



Journal of the Senate

State of Indiana

120th General Assembly

First Regular Session

Thirty-first Meeting Day

Thursday Morning

March 16, 2017

The Senate convened at 10:05 a.m., with the President Pro Tempore of the Senate, David C. Long, in the Chair.

Prayer was offered by Senator Travis L. Holdman.

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

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

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

Roll Call 263; 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.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Resolution 2, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution be amended as follows:

Page 1, line 2, delete "cease its discrimination" and insert "end any unfair treatment".

Page 1, line 5, delete "property".

Page 1, line 6, delete "rights and human".

Page 2, line 12, delete "refuses to recognize" and insert "*has not recognized*".

Page 2, line 19, delete "because of the continued" and insert ";".

Page 2, delete line 20.

Page 2, line 21, delete "reneged on" and insert "*not honored*".

Page 3, line 1, after "Whereas," insert "*The Turkish government's treatment of Ecumenical Patriarch Bartholomew affects*".

Page 3, line 2, delete "stand to lose their spiritual leader because of the continued" and insert "; and".

Page 3, delete line 3.

Page 3, line 15, delete "and human".

Page 3, line 16, delete "cease its discrimination" and insert "end any unfair treatment".

Page 3, line 19, delete "property rights and human".

Page 3, line 22, after "Secretary of the" insert "Indiana".

(Reference is to SR 2 as introduced.)

and when so amended that said resolution do pass.

Committee Vote: Yeas 7, Nays 0.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1004, 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 education and to make an appropriation.

Page 1, delete lines 1 through 13, begin a new paragraph and insert:

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

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

(2) For purposes of IC 12-17-2-3-6, the meaning set forth in IC 12-17-2-3-6-1.

(3) For purposes of IC 12-21-4-5, the meaning set forth in IC 12-21-4-5-1.

SECTION 2. IC 12-7-2-75.7 IS REPEALED [EFFECTIVE JULY 1, 2017]. Sec. 75.7: "Eligible child", for purposes of IC 12-17-2-3-6, has the meaning set forth in IC 12-17-2-3-6-2.

SECTION 3. IC 12-7-2-76.2 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 76.2: "Eligible provider"; for purposes of IC 12-17.2-3-6; has the meaning set forth in IC 12-17.2-3-6-3.~~

SECTION 4. IC 12-7-2-76.3 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 76.3: "Eligible services"; for purposes of IC 12-17.2-3-6; has the meaning set forth in IC 12-17.2-3-6-4.~~

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

- (1) For purposes of IC 12-12-1-9, the fund described in IC 12-12-1-9.
- (2) For purposes of IC 12-15-20, the meaning set forth in IC 12-15-20-1.
- (3) For purposes of IC 12-17-12, the meaning set forth in IC 12-17-12-4.
- ~~(4) For purposes of IC 12-17.2-3-6; the meaning set forth in IC 12-17.2-3-6-5.~~
- ~~(5) (4)~~ For purposes of IC 12-17.6, the meaning set forth in IC 12-17.6-1-3.
- ~~(6) (5)~~ For purposes of IC 12-23-2, the meaning set forth in IC 12-23-2-1.
- ~~(7) (6)~~ For purposes of IC 12-23-18, the meaning set forth in IC 12-23-18-4.
- ~~(8) (7)~~ For purposes of IC 12-24-6, the meaning set forth in IC 12-24-6-1.
- ~~(9) (8)~~ For purposes of IC 12-24-14, the meaning set forth in IC 12-24-14-1.
- ~~(10) (9)~~ For purposes of IC 12-30-7, the meaning set forth in IC 12-30-7-3.

SECTION 6. IC 12-7-2-93.7 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 93.7: "Grant"; for purposes of IC 12-17.2-3-6; has the meaning set forth in IC 12-17.2-3-6-6.~~

SECTION 7. IC 12-7-2-135.8, AS AMENDED BY P.L.2-2014, SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 135.8. (a) "Paths to QUALITY program", for purposes of IC 12-17.2-2-14.2, ~~and IC 12-17.2-3-6;~~ refers to the program established in IC 12-17.2-2-14.2(b).

(b) "Paths to QUALITY program", for purposes of IC 12-17.2-3.8, has the meaning set forth in IC 12-17.2-3.8-1.

SECTION 8. IC 12-7-2-139.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 139.3. "Pilot fund", for purposes of IC 12-17.2-7.2, has the meaning set forth in IC 12-17.2-7.2-4.7.**

SECTION 9. IC 12-7-2-143.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 143.1. "Potential eligible provider or existing eligible provider", for purposes of IC 12-17.2-7.2, has the meaning set forth in IC 12-17.2-7.2-5.5.**

SECTION 10. IC 12-7-2-146, AS AMENDED BY P.L.149-2016, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 146. "Program" refers to the following:

- (1) For purposes of IC 12-10-7, the adult guardianship

services program established by IC 12-10-7-5.

(2) For purposes of IC 12-10-10, the meaning set forth in IC 12-10-10-5.

(3) For purposes of IC 12-10-10.5, the meaning set forth in IC 12-10-10.5-4.

(4) For purposes of IC 12-17.2-2-14.2, the meaning set forth in IC 12-17.2-2-14.2(a).

~~(5) For purposes of IC 12-17.2-3-6; the meaning set forth in IC 12-17.2-3-6-7.~~

~~(6) (5)~~ For purposes of IC 12-17.2-3.8, the meaning set forth in IC 12-17.2-3.8-2.

~~(7) (6)~~ For purposes of IC 12-17.6, the meaning set forth in IC 12-17.6-1-5.

SECTION 11. IC 12-17.2-3.5-14.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 14.5. Not later than July 1, 2017, the division shall develop a provider rate reimbursement schedule that uses money appropriated by the general assembly as an incentive for providers that are eligible to receive voucher payments under this chapter to meet the standards of quality recognized by a Level 3 or Level 4 Paths to QUALITY program rating.**

SECTION 12. IC 12-17.2-3.6 IS REPEALED [EFFECTIVE JULY 1, 2017]. (Early Learning Advisory Committee; Early Education Matching Grant Program).

SECTION 13. IC 12-17.2-7.2-1, AS ADDED BY P.L.202-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. As used in this chapter, "eligible child" refers to:

(1) an individual who:

~~(1) (A)~~ is at least four (4) years of age and less than five (5) years of age on August 1 of the state fiscal year for which a grant is sought under the **prekindergarten** pilot program;

~~(2) (B)~~ is a resident of Indiana or otherwise has legal settlement in Indiana, as determined under IC 20-26-11;

~~(3) (C)~~ is a member of a household with an annual income that does not exceed one hundred twenty-seven percent (127%) of the federal poverty level;

~~(4) (D)~~ receives qualified early education services from an eligible provider, as determined by the office;

~~(5) (E)~~ has a parent or guardian who participates in a parental engagement and involvement component provided by the eligible provider; and

~~(6) (F)~~ has a parent or guardian who agrees to ensure that the child meets the attendance requirements determined by the office; or

(2) an individual who:

(A) is at least four (4) years of age and less than five (5) years of age on August 1 of the state fiscal year for which a grant is sought under the **prekindergarten pilot program**;

(B) is a resident of Indiana or otherwise has legal settlement in Indiana, as determined under **IC 20-26-11**;

(C) is a child in foster care (as defined in **IC 31-9-2-46.7**); and

(D) receives qualified early education services from an eligible provider, as determined by the office.

SECTION 14. IC 12-17.2-7.2-2, AS AMENDED BY P.L.169-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. As used in this chapter, "eligible provider" refers to a provider that satisfies the following conditions:

(1) The provider is:

(A) a:

- (i) public school, including a charter school;
- (ii) child care center licensed under IC 12-17.2-4;
- (iii) child care home licensed under IC 12-17.2-5; or
- (iv) child care ministry registered under IC 12-17.2-6;

that meets the standards of quality recognized by a Level 3 or Level 4 paths to QUALITY program rating;

(B) a school that is accredited by the state board of education or a national or regional accreditation agency that is recognized by the state board of education; or

(C) a school that is accredited to provide qualified early education services by an accrediting agency approved by the office of the secretary.

(2) The provider:

(A) provides qualified early education services to eligible children; and

(B) complies with the agreement with the office concerning the delivery of qualified education services and the use of a grant provided under this chapter.

(3) The provider is located in a county in which the **prekindergarten** pilot program is implemented.

SECTION 15. IC 12-17.2-7.2-4.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 4.7. As used in this chapter, "pilot fund" refers to the prekindergarten pilot program fund established by section 13.5 of this chapter.**"

Delete pages 2 through 6.

Page 7, delete lines 1 through 14.

Page 7, delete lines 20 through 42.

Page 8, delete lines 1 through 10, begin a new paragraph and insert:

"SECTION 17. IC 12-17.2-7.2-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 5.5. As used in this chapter, "potential eligible provider or existing eligible provider" refers to an entity that qualifies as a potential eligible provider or existing eligible provider under section 7.4(a) of this chapter.**

SECTION 18. IC 12-17.2-7.2-6, AS ADDED BY P.L.202-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. As used in this chapter, "qualified early education services" refers to a program of early education services that:

- (1) is provided by an eligible provider to an eligible child;
- (2) includes a parental engagement and involvement component ~~provided by the eligible provider~~; **in the delivery of early education services for an eligible child described in section 1(1) of this chapter that is based on**

the requirements and guidelines established by the office;

(3) administers the kindergarten readiness assessment ~~adopted by the state board of education~~; **and (ISTAR-KR) adopted by the department of education to children receiving early education services as required by the office;**

(4) aligns with the early learning development framework for prekindergarten approved by the department of education under IC 20-19-3-16; and

~~(5)~~ **(5) meets the design parameters for inclusion in the longitudinal study described in section 12 of this chapter, as determined by the office.**

SECTION 19. IC 12-17.2-7.2-7, AS ADDED BY P.L.202-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. (a) The office may establish a **prekindergarten** pilot program to provide grants for:

(1) qualified early education services in a manner consistent with how funds are distributed under the Child Care and Development Fund (CCDF) grant program; and
(2) expansion plans as described in section 7.4(a)(2) of this chapter.

(b) The office shall administer the **prekindergarten** pilot program. The **prekindergarten** pilot program may include:

- ~~(1) eligible providers in not more than five (5) counties; as provided in subsections (c) and (d); and~~
- (2) potential eligible providers or existing eligible providers as described in section 7.4 of this chapter.**

~~In determining which counties are designated as pilot counties, eligible providers and potential eligible providers or existing eligible providers will receive a grant under this chapter, the office shall attempt to achieve diversity among the designated counties in Indiana based on the geographical location of the counties, the population of the counties, and whether the counties are each county in which an eligible provider is located is primarily rural or urban. The office shall ensure that the counties selected include a population of eligible children sufficient to conduct the longitudinal study under section 12 of this chapter.~~

(c) Before July 1, 2017, the prekindergarten pilot program includes eligible providers in the following pilot counties:

- (1) Allen.**
- (2) Jackson.**
- (3) Lake.**
- (4) Marion.**
- (5) Vanderburgh.**

(d) After June 30, 2017, in addition to the counties listed under subsection (c), the prekindergarten pilot program includes:

- (1) eligible providers in any county in Indiana that is not listed in subsection (c); and**
- (2) potential eligible providers or existing eligible providers in any county in Indiana that meet the requirements under section 7.4 of this chapter.**

~~(e)~~ **(e) Subject to the requirements of this chapter, the office shall determine:**

(1) the eligibility requirements, application process, and selection process for awarding grants under the **prekindergarten** pilot program;

(2) the administration and reporting requirements for:

(A) eligible providers; and

(B) **potential eligible providers or existing eligible providers;**

participating in the **prekindergarten** pilot program; and

(3) with the assistance of the early learning advisory committee, an appropriate outcomes based accountability system for:

(A) eligible providers; and

(B) **potential eligible providers or existing eligible providers.**

(f) Before implementing the **prekindergarten** pilot program, the office shall submit the provisions of the **prekindergarten** pilot program to the state board of education for the state board of education's review and comment.

(g) The office shall, subject to the availability of funding, determine the number of eligible children who will participate in the **prekindergarten** pilot program.

SECTION 20. IC 12-17.2-7.2-7.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 7.2. (a) This section does not apply to an eligible child described in section 1(2) of this chapter.**

(b) Except as provided in subsection (c), for an eligible child to qualify for a grant under this chapter, the eligible child must reside with a parent or guardian who is:

(1) working or attending a job training or an educational program; or

(2) actively seeking employment.

(c) An eligible child may meet the requirements under subsection (b) if the parent or guardian of the eligible child is unable to:

(1) work or attend a job training or educational program; or

(2) actively seek employment;

because the parent or guardian provides full-time care to a child who is less than five (5) years of age.

(d) Before the office may award a grant to an eligible child under this chapter, the office shall require that a parent or guardian of the eligible child agree to the following:

(1) The eligible child will attend the **prekindergarten** program of an eligible provider selected by the parent or guardian for the full duration of the **prekindergarten** program year.

(2) The parent or guardian will not transfer to another **prekindergarten** program during the **prekindergarten** program year.

(3) The eligible child will attend the **prekindergarten** program at least eighty-five percent (85%) of the days that the **prekindergarten** program is provided.

(4) The parent or guardian will allow the eligible child to participate in an external evaluation conducted by researchers, including the kindergarten readiness assessment and measuring of developmental and academic progress.

(5) The parent or guardian will participate in family engagement and involvement activities offered by the selected **prekindergarten** program, including meetings with the eligible child's teacher to discuss the eligible child's progress or any other conference concerning the eligible child that is requested by the eligible provider.

(6) The parent or guardian will complete the necessary forms for the eligible child to receive a student test number from the department of education.

(7) The parent or guardian will send the eligible child to kindergarten.

(8) The parent or guardian will read to the eligible child each week.

(e) After first giving priority to an eligible child as provided under section 8(e) of this chapter, priority may be given to an eligible child under this section if a parent or guardian of the eligible child is:

(1) involved in activities that improve the parent's or guardian's education; or

(2) involved in job training.

SECTION 21. IC 12-17.2-7.2-7.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 7.3. The office shall require, for an eligible provider to enroll in the prekindergarten pilot program, that the eligible provider agree to the following:**

(1) Comply on a continuing basis with the requirements under this chapter and rules for participation established by the office.

(2) Maintain eligibility under this chapter throughout the **prekindergarten** program year.

(3) Report immediately any changes in eligibility status to the office, including the eligible provider's loss of national or regional accreditation.

(4) Participate in any training and mandatory meetings required by the office.

(5) Participate in all onsite visits conducted by the office, including fiscal auditing activities with regard to the **prekindergarten** pilot program and **prekindergarten** program activity monitoring.

(6) Allow families of eligible children enrolled in the **prekindergarten** program of the eligible provider to visit at any time the **prekindergarten** program is in operation.

(7) Maintain accurate online attendance records through the attendance portal for eligible children enrolled in the **prekindergarten** pilot program and submit attendance records as required by the office.

(8) Offer parental engagement and involvement activities in the **prekindergarten** program of the eligible provider in alignment with the family engagement framework adopted by the early learning advisory committee established by IC 12-17.2-3.8-5.

(9) Complete, within the period established by the office, the Indiana early childhood family engagement toolkit, including the family engagement self-assessment, adopted by the early learning advisory committee.

(10) Share information on the family engagement self-assessment described in subdivision (9) as required by the office.

(11) Participate in research studies as required by the office.

(12) Enforce minimum attendance requirements of at least eighty-five percent (85%) of the days that the prekindergarten program of the eligible provider is offered to an eligible child described in section 1(1) of this chapter.

(13) Inform the office that an eligible child has withdrawn from the prekindergarten program of the eligible provider not later than five (5) days after the eligible child is withdrawn.

(14) That retroactive repayment to the state may be required or future payments may be adjusted as a result of the withdrawal of an eligible child or to changes in the law.

(15) Maintain records of participation by a family of an eligible child described in section 1(1) of this chapter in family engagement activities and submit records as required by the office.

(16) Promote an eligible child's social, emotional, and behavioral health and eliminate or severely limit the use of expulsion, suspension, and other exclusionary discipline practices.

(17) Use the exclusionary discipline practices described in subdivision (16) only as a last resort in extraordinary circumstances when there is a determination of a serious safety threat that cannot otherwise be reduced or eliminated by the provision of reasonable modifications.

(18) Inform and receive approval from the office before the eligible provider expels, suspends, or uses other exclusionary discipline practices.

(19) Assist a parent or guardian, upon request by the parent or guardian, in obtaining information from, referral to, or both information from and referral to the public school that serves the attendance area in which the parent or guardian resides for an educational evaluation and determination of eligibility for special education services if developmental delays or reasons to suspect a disability are observed by the parent, guardian, or teacher of an eligible child during the prekindergarten program year.

SECTION 22. IC 12-17.2-7.2-7.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 7.4. (a) To qualify as a potential eligible provider or existing eligible provider, an applicant must:**

- (1) be an entity other than an individual;
- (2) provide an expansion plan to the office that details the potential eligible provider's or existing eligible provider's plan to:

(A) increase the capacity of providers of qualified early education services to serve a greater number of eligible children;

(B) increase the number of providers of qualified

early education services; or

(C) increase the capacity as described in clause (A) and increase the number as described in clause (B);

(3) comply with the agreement with the office concerning the plan under subdivision (2) and the use of a grant awarded under this chapter;

(4) agree:

(A) to operate as an eligible provider; or

(B) that the applicant intends to operate as an eligible provider;

(5) agree that the applicant will not use any grant funds awarded under this section for capital expenditures; and

(6) comply with any other standards and procedures established under this chapter.

(b) Subject to subsections (c) and (d), the office may award a grant to an applicant that meets the requirements of subsection (a).

(c) The office may not use more than a total of ten percent (10%) of the money in the pilot fund each state fiscal year for grants awarded under this chapter to potential eligible providers and existing eligible providers for expansion plans.

(d) The office may not award grant funds under this section to an applicant for capital expenditures.

(e) If a potential eligible provider or existing eligible provider fails to:

(1) use the grant funds in accordance with the expansion plan described in subsection (a); or

(2) comply with the agreement entered into with the office under subsection (a);

the potential eligible provider or existing eligible provider shall repay to the office the total amount of the grant awarded to the potential eligible provider or existing eligible provider under this chapter."

Page 8, delete lines 16 through 42, begin a new paragraph and insert:

"SECTION 24. IC 12-17.2-7.2-7.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 7.6. (a) The office shall monitor the educational outcomes resulting from the implementation of expansion plans described in section 7.4(a) of this chapter by potential eligible providers or existing eligible providers that receive a grant under this chapter over the period established by the office to evaluate the contribution that the expansion plans make toward improved educational outcomes.**

(b) Beginning in 2018, the office shall annually provide the:

(1) governor; and

(2) legislative council in an electronic format under IC 5-14-6;

a report of the findings of the office concerning the educational outcomes under subsection (a).

SECTION 25. IC 12-17.2-7.2-7.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7.8. (a) The office shall make random onsite inspections each year, as determined necessary by the office, at the facility of:**

- (1) an eligible provider; or
- (2) a potential eligible provider or existing eligible provider;

that receives a grant under this chapter.

(b) The office may determine that an eligible provider or potential eligible provider or existing eligible provider is not eligible to receive a grant under the prekindergarten pilot program if the eligible provider or potential eligible provider or existing eligible provider:

- (1) fails to comply with this chapter; or
- (2) refuses to allow, during normal business hours, the office or an agent of the office to inspect the facility at which the eligible provider or potential eligible provider or existing eligible provider operates a child care program for eligible children.

SECTION 26. IC 12-17.2-7.2-8, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2017 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 8. (a) The office shall determine:

- (1) which applicants shall be awarded a grant; and
- (2) subject to subsection (b) and to the availability of funding, the amount of each grant.

(b) This subsection does not apply to tuition for an eligible child described in section 1(2) of this chapter. At least ten percent (10%) but not more than fifty percent (50%) of the:

- (1) tuition for eligible children under the prekindergarten pilot program; or
- (2) expansion plan described in section 7.4(a) of this chapter;

during the state fiscal year must be paid from donations, gifts, grants, bequests, and other funds received from a private entity or person, from the United States government, or from other sources (excluding funds from a grant provided under this chapter and excluding other state funding). The office may receive and administer grants on behalf of the prekindergarten pilot program. The grants shall be distributed by the office to fulfill the requirements of this subsection.

(c) Except as provided in subsection (d), the amount of a grant made under the prekindergarten pilot program to an eligible child:

- (1) must equal at least two thousand five hundred dollars (\$2,500) during the state fiscal year; and
- (2) may not exceed six thousand eight hundred dollars (\$6,800) during the state fiscal year.

(d) The total amount of grants provided from the funding under section 9(a) of this chapter (before its repeal) that are awarded under the pilot program in a state fiscal year may not exceed ten million dollars (\$10,000,000).

(d) A grant awarded under the prekindergarten pilot program to an eligible child described in section 1(2) of this chapter must be in the amount of six thousand eight hundred dollars (\$6,800).

(e) In awarding a grant under this chapter, the office shall, to the extent possible, give priority to an eligible child described in section 1(2) of this chapter."

Page 9, delete lines 1 through 23.

Page 10, delete lines 2 through 28, begin a new paragraph and

insert:

"SECTION 28. IC 12-17.2-7.2-12, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2017 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. (a) The office shall carry out a longitudinal study of students who participate in the prekindergarten pilot program in the counties listed under section 7(c) of this chapter to determine the achievement levels of those students in kindergarten and later grades.

(b) The longitudinal study must include a comparison of test and assessment results in grade 3 of:

- (1) the eligible children who participated in the prekindergarten pilot program; and
- (2) a control group determined by the office that consists of children who did not participate in the prekindergarten pilot program.

(c) The office may, after consulting with the state board of education, enter into a contract with one (1) or more persons to carry out the longitudinal study under this section. The office may expend not more than one million dollars (\$1,000,000) from the funds appropriated under section 9 of this chapter (repealed) to carry out the longitudinal study. The amount expended to carry out the longitudinal study under this section is in addition to the ten million dollar (\$10,000,000) limit under section 8(d) of this chapter on the amount of grants under the pilot program in a state fiscal year."

Page 10, delete lines 36 through 42, begin a new paragraph and insert:

"SECTION 30. IC 12-17.2-7.2-13.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13.5. (a)

The prekindergarten pilot program fund is established to:

- (1) provide grants for qualified early education services in counties described in section 7(c) and 7(d)(1) of this chapter;
- (2) carry out the longitudinal studies described in section 12 of this chapter and IC 12-17.2-7.5-5;
- (3) provide grants to potential eligible providers and existing eligible providers as set forth in section 7.4 of this chapter; and
- (4) make payments to reimburse costs incurred to provide in-home early education services under IC 12-17.2-7.5.

(b) The fund consists of:

- (1) money appropriated to the fund by the general assembly; and
- (2) grants or gifts to the fund.

(c) The fund shall be administered by the office.

(d) The expenses of administering the fund shall be paid from money in the fund.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(f) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

SECTION 31. IC 12-17.2-7.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 7.5. Technology Based In-Home Early Education

Sec. 1. As used in this chapter, "in-home early education services" means a technology based program of early education that:

- (1) is designed to improve a child's transition into elementary education;
- (2) includes a parental engagement and involvement component;
- (3) is provided to a child at the child's home or a similar home setting; and
- (4) meets the design parameters for inclusion in the longitudinal study described in section 5 of this chapter, as determined by the office.

Sec. 2. As used in this chapter, "office" means the office of the secretary of family and social services.

Sec. 3. The office shall review in-home early education services that are available in Indiana.

Sec. 4. (a) After completing the review under section 3 of this chapter, the office may develop and implement a reimbursement program to reimburse costs that are incurred by a parent or guardian of a child to provide in-home early education services to the child.

(b) The office may develop reimbursement rates for the reimbursement of in-home early education services.

(c) Reimbursement by the office under this section may be funded from any of the following sources:

- (1) Federal grants.
- (2) State appropriations.
- (3) Money from a political subdivision (as defined in IC 36-1-2-13).
- (4) Money from the prekindergarten pilot program fund established by IC 12-17.2-7.2-13.5.

Sec. 5. (a) If the office implements a reimbursement program under section 4(a) of this chapter, the office shall carry out a longitudinal study of students who receive in-home early education services to determine the achievement levels of those students in kindergarten and later grades.

(b) The longitudinal study under this section must include a comparison of test and assessment results in grade 3 of:

- (1) the children who received in-home early education services; and
- (2) a control group determined by the office that consists of children who did not receive in-home early education services.

(c) The office may, after consulting with the state board of education, enter into a contract with one (1) or more persons to carry out the longitudinal study under this section.

SECTION 32. IC 20-19-3-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 16.** The department shall:

- (1) approve an early learning development framework for prekindergarten; and
- (2) post the framework described in subdivision (1) on the department's Internet web site.

SECTION 33. [EFFECTIVE UPON PASSAGE] **(a)** There is appropriated to the prekindergarten pilot program fund

established by IC 12-17.2-7.2-13.5, as added by this act, from the state general fund the following:

(1) For the state fiscal year beginning July 1, 2017, and ending June 30, 2018, sixteen million dollars (\$16,000,000). Of the sixteen million dollars (\$16,000,000) appropriated under this subdivision, one million dollars (\$1,000,000) of that amount must be used for reimbursement of in-home early education services under IC 12-17.2-7.5.

(2) For the state fiscal year beginning July 1, 2018, and ending June 30, 2019, sixteen million dollars (\$16,000,000). Of the sixteen million dollars (\$16,000,000) appropriated under this subdivision, one million dollars (\$1,000,000) of that amount must be used for reimbursement of in-home early education services under IC 12-17.2-7.5.

(b) This SECTION expires July 1, 2019.

SECTION 34. [EFFECTIVE UPON PASSAGE] **(a)** As used in this SECTION, "office" refers to the office of the secretary of family and social services.

(b) The office shall apply for waivers from all applicable federal agencies to receive any federal funding for child care or prekindergarten education in one (1) block grant to use for child care and prekindergarten programs in Indiana.

(c) This SECTION expires July 1, 2022.

SECTION 35. An emergency is declared for this act."

Delete pages 11 through 14.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1004 as reprinted February 7, 2017.) and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 8, Nays 1.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1079, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 7.

Page 8, delete lines 1 through 16.

Page 8, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 1. IC 20-26-1-1, AS AMENDED BY P.L.121-2009, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 1. (a) Except as otherwise provided,** IC 20-26-1 through IC 20-26-5 and IC 20-26-7 apply to all school corporations.

(b) Notwithstanding subsection (a); IC 20-26-5-10 applies to:

(1) a school corporation;

(2) a charter school; and

(3) an accredited nonpublic school.

SECTION 2. IC 20-26-5-10, AS AMENDED BY P.L.106-2016, SECTION 4, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. (a) This section applies to a:

- (1) school corporation;
- (2) charter school; or
- (3) a nonpublic school that employs one (1) or more employees.

(b) A school corporation, ~~including~~ a charter school, and a nonpublic school shall adopt a policy concerning criminal history information for individuals who:

- (1) apply for:
 - (A) employment with the school corporation, charter school, or nonpublic school; or
 - (B) employment with an entity with which the school corporation, charter school, or nonpublic school contracts for services;
- (2) seek to enter into a contract to provide services to the school corporation, charter school, or nonpublic school; or
- (3) are employed by an entity that seeks to enter into a contract to provide services to the school corporation, charter school, or nonpublic school;

if the individuals are likely to have direct, ongoing contact with children within the scope of the individuals' employment.

(c) **Except as provided in subsections (f) and (g),** a school corporation, ~~including~~ a charter school, and a nonpublic school shall administer a policy adopted under this section uniformly for all individuals to whom the policy applies. ~~A policy adopted under this section must require that the school corporation, charter school, or nonpublic school conduct an expanded criminal history check and an expanded child protection index check concerning each applicant for noncertificated employment or certificated employment before or not later than three (3) months after the applicant's employment by the school corporation, charter school, or nonpublic school.~~

(d) **A policy adopted under this section must require that the school corporation, charter school, or nonpublic school conduct an expanded criminal history check concerning each applicant for noncertificated employment or certificated employment:**

- (1) before the start date of the applicant's employment by the school corporation, charter school, or nonpublic school if the applicant is employed by the school corporation, charter school, or nonpublic school before July 15 for the school year beginning after June 30 of the same year or a subsequent school year; or
- (2) before or not later than thirty (30) days after the start date of the applicant's employment by the school corporation, charter school, or nonpublic school if the applicant is employed by the school corporation, charter school, or nonpublic school after July 14 for the school year beginning after June 30 of the same year.

(e) **A policy adopted under this section must require that the school corporation, charter school, or nonpublic school conduct an expanded child protection index check concerning each applicant for noncertificated employment or certificated employment before or not later than two (2) months after the applicant's employment by the school corporation, charter school, or nonpublic school.**

(f) **A policy adopted under this section must state that the**

school corporation, charter school, or nonpublic school requires an expanded criminal history check and an expanded child protection index check concerning an employee of the school corporation, charter school, or nonpublic school. The checks must be conducted every five (5) years.

(g) **In implementing subsection (f), and subject to subsection (j), a school corporation, charter school, or nonpublic school may update the checks required under subsection (f) for employees who are employed by the school corporation, charter school, or nonpublic school as of July 1, 2017, over a period not to exceed five (5) years by annually conducting updated expanded criminal history checks and expanded child protection index checks for at least one-fifth (1/5) of the total number of employees of the school corporation, charter school, or nonpublic school.**

(h) Each individual hired for noncertificated employment or certificated employment may be required to provide a written consent for the school corporation, charter school, or nonpublic school to request an expanded criminal history check and an expanded child protection index check concerning the individual before ~~or not later than three (3) months after~~ the individual's employment by the school corporation, **charter school, or nonpublic school.** The school corporation, charter school, or nonpublic school may require the individual to provide a set of fingerprints and pay any fees required for the expanded criminal history check and expanded child protection index check. Each applicant for noncertificated employment or certificated employment **or an employee described in subsection (f)** may be required:

- (1) at the time the individual applies **or updates an expanded criminal history check and expanded child protection index check under subsection (f); or**
- (2) **while an expanded criminal history check or expanded child protection index check is being conducted;**

to answer questions concerning the individual's expanded criminal history check and expanded child protection index check. The failure to answer honestly questions asked under this subsection is grounds for termination of the employee's employment.

(i) **The applicant or employee described in subsection (f) is responsible for all costs associated with obtaining the expanded criminal history check and expanded child protection index check unless the school corporation, charter school, or nonpublic school agrees to pay the costs.**

(j) **An applicant or employee may not be required by a school corporation, charter school, or nonpublic school to obtain an expanded criminal history check or an expanded child protection index check more than one (1) time during a five (5) year period. However, a school corporation, charter school, or nonpublic school may obtain a check described in this subsection at any time if the school corporation, charter school, or nonpublic school has reason to believe that the applicant or employee:**

- (1) is the subject of a substantiated report of child abuse or neglect; or
- (2) has been charged with or convicted of a crime listed in section 11(b) of this chapter.

(k) As used in this subsection, "offense requiring license revocation" means an offense listed in IC 20-28-5-8(c). A policy adopted under this section must prohibit a school corporation, charter school, or nonpublic school from hiring a person who has been convicted of an offense requiring license revocation, unless the conviction has been reversed, vacated, or set aside on appeal.

~~(d)~~ **(l)** Information obtained under this section must be used in accordance with law.

SECTION 3. IC 20-26-5-10.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 10.5. Each school corporation and charter school shall adopt a policy requiring the school employer of the school corporation or charter school to contact employment references and, if applicable, the most recent employer provided by a prospective employee, before the school corporation or charter school may hire the prospective employee.**

SECTION 4. IC 20-28-5-8, AS AMENDED BY P.L.13-2016, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 8. (a) This section applies when a prosecuting attorney knows that a licensed employee of a public school or a nonpublic school has been convicted of an offense listed in subsection (c). The prosecuting attorney shall immediately give written notice of the conviction to the following:

- (1) The state superintendent.
- (2) Except as provided in subdivision (3), the superintendent of the school corporation that employs the licensed employee or the equivalent authority if a nonpublic school employs the licensed employee.
- (3) The presiding officer of the governing body of the school corporation that employs the licensed employee, if the convicted licensed employee is the superintendent of the school corporation.

(b) The superintendent of a school corporation, presiding officer of the governing body, or equivalent authority for a nonpublic school shall immediately notify the state superintendent when the individual knows that a current or former licensed employee of the public school or nonpublic school has been convicted of an offense listed in subsection (c), or when the governing body or equivalent authority for a nonpublic school takes any final action in relation to an employee who engaged in any offense listed in subsection (c).

(c) **Except as provided in section 8.5 of this chapter, the department after holding a hearing on the matter, shall permanently revoke the license of a person who is known by the department to have been convicted of any of the following felonies:**

- (1) Kidnapping (IC 35-42-3-2).
- (2) Criminal confinement (IC 35-42-3-3).
- (3) Rape (IC 35-42-4-1).
- (4) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
- (5) Child molesting (IC 35-42-4-3).
- (6) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).
- (7) Vicarious sexual gratification (IC 35-42-4-5).

- (8) Child solicitation (IC 35-42-4-6).
- (9) Child seduction (IC 35-42-4-7).
- (10) Sexual misconduct with a minor (IC 35-42-4-9).
- (11) Incest (IC 35-46-1-3).
- (12) Dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1).
- (13) Dealing in methamphetamine (IC 35-48-4-1.1).
- (14) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).
- (15) Dealing in a schedule IV controlled substance (IC 35-48-4-3).
- (16) Dealing in a schedule V controlled substance (IC 35-48-4-4).
- (17) Dealing in a counterfeit substance (IC 35-48-4-5).
- (18) Dealing in marijuana, hash oil, hashish, or salvia as a felony (IC 35-48-4-10).
- (19) Dealing in a synthetic drug or synthetic drug lookalike substance (IC 35-48-4-10.5, or IC 35-48-4-10(b) before its amendment in 2013).
- (20) Possession of child pornography (IC 35-42-4-4(d) or IC 35-42-4-4(e)).
- (21) Homicide (IC 35-42-1).
- (22) Voluntary manslaughter (IC 35-42-1-3).
- (23) Reckless homicide (IC 35-42-1-5).
- (24) Battery as any of the following:
 - (A) A Class A felony (for a crime committed before July 1, 2014) or a Level 2 felony (for a crime committed after June 30, 2014).
 - (B) A Class B felony (for a crime committed before July 1, 2014) or a Level 3 felony (for a crime committed after June 30, 2014).
 - (C) A Class C felony (for a crime committed before July 1, 2014) or a Level 5 felony (for a crime committed after June 30, 2014).
- (25) Aggravated battery (IC 35-42-2-1.5).
- (26) Robbery (IC 35-42-5-1).
- (27) Carjacking (IC 35-42-5-2) (before its repeal).
- (28) Arson as a Class A felony or Class B felony (for a crime committed before July 1, 2014) or as a Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014) (IC 35-43-1-1(a)).
- (29) Burglary as a Class A felony or Class B felony (for a crime committed before July 1, 2014) or as a Level 1, Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014) (IC 35-43-2-1).
- (30) Human trafficking (IC 35-42-3.5).**
- ~~(30)~~ **(31)** Attempt under IC 35-41-5-1 to commit an offense listed in this subsection.
- ~~(31)~~ **(32)** Conspiracy under IC 35-41-5-2 to commit an offense listed in this subsection.
- (d) The department ~~after holding a hearing on the matter,~~ shall permanently revoke the license of a person who is known by the department to have been convicted of a federal offense or an offense in another state that is comparable to a felony listed in subsection (c).
- (e) A license may be suspended by the state superintendent as specified in IC 20-28-7.5.

(f) The department shall develop a data base of information on school corporation employees who have been reported to the department under this section.

(g) Upon receipt of information from the division of state court administration in accordance with IC 33-24-6-3 concerning persons convicted of an offense listed in subsection (c), the department shall:

(1) cross check the information received from the division of state court administration with information concerning licensed employees maintained by the department; and

(2) if a licensed employee has been convicted of an offense described in subsection (c), institute revocation proceedings under subsection (c).

SECTION 5. IC 20-28-5-8.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 8.5. The department may, after holding a hearing on the matter, reinstate the license of a person whose license has been revoked under section 8 of this chapter if the person's conviction has been reversed, vacated, or set aside on appeal.**

SECTION 6. IC 20-28-7.5-2, AS AMENDED BY P.L.179-2016, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 2. (a) Before a teacher's contract is canceled, the teacher has the following rights:**

(1) The principal **or superintendent** shall notify the teacher of the principal's **or superintendent's** preliminary decision. The notification must be:

(A) in writing; and

(B) delivered in person or mailed by registered or certified mail to the teacher at the teacher's last known address.

(2) The notice in subdivision (1) must include a written statement, subject to IC 5-14-3-4, giving the reasons for the preliminary decision.

(3) Notification due to a reduction in force must be delivered between May 1 and July 1.

(b) For a cancellation of a teacher's contract for a reason other than a reduction in force, the notice required under subsection (a)(1) must inform the teacher that, not later than five (5) days after the teacher's receipt of the notice, the teacher may request a private conference with the superintendent or the assistant superintendent. The superintendent or the assistant superintendent, as applicable, must set the requested meeting not later than ten (10) days after the request.

(c) At the conference between the superintendent or the assistant superintendent, as applicable, and the teacher, the teacher may be accompanied by a representative.

(d) After the conference between the superintendent or the assistant superintendent, as applicable, and the teacher, the superintendent or the assistant superintendent, whoever attended the conference, shall make a written recommendation to the governing body of the school corporation regarding the cancellation of the teacher's contract.

(e) If the teacher does not request a conference under subsection (b), the principal's **or superintendent's** preliminary decision is considered final.

(f) If a probationary, professional, or established teacher files a request with the governing body for an additional private conference not later than five (5) days after the initial private conference with the superintendent or the assistant superintendent, as applicable, the teacher is entitled to an additional private conference with the governing body before the governing body makes a final decision. The final decision must be in writing and must be made not more than thirty (30) days after the governing body receives the teacher's request for the additional private conference. At the private conference the governing body shall do the following:

(1) Allow the teacher to present evidence to refute the reason or reasons for contract cancellation and supporting evidence provided by the school corporation. Any evidence presented at the private conference must have been exchanged by the parties at least seven (7) days before the private conference.

(2) Consider whether a preponderance of the evidence supports the cancellation of the teacher's contract.

SECTION 7. IC 33-24-6-3, AS AMENDED BY P.L.9-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 3. (a) The division of state court administration shall do the following:**

(1) Examine the administrative and business methods and systems employed in the offices of the clerks of court and other offices related to and serving the courts and make recommendations for necessary improvement.

(2) Collect and compile statistical data and other information on the judicial work of the courts in Indiana. All justices of the supreme court, judges of the court of appeals, judges of all trial courts, and any city or town courts, whether having general or special jurisdiction, court clerks, court reporters, and other officers and employees of the courts shall, upon notice by the executive director and in compliance with procedures prescribed by the executive director, furnish the executive director the information as is requested concerning the nature and volume of judicial business. The information must include the following:

(A) The volume, condition, and type of business conducted by the courts.

(B) The methods of procedure in the courts.

(C) The work accomplished by the courts.

(D) The receipt and expenditure of public money by and for the operation of the courts.

(E) The methods of disposition or termination of cases.

(3) Prepare and publish reports, not less than one (1) or more than two (2) times per year, on the nature and volume of judicial work performed by the courts as determined by the information required in subdivision (2).

(4) Serve the judicial nominating commission and the judicial qualifications commission in the performance by the commissions of their statutory and constitutional functions.

(5) Administer the civil legal aid fund as required by IC 33-24-12.

(6) Administer the judicial technology and automation project fund established by section 12 of this chapter.

(7) By December 31, 2013, develop and implement a standard protocol for sending and receiving court data:

(A) between the protective order registry, established by IC 5-2-9-5.5, and county court case management systems;

(B) at the option of the county prosecuting attorney, for:
 (i) a prosecuting attorney's case management system;
 (ii) a county court case management system; and
 (iii) a county court case management system developed and operated by the division of state court administration;

to interface with the electronic traffic tickets, as defined by IC 9-30-3-2.5; and

(C) between county court case management systems and the case management system developed and operated by the division of state court administration.

The standard protocol developed and implemented under this subdivision shall permit private sector vendors, including vendors providing service to a local system and vendors accessing the system for information, to send and receive court information on an equitable basis and at an equitable cost.

(8) Establish and administer an electronic system for receiving information that relates to certain individuals who may be prohibited from possessing a firearm and transmitting this information to the Federal Bureau of Investigation for inclusion in the NICS.

(9) Establish and administer an electronic system for receiving felony conviction information for each felony described in IC 35-48-4-14.5(h)(1) from courts. The division shall notify NPLeX of each felony described in IC 35-48-4-14.5(h)(1) entered after June 30, 2012, and do the following:

(A) Provide NPLeX with the following information:

- (i) The convicted individual's full name.
- (ii) The convicted individual's date of birth.
- (iii) The convicted individual's driver's license number, state personal identification number, or other unique number, if available.
- (iv) The date the individual was convicted of the felony.

Upon receipt of the information from the division, a stop sale alert must be generated through NPLeX for each individual reported under this clause.

(B) Notify NPLeX if the felony of an individual reported under clause (A) has been:

- (i) set aside;
- (ii) reversed;
- (iii) expunged; or
- (iv) vacated.

Upon receipt of information under this clause, NPLeX shall remove the stop sale alert issued under clause (A) for the individual.

(10) Staff the judicial technology oversight committee established by IC 33-23-17-2.

(11) After December 31, 2017, establish and administer an electronic system for receiving felony conviction information for each felony described in

IC 20-28-5-8(c) from courts. The division shall notify the department of education at least one (1) time each week of each felony described in IC 20-28-5-8(c) entered after December 31, 2017, and do the following:

(A) Provide the department of education with the following information:

- (i) The convicted individual's full name.**
- (ii) The convicted individual's date of birth.**
- (iii) The convicted individual's driver's license number, state personal identification number, or other unique number, if available.**
- (iv) The date the individual was convicted of the felony.**

(B) Notify the department of education if the felony of an individual reported under clause (A) has been:

- (i) set aside;**
- (ii) reversed;**
- (iii) expunged; or**
- (iv) vacated.**

(b) All forms to be used in gathering data must be approved by the supreme court and shall be distributed to all judges and clerks before the start of each period for which reports are required.

(c) The division may adopt rules to implement this section." Page 8, line 30, after ";" delete "or".

Page 8, line 31, delete "." and insert ";" or".

Page 8, between lines 31 and 32, begin a new line double block indented and insert:

"(C) employed, or was previously employed, as a teacher in a school corporation, charter school, or nonpublic school."

Page 9, delete lines 16 through 42, begin a new paragraph and insert:

"SECTION 9. IC 35-50-10-1, AS ADDED BY P.L.106-2016, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) **As used in this section, "offense requiring license revocation" means an offense listed in IC 20-28-5-8(c).**

(b) If an individual is **or was** a teacher in a **primary or secondary school; school corporation, charter school, or nonpublic school including a public or nonpublic school;** and is convicted of

- (1) kidnapping (IC 35-42-3-2);
- (2) criminal confinement (IC 35-42-3-3);
- (3) rape (IC 35-42-4-1);
- (4) criminal deviate conduct (IC 35-42-4-2) (before its repeal);
- (5) child molesting (IC 35-42-4-3);
- (6) child exploitation (IC 35-42-4-4(b));
- (7) vicarious sexual gratification (IC 35-42-4-5);
- (8) child solicitation (IC 35-42-4-6);
- (9) child seduction (IC 35-42-4-7);
- (10) sexual misconduct with a minor (IC 35-42-4-9);
- (11) incest (IC 35-46-1-3);
- (12) dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1);
- (13) dealing in methamphetamine (IC 35-48-4-1.1);
- (14) dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2);

- (15) dealing in a schedule IV controlled substance (IC 35-48-4-3);
- (16) dealing in a schedule V controlled substance (IC 35-48-4-4);
- (17) dealing in a counterfeit substance (IC 35-48-4-5);
- (18) dealing in marijuana, hash oil, hashish, or salvia as a felony (IC 35-48-4-10);
- (19) dealing in a synthetic drug or synthetic drug lookalike substance (IC 35-48-4-10.5; or IC 35-48-4-10(b) before its amendment in 2013);
- (20) possession of child pornography (IC 35-42-4-4(c));
- (21) homicide (IC 35-42-1);
- (22) voluntary manslaughter (IC 35-42-1-3);
- (23) reckless homicide (IC 35-42-1-5);
- (24) battery (IC 35-42-2-1) as:
 - (A) a Class A felony (for a crime committed before July 1, 2014) or a Level 2 felony (for a crime committed after June 30, 2014);
 - (B) a Class B felony (for a crime committed before July 1, 2014) or a Level 3 felony (for a crime committed after June 30, 2014); or
 - (C) a Class C felony (for a crime committed before July 1, 2014) or a Level 5 felony (for a crime committed after June 30, 2014);
- (25) aggravated battery (IC 35-42-2-1.5);
- (26) robbery (IC 35-42-5-1);
- (27) carjacking (IC 35-42-5-2) (before its repeal);
- (28) arson as a Class A felony or Class B felony (for a crime committed before July 1, 2014) or as a Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014) (IC 35-43-1-1(a));
- (29) burglary as a Class A felony or Class B felony (for a crime committed before July 1, 2014) or as a Level 1, Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014) (IC 35-43-2-1);
- (30) attempt under IC 35-41-5-1 to commit an offense listed in this subsection; or
- (31) conspiracy under IC 35-41-5-2 to commit an offense listed in this subsection;

an offense requiring license revocation, the judge who presided over the trial or accepted a plea agreement shall give written notice of the conviction to the state superintendent and the chief administrative officer of the primary or secondary school, including a public or school corporation, charter school, or nonpublic school, or, if the individual is employed in a public school, the superintendent of the school district in which the individual is employed.

(b) (c) Notice under subsection (a) (b) must occur not later than seven (7) days after the date the judgment is entered.

(c) (d) The notification sent to a school or school district under subsection (a) (b) must include only the felony for which the individual was convicted.

(d) (e) If a judge later modifies the individual's sentence after giving notice under this section, the judge shall notify the school or the school district of the modification.

(e) (f) After receiving a notification under subsection (a) (b), the superintendent shall initiate procedures to revoke the

individual's license to teach."

Delete page 10.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1079 as printed January 24, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Engrossed House Bill 1133, 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 9 through 19, begin a new paragraph and insert:

"Sec. 5. (a) "Short term rental" means a property that satisfies all the following:

- (1) The property is individually or collectively owned.
- (2) The property is any of the following:
 - (A) A single family home.
 - (B) A dwelling unit in a single family home.
 - (C) A dwelling unit or group of dwelling units in a condominium, cooperative, or time share.
 - (D) An owner occupied residential home.

(3) Booking and rental of the property is limited as set forth in IC 32-31.5-3-1."

Page 2, line 22, delete "Insurance Requirements" and insert "Booking and Rental; Insurance

Sec. 1. The booking and rental periods for a property used as a short term rental are limited as follows:

- (1) The property may only be:
 - (A) booked for rental to the public; or
 - (B) rented to the public;
 for a rental period at any one (1) time of less than thirty (30) consecutive days.
- (2) The total number of days during a calendar year that the property may be rented to the public may not exceed one hundred eighty (180) days."

Page 2, line 23, delete "1." and insert "2."

Page 2, delete lines 32 through 42, begin a new line block indented and insert:

- "(2) The insurance may be provided by any of the following:
- (A) Liability insurance maintained by the owner.
 - (B) Liability insurance maintained by the facilitator.
 - (C) Liability insurance maintained by any combination of clauses (A) and (B)."

Page 3, delete lines 1 through 20.

Page 3, delete lines 29 through 39, begin a new paragraph and insert:

"Sec. 2. (a) "Short term rental" means a property that satisfies all the following:

- (1) The property is individually or collectively owned.
- (2) The property is any of the following:
 - (A) A single family home.

(B) A dwelling unit in a single family home.

(C) A dwelling unit or group of dwelling units in a condominium, cooperative, or time share.

(D) An owner occupied residential home.

(3) Booking and rental of the property is limited as set forth in section 3 of this chapter."

Page 3, delete line 42, begin a new paragraph and insert:

"Sec. 3. The booking and rental periods for a property used as a short term rental are limited as follows:

(1) A property may only be:

(A) booked for rental to the public; or

(B) rented to the public;

for a rental period at any one (1) time of less than thirty (30) consecutive days.

(2) The total number of days that a property may be rented to the public may not exceed one hundred eighty (180) days during a calendar year.

Sec. 4. If a property is a short term rental under this chapter, the use of the property as a short term rental may be prohibited, regulated, or limited by:

(1) a unit, but only for a primary purpose set forth in section 6 of this chapter; and

(2) a homeowners association or similar entity or member of a homeowners association or similar entity as set forth in section 7 of this chapter.

Sec. 5. Except as provided in section 6 of this chapter, a unit may not do any of the following:

(1) Enact or enforce any law or plan that:

(A) prohibits; or

(B) regulates short term rentals.

(2) Restrict the use of or regulate short term rentals based on the classification, use, or occupancy of the short term rental."

Page 4, delete lines 1 through 5.

Page 4, line 6, delete "4." and insert "6."

Page 4, line 38, delete "5." and insert "7."

(Reference is to EHB 1133 as printed January 24, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 2.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1136, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 12.

Page 2, line 17, reset in roman "A".

Page 2, line 17, delete "This subsection does not apply to a virtual charter school."

Page 2, line 18, delete "Each charter school and".

Page 2, line 28, delete "or charter".

Page 2, line 29, delete "school;" and insert ";".

Page 2, line 30, delete "or charter school's".

Page 2, line 31, delete "or charter school's".

Page 2, line 34, delete "This subsection does not apply to a virtual charter school."

Page 2, line 42, delete "or charter school".

Page 3, line 3, delete "or charter school".

Page 3, line 4, delete "or".

Page 3, line 5, delete "charter school".

Page 3, line 6, delete "or charter school".

Page 3, line 7, delete "or charter school".

Page 3, line 10, delete "or charter school".

Page 3, line 11, delete "or".

Page 3, line 12, delete "charter school".

Page 3, line 17, delete "This section does not apply to a virtual charter".

Page 3, delete line 18.

Page 3, line 19, delete "(b)".

Page 3, line 20, reset in roman "(c)".

Page 3, line 20, delete "(d)".

Page 3, line 20, delete "or charter school".

Page 3, run in lines 17 through 21.

Page 3, line 29, delete "or charter school;" and insert ";".

Page 3, line 31, delete "or charter school." and insert ".".

Page 3, line 38, delete "or charter school".

Page 3, line 39, delete "or charter school".

Page 3, line 40, delete "or".

Page 3, line 41, delete "charter school's".

Page 4, line 1, delete "or charter school".

Page 4, line 2, delete "or charter school's".

Page 4, line 4, delete "or charter school," and insert ",".

Page 4, line 6, reset in roman "(b)".

Page 4, line 6, delete "(c)".

Page 4, line 6, delete "or charter school".

Page 4, line 9, reset in roman "(a)".

Page 4, line 9, delete "(b)".

Page 4, line 14, delete "or charter school".

Page 4, line 16, reset in roman "(a)".

Page 4, line 16, delete "(b)".

Page 4, line 16, delete "or charter school".

Page 4, line 17, delete "or charter school".

Page 4, line 20, delete "or charter school".

Page 4, line 21, reset in roman "(a)(1)".

Page 4, line 21, delete "(b)(1)".

Page 4, line 21, delete "or".

Page 4, line 22, delete "charter school".

Page 4, line 24, reset in roman "(c)".

Page 4, line 24, delete "(d)".

Page 4, line 24, delete "or charter school".

Page 4, line 25, reset in roman "(a)".

Page 4, line 25, delete "(b)".

Page 4, line 26, delete "or charter school".

Page 4, line 27, delete "or charter school".

Page 4, line 30, delete "or charter school".

Page 4, line 31, delete "or charter".

Page 4, line 32, delete "school must" and insert "must".

Page 4, line 33, delete "or charter school's".

Page 4, line 37, reset in roman "(a)(1)".

Page 4, line 37, delete "(b)(1)".

Page 4, line 40, reset in roman "(a)(2)".

Page 4, line 40, delete "(b)(2)".
Page 4, line 42, delete "or charter school".
Page 5, delete lines 3 through 8.
Renummer all SECTIONS consecutively.
(Reference is to EHB 1136 as reprinted February 8, 2017.)
and when so amended that said bill do pass.
Committee Vote: Yeas 8, Nays 1.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1278, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Engrossed House Bill 1286, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1324, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 7, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1335, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1336, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 2. IC 16-22-3-24 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 24. (a) The board is a body corporate and politic. ~~with the style of "The Board of Trustees of _____ Hospital"; to include the full name of the hospital.~~ In that name and capacity, the board may do the following:

- (1) Sue and be sued and plead and be impleaded but all actions against the board must be brought in the circuit or superior courts of the county in which the hospital is located.
- (2) Possess the real and personal property of the hospital and the hospital funds in the hospital's corporate name for the hospital's use and benefit.
- (3) Exercise the other powers, duties, and responsibilities set forth in this article.

(b) This subsection is retroactively effective beginning January 1, 1971. The name of the board may be styled as:

- (1) "The Board of Trustees of _____ Hospital", to include the full name of the hospital;**
- (2) the full name of the hospital; or**
- (3) an assumed business name under which the board conducts the board's affairs.**

Any legal action taken by a board after December 31, 1970, that is questioned solely because of the board's name under this section is hereby legalized and validated.

SECTION 3. IC 16-35-8-1, AS ADDED BY P.L.119-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. As used in this chapter, "child" means a child **who is:**

- (1) at least three (3) years of age and less than seven (7) years of age; or**
- (2) enrolled in a public school, accredited nonpublic school, or nonaccredited nonpublic school in kindergarten through grade 12.**

SECTION 4. IC 16-35-8-9, AS AMENDED BY P.L.109-2012, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. (a) The hearing aid assistance program is established.

(b) The following eligibility criteria apply for funding through the hearing aid assistance program:

- (1) The hearing aid must be:
 - (A) prescribed for a child by a physician who is licensed under IC 25-22.5; and
 - (B) prescribed, fitted, and dispensed for the child by an audiologist who is licensed under IC 25-35.6.
- (2) The child has not received funding from the fund for a hearing aid for the applicable ear during the previous three
- (3) years.

(3) Reimbursement is not available through any of the following or is not sufficient to pay the full amount required for a hearing aid:

- (A) A policy of accident and sickness insurance (~~IC 27-8-5~~);
- (B) A health maintenance organization contract (~~IC 27-13~~);
- (C) The Medicaid program (~~IC 12-15~~);
- (D) The children's health insurance program (~~IC 12-17.6~~);
- (E) The federal Medicare program or any other federal assistance program.

(c) The state department may use appropriate internal and external resources to administer the hearing aid assistance program in a cost effective manner:

(d) External foundations and other organizations that provide hearing aid assistance may register with the state department to provide a centralized location from which deaf and hard of hearing individuals can obtain information regarding additional sources of hearing aid assistance:

SECTION 5. IC 16-35-8-10, AS ADDED BY P.L.119-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. (a) The parent or guardian of a child may at any time apply to the state department for funding through the hearing aid assistance program.

(b) Upon receipt of an application made under subsection (a), if the state department determines that the child is eligible under section 9(b) of this chapter, the state department may pay from the fund ~~any amount not reimbursed through a source described in section 9(b)(3) of this chapter; an amount~~ not to exceed ~~one thousand five hundred two thousand~~ dollars (~~\$1,500~~) **(\$2,000)** per hearing aid."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1336 as reprinted February 3, 2017.) and when so amended that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1396, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1430, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 12-21-1-3, AS AMENDED BY P.L.28-2012, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. The division is composed of the following:

- (1) The director.
- (2) The division of mental health and addiction planning and advisory council.
- (3) A coordinator for a statewide program for suicide prevention.**
- (3) **(4)** Other personnel necessary for the performance of the functions imposed upon the division under law.

SECTION 2. IC 12-21-5-2, AS AMENDED BY P.L.185-2015, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. The division is responsible for the following:

- (1) The planning, research, and development of programs and methods for the education and treatment of children with an emotional disturbance.
- (2) The coordination of governmental services, activities, and programs in Indiana relating to such children.
- (3) The administration of the state supported services concerned with such children.
- (4) The preparation of the annual report required by IC 7.1-6-2-5.
- (5) The provision of a mental health first aid training program developed under section 4 of this chapter, including providing information and guidance to local school corporations on the development of evidence based programs for basic or inservice courses for teachers and training for teachers on the following:
 - (A) Prevention of child suicide.
 - (B) Recognition of signs that a student may be considering suicide.

(6) The:
(A) development, in consultation with stakeholders; and
(B) provision;
of an evidence based training program for health care providers, including mental health and behavioral health providers, concerning suicide assessment, training, and management that incorporates materials approved, recommended, or listed as approved by the Suicide Prevention Resource Center or the National Registry of Evidence-based Programs and Practices of the Substance Abuse and Mental Health Services Administration.

SECTION 3. IC 12-21-5-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. **(a) The division shall develop a statewide program for suicide prevention.**

(b) The division shall employ a coordinator of the statewide program for suicide prevention to implement and maintain the statewide program for suicide prevention.

(c) The statewide program for suicide prevention must include a state plan for suicide prevention that must address the following:

- (1) Educational opportunities and activities to increase awareness and knowledge of the public.
- (2) Training for individuals who may have frequent contact with individuals at risk of suicide on warning signs and tendencies that may evidence that an individual is considering suicide.
- (3) Materials to increase public awareness of suicide and suicide prevention.
- (4) Enhancement of crisis services relating to suicide prevention.
- (5) Assistance for school corporations on suicide awareness and intervention training.
- (6) Coordination of county and regional advisory groups to support the statewide program.
- (7) Coordination with appropriate entities to identify and address barriers in providing services to individuals at risk of suicide.
- (8) Maintenance of an Internet web site containing information and resources related to suicide awareness, prevention, and intervention.
- (9) Development of recommendations for improved collection of data on suicide and factors related to suicide.
- (10) Development and submission of proposals for funding from federal agencies or other sources of funding.

(d) The coordinator of the statewide program for suicide prevention shall study and determine:

- (1) the professions that should be required to receive training concerning suicide assessment, treatment, and management; and
- (2) the manner in which to fund the required training for the determined professions.

The coordinator shall report the determinations made under this subsection to the legislative council in an electronic format under IC 5-14-6 not later than December 31, 2017. This subsection expires January 1, 2018.

SECTION 4. IC 16-31-3-2, AS AMENDED BY P.L.77-2012, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. The commission shall establish standards for persons required to be certified or licensed by the commission to provide emergency medical services. To be certified or licensed, a person must meet the following minimum requirements:

- (1) The personnel certified or licensed under this chapter must do the following:
 - (A) Meet the standards for education and training established by the commission by rule.
 - (B) Successfully complete a basic or an inservice course of education and training on sudden infant death syndrome that is certified by the commission in conjunction with the state health commissioner.
 - (C) Beginning January 1, 2009, Successfully complete a basic or an inservice course of education and training on autism that is certified by the commission.
 - (D) Successfully complete an evidence based training program concerning suicide assessment, treatment, and management that has been approved,

recommended, or listed as approved by the Suicide Prevention Resource Center or the National Registry of Evidence-based Programs and Practices of the Substance Abuse and Mental Health Services Administration.

- (2) Ambulances to be used must conform with the requirements of the commission and must either be:
 - (A) covered by insurance issued by a company licensed to do business in Indiana in the amounts and under the terms required in rules adopted by the commission; or
 - (B) owned by a governmental entity covered under IC 34-13-3.
- (3) Emergency ambulance service shall be provided in accordance with rules adopted by the commission. However, the rules adopted under this chapter may not prohibit the dispatch of an ambulance to aid an emergency patient because an emergency medical technician is not immediately available to staff the ambulance.
- (4) Ambulances must be equipped with a system of emergency medical communications approved by the commission. The emergency medical communication system must properly integrate and coordinate appropriate local and state emergency communications systems and reasonably available area emergency medical facilities with the general public's need for emergency medical services.
- (5) Emergency medical communications shall be provided in accordance with rules adopted by the commission.
- (6) A nontransporting emergency medical services vehicle must conform with the commission's requirements.

SECTION 5. IC 20-26-5-34.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 34.4. Each school corporation shall adopt a policy addressing measures intended to increase child suicide awareness and prevention. The policy must address the following:

- (1) Counseling services for the child and the child's family related to suicide prevention.
- (2) Availability of referral information for crisis intervention to children, parents, and school corporation staff.
- (3) Increasing awareness of the relationship between suicide and drug and alcohol use.
- (4) Training on warning signs and tendencies that may evidence that a child is considering suicide.
- (5) Availability of information concerning suicide prevention services in the community.
- (6) Cooperation among the school corporation and suicide prevention services in the community.
- (7) Development of a plan to assist survivors of attempted suicide and to assist children and school corporation staff in coping with an attempted suicide or death of a student or school employee.
- (8) Development of any other program or activity that is appropriate."

Page 1, line 4, delete "school shall" and insert "school:

- (1) shall require all teachers; and
- (2) may require any other appropriate school employees;

who are employed at schools that provide instruction to students in any combination of grade 5, 6, 7, 8, 9, 10, 11, or 12 to attend or participate in at least two (2) hours of evidence based inservice youth suicide awareness and prevention training every three (3) school years."

Page 1, delete lines 5 through 12.

Page 1, line 13, delete "The" and insert "**Subject to subsection (d), the**".

Page 2, after line 6, begin a new paragraph and insert:

"(d) The evidence based youth suicide awareness and prevention training required under subsection (a) must be approved, recommended, or listed as approved by the Suicide Prevention Resource Center or the National Registry of Evidence-based Programs and Practices of the Substance Abuse and Mental Health Services Administration.

(e) A school or school corporation may leverage any:

- (1) existing or new state and federal grant funds; or**
- (2) free or reduced cost evidence based youth suicide awareness and prevention training provided by any state agency or qualified statewide or local organization;**

to cover the costs of the training required under this section.

SECTION 7. IC 21-48 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

ARTICLE 48. SUICIDE PREVENTION RESOURCES

Chapter 1. Suicide Prevention Resources

Sec. 1. (a) Each approved postsecondary educational institution shall adopt a policy to increase awareness of suicide prevention resources available to students and staff, including:

- (1) crisis intervention resources, including information for national, state, and local suicide prevention hotlines;**
- (2) available mental health programs;**
- (3) programs or resources offering information on crisis hotlines and suicide warning signs;**
- (4) educational and outreach activities related to suicide prevention;**
- (5) postintervention plans, including information on effective communication with students, staff, and parents after the loss of a student or faculty member due to suicide; and**
- (6) mental health services and other support services, including student organizations.**

(b) Links to information and resources identified in a policy described in subsection (a) shall be posted on the Internet web site of each approved postsecondary educational institution."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1430 as printed February 7, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Engrossed House Bill 1431, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, after line 1, begin a new paragraph and insert:

"(l) "State educational institution" has the meaning set forth in IC 21-7-13-32.

SECTION 2. IC 5-14-1.5-6.1, AS AMENDED BY P.L.145-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6.1. (a) As used in this section, "public official" means a person:

- (1) who is a member of a governing body of a public agency; or
 - (2) whose tenure and compensation are fixed by law and who executes an oath.
- (b) Executive sessions may be held only in the following instances:

- (1) Where authorized by federal or state statute.
- (2) For discussion of strategy with respect to any of the following:
 - (A) Collective bargaining.
 - (B) Initiation of litigation or litigation that is either pending or has been threatened specifically in writing. As used in this clause, "litigation" includes any judicial action or administrative law proceeding under federal or state law.
 - (C) The implementation of security systems.
 - (D) The purchase or lease of real property by the governing body up to the time a contract or option to purchase or lease is executed by the parties.
 - (E) School consolidation.

However, all such strategy discussions must be necessary for competitive or bargaining reasons and may not include competitive or bargaining adversaries.

- (3) For discussion of the assessment, design, and implementation of school safety and security measures, plans, and systems.
- (4) Interviews and negotiations with industrial or commercial prospects or agents of industrial or commercial prospects by:

- (A) the Indiana economic development corporation;
- (B) the office of tourism development;
- (C) the Indiana finance authority;
- (D) the ports of Indiana;
- (E) an economic development commission;
- (F) the Indiana state department of agriculture;
- (G) a local economic development organization that is a nonprofit corporation established under state law whose primary purpose is the promotion of industrial or business development in Indiana, the retention or expansion of Indiana businesses, or the development of entrepreneurial activities in Indiana; or
- (H) a governing body of a political subdivision.

However, this subdivision does not apply to any discussions regarding research that is prohibited under IC 16-34.5-1-2 or under any other law.

(5) To receive information about and interview prospective employees.

(6) With respect to any individual over whom the governing body has jurisdiction:

(A) to receive information concerning the individual's alleged misconduct; and

(B) to discuss, before a determination, the individual's status as an employee, a student, or an independent contractor who is:

(i) a physician; or

(ii) a school bus driver.

(7) For discussion of records classified as confidential by state or federal statute.

(8) To discuss before a placement decision an individual student's abilities, past performance, behavior, and needs.

(9) To discuss a job performance evaluation of individual employees. This subdivision does not apply to a discussion of the salary, compensation, or benefits of employees during a budget process.

(10) When considering the appointment of a public official, to do the following:

(A) Develop a list of prospective appointees.

(B) Consider applications.

(C) Make one (1) initial exclusion of prospective appointees from further consideration.

Notwithstanding IC 5-14-3-4(b)(12), a governing body may release and shall make available for inspection and copying in accordance with IC 5-14-3-3 identifying information concerning prospective appointees not initially excluded from further consideration. An initial exclusion of prospective appointees from further consideration may not reduce the number of prospective appointees to fewer than three (3) unless there are fewer than three (3) prospective appointees. Interviews of prospective appointees must be conducted at a meeting that is open to the public.

(11) To train school board members with an outside consultant about the performance of the role of the members as public officials.

(12) To prepare or score examinations used in issuing licenses, certificates, permits, or registrations under IC 25.

(13) To discuss information and intelligence intended to prevent, mitigate, or respond to the threat of terrorism.

(14) To train members of a board of aviation commissioners appointed under IC 8-22-2 or members of an airport authority board appointed under IC 8-22-3 with an outside consultant about the performance of the role of the members as public officials. A board may hold not more than one (1) executive session per calendar year under this subdivision.

(15) For discussion by the governing body of a state educational institution of:

(A) the assessment of; or

(B) negotiation with another entity concerning; the establishment of a collaborative relationship or venture to advance the research, engagement, or

education mission of the state educational institution. However, this subdivision does not apply to any discussions regarding research that is prohibited under IC 16-34.5-1-2 or under any other law.

(c) A final action must be taken at a meeting open to the public.

(d) Public notice of executive sessions must state the subject matter by specific reference to the enumerated instance or instances for which executive sessions may be held under subsection (b). The requirements stated in section 4 of this chapter for memoranda and minutes being made available to the public is modified as to executive sessions in that the memoranda and minutes must identify the subject matter considered by specific reference to the enumerated instance or instances for which public notice was given. The governing body shall certify by a statement in the memoranda and minutes of the governing body that no subject matter was discussed in the executive session other than the subject matter specified in the public notice.

(e) A governing body may not conduct an executive session during a meeting, except as otherwise permitted by applicable statute. A meeting may not be recessed and reconvened with the intent of circumventing this subsection.

SECTION 3. IC 5-14-3-4, AS AMENDED BY P.L.217-2016, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: 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 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, a private university police department, 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 or private university police departments. For purposes of this chapter, a law enforcement recording is not an investigatory record. Law enforcement agencies or private university police departments may share investigatory records with a person who advocates on behalf of a crime victim, including a victim advocate (as defined in IC 35-37-6-3.5) or a victim service provider (as defined in IC 35-37-6-5), for the purposes of providing services to a victim or describing services that may be available to a victim, without the law enforcement agency or private university police department losing its discretion to keep those records confidential from other records requesters. 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:

(i) the Indiana economic development corporation;

(ii) the ports of Indiana;

(iii) the Indiana state department of agriculture;

(iv) the Indiana finance authority;

(v) an economic development commission;

(vi) a local economic development organization that is a nonprofit corporation established under state law whose primary purpose is the promotion of industrial or business development in Indiana, the retention or expansion of Indiana businesses, or the development of entrepreneurial activities in Indiana; or

(vii) a governing body of a political subdivision; ~~with industrial, research, or commercial prospects;~~

with industrial, research, or commercial prospects, if the records are created while negotiations are in progress. **However, this clause does not apply to records regarding research that is prohibited under IC 16-34.5-1-2 or any other law.**

(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 the

following:

(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, or any part of a law enforcement recording that captures information about airport security procedures, areas, or systems. 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. Both of the following apply to the public agency that owns, occupies, leases, or maintains the airport:

(i) The public agency is responsible for determining whether the public disclosure of a record or a part of a record, including a law enforcement recording, has a reasonable likelihood of threatening public safety by exposing a security procedure, area, system, or vulnerability to terrorist attack.

(ii) The public agency 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)". However, in the case of a law enforcement recording, the public agency must clearly mark the record as "confidential and not subject to public disclosure under IC 5-14-3-4(b)(19)(K) without approval of (insert name of the public agency that owns, occupies, leases, or maintains the airport)".

(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.
- (E) Account number.

(27) Except as provided in subdivision (19) and sections 5.1 and 5.2 of this chapter, a law enforcement recording. However, before disclosing the recording, the public agency must comply with the obscuring requirements of sections 5.1 and 5.2 of this chapter, if applicable.

(28) Records relating to negotiations between a state educational institution and another entity concerning the establishment of a collaborative relationship or venture to advance the research, engagement, or educational mission of the state educational institution, if the records are created while negotiations are in progress. The terms of the final offer of public financial resources communicated by the state educational institution 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. However, this subdivision does not apply to records regarding research prohibited under IC 16-34.5-1-2 or any other law.

(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."

(Reference is to EHB 1431 as printed February 10, 2017.)

Renumber all SECTIONS consecutively.

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

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Engrossed House Bill 1489, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass and be reassigned to the Senate Committee on Tax and Fiscal Policy.

Committee Vote: Yeas 10, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1493, 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 3, after "1." insert "(a)".

Page 2, between lines 26 and 27, begin a new paragraph and insert:

"(b) In preparing the report, the division shall consult with home and community based stakeholders, including:

- (1) consumers;**
- (2) organizations representing consumers; and**
- (3) experts in the field;**

of home and community based services to provide insight concerning the needs of Indiana residents seeking services and supports to allow the individuals to remain at home and in the individuals' communities."

Page 2, line 37, after "(a)" insert **"This section does not apply to a Medicaid recipient participating in the Program of All-Inclusive Care for the Elderly (PACE) program described in IC 12-15-43.**

(b)".

Page 3, line 1, delete "." and insert **"if the inclusion in a risk based managed care program would reduce payments permitted by IC 12-15-14-1(b) and IC 12-15-14-1(c)."**

Page 3, delete line 2.

Page 4, line 32, delete "subsection" and insert **"subsection:**

- (1) is not a rulemaking action or part of the administrative rulemaking process under IC 4-22; and**
- (2)"**.

(Reference is to EHB 1493 as reprinted February 24, 2017.) and when so amended that said bill do pass and be reassigned to the Senate Committee on Tax and Fiscal Policy.

Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1516, 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 24, delete "an act of".

Page 2, line 26, strike "an act of".

Page 2, line 28, delete "an act of".

Page 8, line 9, delete "shall" and insert **"may"**.

Page 8, line 16, delete "an act of".

Page 8, line 18, delete "an act of".

Page 8, line 19, delete "an act of".

(Reference is to EHB 1516 as printed February 17, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

BRAY, Chair

Report adopted.

SENATE MOTION

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

SR 40 Senator L. Brown

Honoring Katherine Dorsey.

SR 41 Senator Long

Honoring Jacob H. Feichter VIII.

SCR 33 Senator Zakas

Honoring Penn High School state champion Spell Bowl team.

HCR 41 Senator Breaux

Recognizing the National Association of Women Business Owners of Indianapolis for 20 years of excellence.

HCR 43 Senator Tomes

Honoring the University of Southern Indiana Chamber Choir.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 40

Senate Resolution 40, introduced by Senator L. Brown:

A SENATE RESOLUTION honoring Katherine Dorsey on being named one of the top youth volunteers in Indiana for 2017, in the 22nd annual Prudential Spirit of Community Awards.

Whereas, Katherine Dorsey, an esteemed resident of Hometown, Indiana, and a student at Carroll High School, has achieved national recognition for exemplary volunteer service by receiving a 2017 Prudential Spirit of Community Award;

Whereas, This prestigious award, presented by Prudential Financial in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities;

Whereas, Katherine has given out more than 8,500 books to children in need, working with a number of community organizations to share the pleasure of reading with children who may not have books of their own;

Whereas, Katherine collects these books by visiting garage sales with her mom and asking for leftover books, and she further supported her efforts by securing a \$500 grant and partnering with a half-price bookstore;

Whereas, The success of the State of Indiana, the strength of our communities, and the overall vitality of American society depend, in great measure, upon the dedication of young people like Katherine who use their considerable talents and resources to serve others; and

Whereas, It is fitting that the Indiana Senate honors Katherine Dorsey for her charitable work: Therefore,

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

SECTION 1. That the Indiana Senate honors Katherine Dorsey for being named one of the top youth volunteers in Indiana for 2017, in the 22nd annual Prudential Spirit of Community Awards.

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

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

Senate Resolution 41

Senate Resolution 41, introduced by Senator Long:

A SENATE RESOLUTION honoring Jacob H. Feichter VIII on the occasion of his 100th birthday.

Whereas, Jacob H. Feichter VIII was born on March 25, 1917, in Fort Wayne, Indiana, in a house built by his father;

Whereas, Mr. Feichter started his career in the family real estate business, Feichter Realtors, in 1937, joined the Upstate Alliance of Realtors in 1946, and received his real estate license in 1949, the very first year that real estate licenses were issued in Indiana;

Whereas, Mr. Feichter became the President of the Fort Wayne Board of Realtors, now known as Upstate Alliance of Realtors, in 1957;

Whereas, Mr. Feichter has received numerous awards and recognitions for his excellence in the real estate industry. He was named Realtor of the Year in 1966, inducted into the UPSTAR Honor Society in 1983, awarded the National Association of Realtors' ("NAR") prestigious Omega Tau Rho, and inducted into the Fort Wayne Area Association of Realtors' Hall of Fame on May 17, 1990;

Whereas, During Mr. Feichter's real estate career, he held various leadership positions on both the state and national level, including Director of the Indiana Association of Realtors, Director of the National Association of Realtors, and Residential Division Councilor of the National Institute of Real Estate Brokers from 1968 to 1975;

Whereas, Mr. Feichter also served on numerous UPSTAR committees over the years and chaired the award-winning "Make America Better" and "Housing Needs" committees;

Whereas, Mr. Feichter authored several articles, which were published in the National Association of Realtors' International Traders Club's monthly publication. He has also been a guest speaker at the Indiana Real Estate Association's annual convention and the Ohio Association of Real Estate Board's annual convention;

Whereas, With business partner and nephew Harold (Bud) Feichter, Mr. Feichter built hundreds of new log and shell homes in Allen County and in the lake region of northeast Indiana;

Whereas, Mr. Feichter established Interim Investments, Inc., in 1962, and has since purchased and provided over 300 homes for re-sale to low-income families on a land contract basis with low down payments;

Whereas, Mr. Feichter has been a member of the Fort Wayne Home Builders Association of the National Association of Home Builders since 1965, was named the Fort Wayne Home Builders Association's Associate of the Year in 1974, and received a Certificate of Appreciation for Effort and Contribution for the Edsall House of the Fort Wayne Home Builders Association in 1987;

Whereas, Mr. Feichter amassed all the land for the Historic Old Fort Wayne throughout the mid-1970s and he was named the Honorary Major of the Historic Old Fort Wayne;

Whereas, On June 2, 2005, Mr. Feichter was awarded the Distinguished Hoosier Award by Governor Mitch Daniels;

Whereas, Mr. Feichter has been a regular attendant and member of Crescent Avenue United Methodist Church his entire life. He has served as assistant lay leader and treasurer of the church and has served on numerous committees;

Whereas, Mr. Feichter encouraged and instigated Crescent Avenue United Methodist Church to arrange for the building to serve as the East Wayne Street Center, which offers tutoring programs for those wishing to obtain their GED, and he continues to support these efforts;

Whereas, Mr. Feichter served in the Army Air Force from July 1942 until September 1945 during World War II, and participated in the Honor Flight to Washington, D.C.;

Whereas, Mr. Feichter married Lucille (Bauman) Feichter on October 3, 1941, and together they had three children, Lucille Feichter Harvey, Jacob Feichter IX, and Kay Feichter-Thistlethwaite;

Whereas, Mr. Feichter enjoys traveling the world, and he has been to all 50 states, including six trips to Alaska;

Whereas, At the brink of his 100th birthday, Mr. Feichter still works full time at Feichter Realtors with his daughter Kay Feichter, his nephew Dennis Feichter, and his great-nieces Rebecca Brown and Malorie Campbell;

Whereas, On March 25, 2017, Mr. Feichter will celebrate his 100th birthday; and

Whereas, It is fitting that the Indiana Senate honors Jacob H. Feichter VIII on the occasion of his 100th birthday, recognizes his many life accomplishments and contributions to his nation, state, and community, and wishes him health and happiness in the years to come: Therefore,

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

SECTION 1. That the Indiana Senate honors Jacob H. Feichter VIII on the occasion of his 100th birthday, recognizes his many life accomplishments and contributions to his nation, state, and community, and wishes him health and happiness in the years to come.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Jacob H. Feichter VIII.

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

Senate Concurrent Resolution 33

Senate Concurrent Resolution 33, introduced by Senators Zakas, Mishler and Niezgodski:

A CONCURRENT RESOLUTION honoring the Penn High School state champion Spell Bowl team.

Whereas, On November 12, 2016, Penn High School won the Spell Bowl state championship, claiming its 16th state crown in the annual spelling competition;

Whereas, Penn won Class 1 with a score of 89 out of a possible 90, the highest score of all participating schools in all classes;

Whereas, Penn finished the season undefeated, also winning seven invitationals and regional tournaments;

Whereas, The Penn High School Spell Bowl championship team was coached by Peter DeKever, who has led the Penn High School Spell Bowl team to multiple state championship titles;

Whereas, Perfect spellers for Penn were Amy Bernard, Muqsit Buchh, Chelsea Chen, Maggie Finnessy, Hassan Kahn, Yewon Oh, Hannah Smith, Michelle Tapp, and Karen Wang; and

Whereas, It is fitting that the Indiana General Assembly honors the Penn High School Spell Bowl team on its successful season and state championship title: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Penn High School state champion Spell Bowl team.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Steve Hope, Principal of Penn High School, and Peter DeKever, coach of the Penn High School Spell Bowl team.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives DeVon, Wesco and Bacon.

House Concurrent Resolution 41

House Concurrent Resolution 41, sponsored by Senator Breaux:

A CONCURRENT RESOLUTION recognizing the National Association of Women Business Owners of Indianapolis for 20 years of excellence.

Whereas, The National Association of Women Business Owners steers women entrepreneurs into economic, social, and political spheres of power worldwide, strengthening the wealth creating capacity of its members and promoting economic development within the entrepreneurial community;

Whereas, The National Association of Women Business Owners (NAWBO) was established in 1975 by a group of like-minded businesswomen to serve as the collective voice of women business owners across the country and advocate on behalf of their entrepreneurial interests;

Whereas, The National Association of Women Business Owners of Indianapolis creates innovative and effective changes in business culture; builds strategic alliances, coalitions, and affiliations; transforms public policy, and influences opinion makers;

Whereas, 129,559 woman-owned businesses are located in Indiana while employing 2.6 million Hoosiers;

Whereas, The organization serves as the unified voice of America's women-owned businesses and represents the fastest growing segment of the market;

Whereas, NAWBO proudly has a chapter in Indianapolis with more than 200 members that will be celebrating 20 years of excellence on July 17, 2017; and

Whereas, The Indianapolis chapter seeks and provides diversity and inclusion training, community awareness, and member-mentorship programs to advance the sustainability and success of their business community: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes the National Association of Women Business Owners of Indianapolis for 20 years of excellent service to the women business owners of Indianapolis.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the Indianapolis chapter of the National Association of Women Business Owners.

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

House Concurrent Resolution 43

House Concurrent Resolution 43, sponsored by Senator Tomes:

A CONCURRENT RESOLUTION honoring the University of Southern Indiana Chamber Choir.

Whereas, The University of Southern Indiana (USI) Chamber Choir participated in the Mayo International Choral Festival at Castlebar, Ireland;

Whereas, On May 28, 2016, the Chamber Choir was named the 2016 Premiere Competition winner;

Whereas, In order to compete in the Premiere Competition, the Chamber Choir had to win at least one of the festival's daytime competition areas;

Whereas, The USI Chamber Choir won both the Four-part Competition and the Sacred Music Competition and placed second in the Gaelic Languages Competition;

Whereas, During the competition, the choir competed against more than 30 choirs from Ireland, Norway, Wales, and the United States;

Whereas, The winning songs were Jubilate Deo, Omnis Terra by Ruggiero Giovannelli; The Conversion of Saul by Z. Randall Stroope; Priidite, poklonimsya by Sergei Rachmaninoff; Os Justi by Anton Bruckner; For the Beauty of the Earth by Philip Stopford; Ubi Caritas by Ola Gjeilo; Oro, Se Do Bheatha Abhaile arranged by Daniel Craig; Si Do Mhamo I arranged by Daniel Craig; and Ce a Chuirfidh tu Liom arranged by Daniel Craig;

Whereas, In addition to the Mayo International Choral Festival, the Chamber Choir has performed throughout the United States and has toured in Poland, Germany, Canada, and Ireland;

Whereas, The USI Chamber Choir is made up of students from all disciplines of study and promotes quality performances of eclectic choral music in artistic settings, with a repertory that ranges from medieval carols and madrigals to Classical, Romantic and contemporary settings of liturgical and secular choral music;

Whereas, The Chamber Choir's annual Madrigal Feaste is known throughout Indiana, Illinois, and Kentucky for its delightful combination of period costumes, stirring music, great food, and lively farces;

Whereas, The ensemble has also performed with regional orchestras and has appeared in New York's prestigious Carnegie Hall;

Whereas, Members of the University of Southern Indiana Chamber Choir, under the direction of Daniel R. Craig, are outstanding ambassadors of song for the University of Southern Indiana; and

Whereas, These outstanding accomplishments merit special recognition: 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 University of Southern Indiana Chamber Choir on being named the 2016 Premier Competition winner at the Mayo International Choral Festival.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to choir members Aubrey M. Aldridge, Steven L. Alsobrooks, David G. Angermeier, Jared R. Becker, Matthew Becker, Angel Gieneart Bodhran, Isaac Bolin, Brayton Carey, Dylan J. Claywell, Joseph A. Conner, Aaron Costlow, Jacob C. Delk, Alana L. DeVoy, Richard L. Fosler, Kate R. Grudzinski, Rachel E. Head, D'Angelo A. Himes, Claire E. Hirsch, Aeron A. Hylton,

Courtney M. Jones, Kaylee D. Jones, Raymond J. Kandal, Allen H. Karch, Nathanael D. Kuechenberg, Kyle T. Leadingham, Jennifer Lehman, Emily E. March, Natalya M. Meinhart, Kozue Mochizuki, Jerrith D. Morrison, Allison R. Newman, Cassandra M. Ooms, Cristine E. Pyle, Andrew C. Ramsey, Michael L. Ramsey, Travis K. Reeves, Beronica Ricketts, Renee L. Rink, Aron A. Sheridan, Christine R South, Alicia A. Spears, Clay A. Steenbergen, Jessica A. Steenbergen, Abigail C. Suddarth, Jordan M. Taber, Kendrich Hatfield, Noah B. Theriac, Kaitlin E. Toliver, Brianna Weaver, and Hope E. Williams; Madison Wiley, violinist; Cindy Pike, guitarist and chaperone; Daniel Craig, director; Tom Drury, accompanist and chaperone; and Christopher Newell, photographer.

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 Concurrent Resolution 34

Senate Concurrent Resolution 34, introduced by Senator Ford:

A CONCURRENT RESOLUTION honoring the Northview High School baseball team on its 2016 Indiana High School Athletic Association ("IHSAA") Class 3-A state championship title.

Whereas, The Northview Knights baseball team won the 2016 Indiana High School Athletic Association ("IHSAA") Class 3-A state championship title on June 18, 2016, defeating Western High School 2-1 at Victory Field in Indianapolis;

Whereas, The Northview Knights competed in front of a record-breaking crowd for the baseball state finals, and got a four-hit pitching performance from Braydon Tucker, and another pivotal two-out postseason rally to gain the win;

Whereas, According to head coach Craig Trout after the Knights won the state championship title, the players on the team took the coaching staff and the whole Brazil, Indiana community along for a wonderful ride;

Whereas, The community support at the state championship game was unbelievable, and the game brought in the biggest crowd in high school finals history;

Whereas, The more than 1,000 fans that poured into Victory Field for the state championship game were treated to an old fashioned pitchers' duel between Northview's Braydon Tucker and Western's Dalton Leighty;

Whereas, According to players on the team, it felt amazing to win the state championship game because so many children came out to see the game, and the team was able to bring a title back to Brazil, Indiana;

Whereas, The Knights finished the season 25-6, with a 14-game winning streak;

Whereas, This was the first state championship title in any sport for the Northview Knights;

Whereas, The young men on the Northview High School baseball team are student-athletes who managed to balance countless hours of baseball practices and games on top of a full academic course load, and the Indiana General Assembly commends these student-athletes on their commitment to both academics and baseball; and

Whereas, It is fitting that the Indiana General Assembly congratulates the Northview High School baseball team on its state championship title: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Northview High School baseball team on winning its first Indiana High School Athletic Association ("IHSAA") Class 3-A state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Chris Mauk, Principal of Northview High School, Craig Trout, Head Coach of the Northview High School baseball team, and Jan Gambill and Charley Jackson, Athletic Directors of Northview High School.

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

Senate Concurrent Resolution 35

Senate Concurrent Resolution 35, introduced by Senator Ford:

A CONCURRENT RESOLUTION congratulating the Northview High School Marching Band on its 2016 Indiana State School Music Association ("ISSMA") Class B State Championship title.

Whereas, On October 29, 2016, the Northview High School Marching Band won the Indiana State School Music Association ("ISSMA") Class B State Championship;

Whereas, The ISSMA Marching Band State Finals are held at Lucas Oil Stadium in downtown Indianapolis. This event is the culmination of many weeks of marching band competitions across the state of Indiana, bringing together the top 10 bands across 4 classes (A, B, C, & D) chosen from the Top 10 in each class in Semi-State competition during the previous weekend. This event typically attracts more than 20,000 marching band fans from across the state throughout the day;

Whereas, The Northview Marching Knights made it to the ISSMA Class B State Finals along with Greenfield Central High School, Jasper High School, Northridge High School, Bloomington North High School, Concord High School, Munster High School, Evansville North High School, North Side High School of Fort Wayne, and Decatur Central High School;

Whereas, Of all these bands that made it to the State Finals, the Northview Marching Knights took home the 2016 ISSMA State Championship trophy;

Whereas, Since the creation of Northview High School in 1984, the band and guard program is the proud owner of 12 State Championships;

Whereas, The Northview Marching Knights have been crowned Indiana Class B State Champions 8 times, State Runners-Up 7 times, and have finished in the top 5 all but two years;

Whereas, The Northview Marching Knights are directed by Bob Medworth, Ruth Ann Medworth, Rusty Bottomly, and Joshua Miller;

Whereas, The members of the Northview High School marching band are students who balanced countless hours of rehearsals and practices on top of a full academic course load, and the Indiana General Assembly commends these students for their commitment to both academics and music; and

Whereas, It is fitting that the Indiana General Assembly honors the Northview High School Marching Band on its 2016 ISSMA Class B State Championship title: Therefore,

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

SECTION 1. That the Indiana General Assembly honors the Northview High School Marching Band on its 2016 Indiana State School Music Association ("ISSMA") Class B State Championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Bob Medworth, Ruth Ann Medworth, Rusty Bottomly, Joshua Miller, and Chris Mauk.

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

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 392 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 130, 263 and 456 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 14 and 26 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 42 and 43 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1010

Senator M. Young called up Engrossed House Bill 1010 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1019

Senator Merritt called up Engrossed House Bill 1019 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1020

Senator M. Young called up Engrossed House Bill 1020 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1064

Senator Head called up Engrossed House Bill 1064 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1123

Senator Head called up Engrossed House Bill 1123 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

March 16, 2017

Senate 527

Engrossed House Bill 1189

Senator Ruckelshaus called up Engrossed House Bill 1189 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1245

Senator Koch called up Engrossed House Bill 1245 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1268

Senator Head called up Engrossed House Bill 1268 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1349

Senator M. Young called up Engrossed House Bill 1349 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1488

Senator Crider called up Engrossed House Bill 1488 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

SENATE MOTION

Madam President: I move that Senator Delph be added as second author and Senator Glick be added as third author of Senate Resolution 2.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as cosponsor of Engrossed House Bill 1148.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, March 20, 2017.

HERSHMAN

Motion prevailed.

The Senate adjourned at 10:28 a.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate