015, and before July 1, 2020.**

**(B) The board may increase the fee only after review by the budget committee.**

**(C) If the board increases the fee, the amount of the increase must be ten cents (\$0.10)."**

Page 15, line 3, strike "(1)" and insert "(2)".

Page 15, line 3, strike "raised or".

Page 15, line 5, strike "(2)" and insert "(3)".

Page 15, line 5, after "fee" delete ":". "

Page 15, strike lines 6 through 8.

Page 15, line 9, strike "(B)".

Page 15, line 9, strike "raised or".

Page 19, line 7, delete "providers'" and insert "**provider's**".

Page 19, delete lines 15 through 42.

Page 20, delete lines 1 through 41.

Renumber all SECTIONS consecutively.

(Reference is to HB 1475 as reprinted February 25, 2015.)

and when so amended that said bill do pass.

Committee Vote: Yeas 13, Nays 0.

HERSHMAN, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred House Bill 1495, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 11, after "paid." insert "**The county treasurer shall issue the permit not later than two (2) business days (excluding weekends and holidays) after the date the completed permit application is received by the county treasurer.**".

Page 2, line 4, delete "thirty (30)" and insert "**ninety (90)**".

(Reference is to HB 1495 as printed February 3, 2015.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

HEAD, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred House Bill 1540, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 21, line 20, strike "This subsection does not apply to an entity receiving money".

Page 21, line 21, strike "under IC 4-33-12-6(c)".

Page 31, line 32, strike "12(b)(2)" and insert "**12(b)(3)**".

Page 32, line 27, strike "12(b)(2)" and insert "**12(b)(3)**".

Page 33, line 21, delete "(b)," and insert "**(c)**".

Page 34, line 38, delete "commission" and insert "**corporation**".

(Reference is to HB 1540 as reprinted February 25, 2015.) and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 10, Nays 0.

ALTING, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Tax & Fiscal Policy, to which was referred House Bill 1603, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 6, line 16, delete "that" and insert "**who**".

Page 6, line 17, after "assessor." insert "**A county or township official required to provide a notice under this subsection may:**

**(1) provide written notice; or**

**(2) provide the notice electronically.**".

(Reference is to HB 1603 as printed February 20, 2015.)

and when so amended that said bill do pass.

Committee Vote: Yeas 13, Nays 0.

HERSHMAN, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security & Transportation, to which was referred House Bill 1631, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

YODER, Chair

Report adopted.

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, with amendments, Engrossed Senate Bills 50, 173, 175, 197, 298, and 460 and the same are herewith returned to the Senate for concurrence.

M. CAROLINE SPOTTS  
Principal Clerk of the House

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 31 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS  
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, without amendments, Engrossed Senate Bills 26, 59, 285, and 437 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS  
Principal Clerk of the House

**RESOLUTIONS ON FIRST READING**

**House Concurrent Resolution 46**

House Concurrent Resolution 46, sponsored by Senator Merritt:

A CONCURRENT RESOLUTION recognizing the Indiana Historical Bureau on the occasion of 100 years of marking Hoosier history.

*Whereas, March 8, 2015, marks the 100th anniversary of the establishment of the Indiana Historical Commission by the Indiana General Assembly;*

*Whereas, The Indiana Historical Commission was established to prepare and execute plans for the 1916 centennial celebration of Indiana's admission to statehood in 1816, leaving lasting legacies including the establishment of the state parks system, the official Indiana state flag, the Centennial Medal, documentary publications in its Indiana Historical Collections, beginning in 1916 with two volumes of Constitution Making in Indiana, and the encouragement of local programs, buildings, parks, and more throughout the state;*

*Whereas, In April 1925, the commission's activities became the mandate of the Indiana Historical Bureau, part of the Indiana Library and Historical Department, created by the Indiana General Assembly;*

*Whereas, For decades the Indiana Historical Bureau has collaborated with state and local entities to provide programs, publications, exhibitions, educator resources, and support to historical organizations and the public;*

*Whereas, The Indiana Historical Bureau has enabled historical signage on a broad range of topics in Indiana history since 1936, and, since 1946, the Indiana Historical Bureau has installed over 500 state historical markers throughout Indiana;*

*Whereas, Indiana State historical markers serve as a tangible reminder of the history of Hoosier communities, as an educational tool, and as a tourist destination; and*

*Whereas, The bureau and its statewide partners continue to work to celebrate and mark Hoosier history as we approach the bicentennial of statehood in 2016: 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 Indiana Historical Bureau on the occasion of the 100th anniversary of its establishment and acknowledges its many years of service to the state of Indiana and its citizens.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the Indiana Library and Historical Board president Robert Barcus.

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

SENATE MOTION

Madam President: I move that Engrossed House Bill 1150, which is eligible for third reading, be returned to second reading for purposes of amendment.

BOOTS

Motion prevailed.

**REPORT OF THE PRESIDENT  
PRO TEMPORE**

Madam President: Pursuant to Senate Rule 68(b), I hereby report that House Bill 1003, currently assigned to the Committee on Rules & Legislative Procedure, be reassigned to the Committee on Elections.

LONG

Report adopted.

**ENGROSSED HOUSE BILLS  
ON SECOND READING**

**Engrossed House Bill 1139**

Senator Walker called up Engrossed House Bill 1139 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Engrossed House Bill 1140**

Senator Walker called up Engrossed House Bill 1140 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Engrossed House Bill 1170**

Senator Bassler called up Engrossed House Bill 1170 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 1170-1)

Madam President: I move that Engrossed House Bill 1170 be amended to read as follows:

Page 2, line 7, delete "shall" and insert "**may**".

Page 2, line 16, delete "shall" and insert "**may**".

Page 2, line 18, delete "The pilot program" and insert "**A pilot program established under this subsection**".

Page 2, line 23, delete "The pilot program" and insert "**A pilot program established under this subsection**".

(Reference is to EHB 1170 as printed March 18, 2015.)

LEISING

Motion prevailed. The bill was ordered engrossed.

### Engrossed House Bill 1186

Senator Boots called up Engrossed House Bill 1186 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 1186-2)

Madam President: I move that Engrossed House Bill 1186 be amended to read as follows:

Page 5, line 30, delete "An" and insert "**Except as provided in subsection (j), an**".

Page 6, line 3, delete "Any" and insert "**Except as provided in subsection (j), any**".

Page 6, line 31, delete "Where" and insert "**Except as provided in subsection (j), where**".

Page 7, line 20, after "made" delete ":".

Page 7, strike lines 21 through 23.

Page 7, line 24, strike "(B)".

Page 7, line 24, after "employer" insert ";".

Page 7, line 24, strike "or the department;".

Page 7, run in lines 20 through 24.

Page 7, delete lines 26 through 42, begin a new paragraph and insert:

**"(j) Liability for repayment of benefits paid to an individual, including an individual employed by an employer electing to make payments in lieu of contributions, shall be waived if:**

**(1) the benefits were received by the individual without fault of the individual; and**

**(2) the benefits were the result of payments made:**

**(A) during the pendency of an appeal before an administrative law judge or the review board under IC 22-4-17 under which the individual is determined to be ineligible for benefits; or**

**(B) because of an error by the department.**

SECTION 4. IC 22-4-13-4, AS ADDED BY P.L.172-2011, SECTION 128, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) This section applies to an individual:

(1) for whom the department has established an overpayment by a final written determination under section 1(a) or 1(b) of this chapter; ~~and~~

**(2) whose liability for repayment is not waived under section 1(j) of this chapter; and**

~~(2)~~ **(3) whose overpayment amount that is due and payable equals or exceeds:**

(A) the individual's weekly benefit amount; multiplied by

(B) four (4).

(b) Notwithstanding any other law and subject to subsection (c), an individual is entitled to repay the established amount of an overpayment over a period:

(1) beginning on the date the determination of the amount of the overpayment is final; and

(2) ending on a date not later than the date occurring thirty-six (36) months after the date specified in subdivision (1).

(c) An individual to whom this section applies may repay an overpayment over time as provided in subsection (b) not more than once during the individual's lifetime.

SECTION 5. IC 22-4-13-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 5. (a) Notwithstanding any other law, the department shall waive an individual's liability for repayment of benefits that were paid to an individual not entitled to receive them if:**

**(1) the individual received the benefits after July 1, 2011;**

**(2) the individual received the benefits without fault of the individual; and**

**(3) the individual was not entitled to receive the benefits solely as the result of changes in the unemployment insurance law made by HEA 1450-2011 (P.L.2-2011).**

**(b) Benefits for which repayment is waived under subsection (a) shall be charged to the fund and not to:**

**(1) the experience account of any employer; or**

**(2) an employer making payments in lieu of contributions."**

Page 8, delete lines 1 through 2.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1186 as printed March 13, 2015.)

TALLIAN

Motion failed.

SENATE MOTION  
(Amendment 1186-3)

Madam President: I move that Engrossed House Bill 1186 be amended to read as follows:

Page 9, line 15, after "Sec. 4." insert "**(a)**".

Page 10, between lines 1 and 2, begin a new paragraph and insert:

**"(b) An employer that is required to withhold income under subsection (a)(2) may collect a fee determined under IC 24-4.5-5-105(5) in the same manner as a collection fee allowed for making a garnishment. A fee collected under this subsection is not an assignment of wages under IC 22-2-6."**

(Reference is to EHB 1186 as printed March 13, 2015.)

BOOTS

The Chair ordered a division of the Senate. Yeas 37, nays 8.

Motion prevailed.

SENATE MOTION  
(Amendment 1186-1)

Madam President: I move that Engrossed House Bill 1186 be amended to read as follows:

Page 6, line 6, after "or" insert "**intentionally misrepresents or willfully**".

Page 6, line 7, strike "because of the subsequent receipt of income".

Page 6, line 8, strike "deductible from benefits which is" and insert "**were**".

Page 6, line 10, after "to" strike "such".

Page 6, line 10, after "benefits" insert "**for such week or weeks**".

(Reference is to EHB 1186 as printed March 13, 2015.)

TALLIAN

Motion failed. The bill was ordered engrossed.

**Engrossed House Bill 1286**

Senator Buck called up Engrossed House Bill 1286 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Engrossed House Bill 1335**

Senator Grooms called up Engrossed House Bill 1335 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Engrossed House Bill 1396**

Senator Crider called up Engrossed House Bill 1396 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**ENGROSSED HOUSE BILLS  
ON THIRD READING**

**Engrossed House Bill 1062**

Senator Yoder called up Engrossed House Bill 1062 for third reading:

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

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

Roll Call 310: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the

act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

**Engrossed House Bill 1068**

Senator Yoder called up Engrossed House Bill 1068 for third reading:

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

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

Roll Call 311: yeas 44, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

**Engrossed House Bill 1271**

Senator Kenley called up Engrossed House Bill 1271 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 312: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

**Engrossed House Bill 1434**

Senator Head called up Engrossed House Bill 1434 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

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

Roll Call 313: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has concurred with the Senate amendments to Engrossed House Bill 1065.

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 25 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 44, 45, and 46 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed with amendments Engrossed Senate Bill 489 and the same is herewith returned to the Senate for concurrence.

M. CAROLINE SPOTTS  
Principal Clerk of the House

## MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed without amendments Engrossed Senate Bills 80, 294, 297, 372, 394, 447, 467, and 556 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS  
Principal Clerk of the House

## SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of House Bill 1540.

ALTING

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of House Bill 1101.

HOUCHIN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of House Bill 1286.

BUCK

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Resolution 34.

MESSMER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senators Randolph and Arnold be added as cosponsors of House Bill 1456.

GLICK

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of House Bill 1435.

HEAD

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of House Bill 1475.

HERSHMAN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of House Bill 1006.

STEELE

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Randolph be added as cosponsor of House Bill 1432.

YODER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Taylor be added as cosponsor of House Bill 1371.

STEELE

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Arnold be added as cosponsor of House Bill 1413.

FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as cosponsor of House Bill 1341.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as cosponsor of House Bill 1287.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Smith be added as cosponsor of House Bill 1019.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as second sponsor and Senator Arnold be added as cosponsor of House Bill 1335.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Arnold and Rogers be added as cosponsors of House Bill 1394.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as second sponsor of House Concurrent Resolution 46.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zakas be added as second sponsor of House Bill 1140.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Waltz be added as second sponsor and Senator Patricia Miller be added as third sponsor of House Bill 1414.

SCHNEIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Patricia Miller be added as third sponsor of House Bill 1068.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Schneider be added as cosponsor of House Bill 1019.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as cosponsor of House Bill 1393.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as cosponsor of House Bill 1056.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Patricia Miller be added as third sponsor of House Bill 1456.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as second sponsor and Senator Glick be added as third sponsor of House Bill 1170.

BASSLER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Leising be added as cosponsor of House Bill 1108.

BRAY

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Stoops be added as cosponsor of House Bill 1438.

KRUSE

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Stoops be added as cosponsor of House Bill 1231.

PETE MILLER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Arnold be added as cosponsor of House Bill 1631.

HOLDMAN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Merritt be added as second sponsor of House Bill 1286.

BUCK

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Patricia Miller be added as cosponsor of House Bill 1434.

HEAD

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Patricia Miller be added as cosponsor of House Bill 1108.

BRAY

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Bassler be added as third sponsor of House Bill 1019.

YODER

Motion prevailed.

## SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, March 23, 2015.

HERSHMAN

Motion prevailed.

The Senate adjourned at 2:28 p.m.

JENNIFER L. MERTZ  
Secretary of the Senate

SUE ELLSPERMANN  
President of the Senate