



# Journal of the Senate

State of Indiana

120th General Assembly

First Regular Session

Twenty-third Meeting Day

Thursday Afternoon

February 23, 2017

The Senate convened at 1:41 p.m., with the President Pro Tempore of the Senate, David C. Long, in the Chair.

Prayer was offered by Pastor Kenneth Harbaum of Covenant of Peace Church, Eaton, Ohio.

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

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

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

Roll Call 172: present 49; excused 1. [Note: A  indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

## INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

**HB 1002** — Crider, Kenley (Tax and Fiscal Policy)

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

**HB 1003** — Kruse, Bassler (Education and Career Development)

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

**HB 1005** — Buck, Hershman (Rules and Legislative Procedure)

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

**HB 1006** — Merritt, Charbonneau (Health and Provider Services)

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

**HB 1007** — Kruse, Houchin (Education and Career Development)

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

**HB 1019** — Merritt, Head (Corrections and Criminal Law)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1043** — Hershman (Appropriations)

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

**HB 1053** — Crider, Smith J, Taylor G (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**HB 1071** — Messmer, Freeman (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1084** — Crider, Sandlin (Homeland Security and Transportation)

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

**HB 1119** — Doriot, Crider (Commerce and Technology)

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

**HB 1130** — Hershman, Melton (Education and Career Development)

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

**HB 1137** — Young M (Insurance and Financial Institutions)

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

**HB 1142** — Head (Tax and Fiscal Policy)

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

**HB 1148** — Head, Doriot (Corrections and Criminal Law)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1181** — Young M, Zakas (Judiciary)

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

**HB 1189** — Ruckelshaus, Doriot (Corrections and Criminal Law)

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

**HB 1209** — Koch (Corrections and Criminal Law)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1237** — Leising (Agriculture)

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

**HB 1250** — Grooms (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1308** — Brown L (Commerce and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**HB 1324** — Crider, Niezgodski (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

**HB 1344** — Charbonneau, Randolph Lonnie M (Environmental Affairs)

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

**HB 1350** — Hershman, Ford, Kenley (Appropriations)

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

**HB 1386** — Bassler, Kruse, Raatz (Education and Career Development)

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

**HB 1391** — Head, Grooms (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**HB 1395** — Leising (Elections)

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

**HB 1408** — Eckerty, Kruse (Environmental Affairs)

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

**HB 1415** — Glick (Natural Resources)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**HB 1431** — Brown L, Kruse, Ruckelshaus, Niezgodski (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**HB 1447** — Houchin, Crider, Doriot (Homeland Security and Transportation)

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

**HB 1488** — Crider (Commerce and Technology)

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

**HB 1491** — Merritt (Homeland Security and Transportation)

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

**HB 1495** — Bassler, Eckerty (Environmental Affairs)

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

**HB 1502** — Merritt (Homeland Security and Transportation)

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

**HB 1513** — Zakas, Bray (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1516** — Crider (Judiciary)

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

**HB 1523** — Bray, Merritt, Lanane (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**HB 1527** — Merritt (Tax and Fiscal Policy)

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

**HB 1535** — Bray (Homeland Security and Transportation)

A BILL FOR AN ACT concerning public safety.

**HB 1536** — Grooms (Local Government)

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

**HB 1537** — Boots (Pensions and Labor)

A BILL FOR AN ACT concerning pensions.

**HB 1541** — Merritt, Charbonneau, Grooms (Health and Provider Services)

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

- HB 1555** — Walker (Pensions and Labor)  
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.
- HB 1577** — Houchin, Zakas, Merritt (Judiciary)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- HB 1601** — Hershman (Commerce and Technology)  
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.
- HB 1622** — Sandlin, Freeman (Local Government)  
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- HB 1626** — Messmer, Leising (Utilities)  
A BILL FOR AN ACT to amend the Indiana Code concerning telecommunications.
- HB 1644** — Head, Niezgodski (Commerce and Technology)  
A BILL FOR AN ACT concerning human services.
- HB 1654** — Merritt (Health and Provider Services)  
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

## RESOLUTIONS ON FIRST READING

### Senate Resolution 32

Senate Resolution 32, introduced by Senators Lanane, Breaux, Melton, Mrvan, Niezgodski, Lonnie M. Randolph, Stoops, Tallian and G. Taylor:

A SENATE RESOLUTION urging the Indiana Congressional Delegation to support H.R. 356, the Protecting Our Democracy Act, which creates a bipartisan-appointed commission to investigate foreign interference in the 2016 election.

*Whereas, There is a broad consensus in the intelligence community that the Russian government interfered in the 2016 U.S. election;*

*Whereas, Further investigation is needed to determine the extent of this interference and how it can be prevented in the future;*

*Whereas, The Protecting Our Democracy Act creates a 12-member, bipartisan, independent commission empowered to interview witnesses, obtain documents, issue subpoenas, and receive testimony to examine attempts by the Russian government or others to use electronic means to influence, interfere with, or undermine trust in last year's U.S. election;*

*Whereas, The Protecting Our Democracy Act has bipartisan support from members of Congress; and*

*Whereas, The Indiana General Assembly recognizes the importance of ensuring the integrity of our elections: Therefore,*

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

SECTION 1. That the Indiana Senate urges the Indiana Congressional Delegation to support H.R. 356, the Protecting Our Democracy Act.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Representative Pete Visclosky, Representative Jackie Walorski, Representative Jim Banks, Representative Todd Rokita, Representative Susan Brooks, Representative Luke Messer, Representative André Carson, Representative Larry Bucshon, and Representative Trey Hollingsworth.

The resolution was read in full and referred to the Committee on Elections.

### House Concurrent Resolution 12

House Concurrent Resolution 12, sponsored by Senators Glick and Tallian:

A CONCURRENT RESOLUTION urging the United States Congress to enact legislation requiring the Department of Veterans Affairs to certify all licensure conductor trainee programs for GI Bill benefits as prescribed by the Post 9/11 Veterans Educational Assistance Act of 2010.

*Whereas, Hoosiers currently serving or those who have served will be seeking employment and are veterans;*

*Whereas, Railroads typically are among Indiana's top employers for hiring veterans;*

*Whereas, Many returning veterans are eligible for monthly on-the-job training (OJT) stipends from the GI Bill under CFR 21.4262 and the Post 9/11 Veterans Educational Assistance Act of 2010;*

*Whereas, The Indiana Department of Veterans Affairs, the state's approving agency, does not have standing to certify the existing railroad conductor training programs due to their training length which is typically 14 to 22 weeks;*

*Whereas, All railroad conductor programs in Indiana are considered on-the-job training and fall beneath the minimum length of training threshold (26 weeks) as defined in CFR 21.4262-2;*

*Whereas, These standards disqualify veterans training as railroad conductors in Indiana from accessing their earned GI Bill benefits;*

*Whereas, Effective January 1, 2012, all railroad conductor positions must be licensed under the 2008 Railroad Safety Improvement Act; and*

*Whereas, This new licensure standard qualifies all state conductor trainee programs for benefits under the Post 9/11 Veterans Educational Assistance Act of 2010: 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 acknowledges that until the Department of Veterans Affairs acknowledges the new licensure criteria, adopts a blanket program encompassing all railroad conductor trainee programs, and instructs the Indiana Department of Veterans Affairs to certify those programs, Hoosier veterans training as railroad conductors will not be able to access their earned GI Bill benefits.

SECTION 2. That the Indiana General Assembly encourages the United States Congress to enact legislation requiring the national Department of Veterans Affairs to certify all licensure conductor trainee programs for GI Bill benefits as prescribed by the Post 9/11 Veterans Educational Assistance Act of 2010.

SECTION 3. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to each member of the Indiana Congressional delegation and the Commissioner of the Department of Veterans Affairs.

The resolution was read in full and referred to the Committee on Veterans Affairs and the Military.

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Resolution 17, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.

Committee Vote: Yeas 7, Nays 3.

KRUSE, Chair

Report adopted.

### COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 1, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 24 with "[EFFECTIVE UPON PASSAGE]".

Page 2, line 20, after "or" insert "a".

Page 4, delete lines 16 through 23, begin a new paragraph and insert:

"SECTION 15. IC 7.1-7-3-3 IS REPEALED [EFFECTIVE

UPON PASSAGE]. Sec. 3: (a) Not later than December 31, 2015, the commission shall adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to implement this article.

(b) The commission shall adopt rules as described in subsection (a) to establish minimum eligibility requirements for testing e-liquids under this article."

Page 4, line 28, after "retailers" insert ", consumers,".

Page 4, between lines 32 and 33, begin a new paragraph and insert:

**"(b) All e-liquids manufactured by an e-liquids manufacturer approved by the commission under IC 7.1-7-4 prior to July 1, 2017, may be distributed and sold for retail until the expiration date of the e-liquids."**

Page 4, line 33, reset in roman "(c)".

Page 4, line 33, delete "(b)".

Page 4, line 35, reset in roman "(d)".

Page 4, line 35, delete "(c)".

Page 6, line 26, delete "(8)".

Page 6, line 26, strike "Any other information required by the commission for".

Page 6, strike line 27.

Page 6, between lines 27 and 28, begin a new paragraph and insert:

**"(e) The fees collected under subsection (d)(7) shall be deposited in the enforcement and administration fund established under IC 7.1-4-10."**

Page 7, line 11, strike "uses proper manufacturing".

Page 7, line 12, strike "processes." and insert **"complies with all tobacco products good manufacturing practices:**

**(A) set forth in; and**

**(B) promulgated in federal rules under;**

**21 U.S.C. 387f through 21 U.S.C. 387u of the federal Food, Drug, and Cosmetic Act."**

Page 7, line 23, delete "(7)".

Page 7, line 23, strike "Any other information required by the commission for".

Page 7, strike line 24.

Page 7, between lines 24 and 25, begin a new paragraph and insert:

**"(c) The fees collected under subsection (b)(6) shall be deposited in the enforcement and administration fund established under IC 7.1-4-10."**

Page 8, line 32, delete "required by" and insert **"described in"**.

Page 8, line 32, delete "21 387b(3)" and insert **"21 U.S.C. 387b(3)"**.

Page 8, line 34, delete "(7)".

Page 8, line 34, strike "The manufacturer must take reasonable steps to ensure".

Page 8, strike lines 35 through 36.

Page 8, line 37, delete "(8)".

Page 8, line 37, strike "The manufacturer shall have a remotely monitored".

Page 8, line 38, strike "security system at the facility."

Page 9, line 5, delete "(9)".

Page 9, line 5, strike "The manufacturer must take reasonable steps to ensure".

Page 9, strike lines 6 through 7.

Page 9, line 17, delete "(10)" and insert "(7)".

Page 9, line 20, delete "(11)" and insert "(8)".

Page 9, line 29, delete "(12)" and insert "(9)".

Page 11, line 15, delete "requirement" and insert "**provision**".

Page 11, line 15, delete "a manufacturer must" and insert "**requires a manufacturer to**".

Page 11, line 18, delete "shall be" and insert "**is under**".

Page 11, line 21, delete "by" and insert "**in**".

Page 13, delete lines 16 through 27, begin a new paragraph and insert:

"SECTION 25. IC 7.1-7-6-3 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 3: (a) Except as otherwise permitted by this article; a person may not purchase; receive; manufacture; import; or transport; or cause to be imported or transported from another state; territory; or country into Indiana; or transport; ship; barter; give away; exchange; furnish; or otherwise handle or dispose of e-liquid; or to possess e-liquid for purpose of sale.

(b) A person may not knowingly receive or acquire e-liquid from a person or authorized distributor who does not hold a valid permit under this article to sell; deliver; furnish; or give the e-liquid.

(c) A person who violates this section commits a Class A infraction.

SECTION 26. IC 7.1-7-6-4 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 4: (a) A permittee may bring a civil action against any:

(1) producer of e-liquid; or

(2) other person or entity;

that distributes an e-liquid not approved for sale in Indiana to a retailer for the purposes of resale.

(b) A permittee may bring the civil action described in subsection (a) in a court with jurisdiction in Indiana:

(1) based on a violation of this article or the rules adopted by the commission to enjoin the violation; and

(2) to recover for actual monetary loss from the violation.

The court shall award attorney's fees to the prevailing party.

SECTION 25. [EFFECTIVE UPON PASSAGE] (a) **905 IAC 1-48 (Regulations Relating to Manufacture, Distribution, and Sale of E-liquids) is void. The publisher of the Indiana Administrative Code and Indiana Register shall remove this provision from the Indiana Administrative Code.**

(b) **This SECTION expires July 1, 2018.**

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

Renumber all SECTIONS consecutively.

(Reference is to SB 1 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 1.

## COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 8, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 34-24-1-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 0.5. The following definitions apply throughout this chapter:**

(1) "Abandoned or unclaimed property" means property with respect to which no person claims a primary ownership interest, subject to section 2.1 of this chapter.

(2) "Contested forfeiture" means a forfeiture proceeding involving property that is not abandoned or unclaimed.

(3) "Owner" means a person having an ownership interest in property. The term does not include a person with a third party interest unless otherwise expressly indicated.

(4) "Ownership interest" means the right to exercise control over the property, including the right to exclude other persons from exercising control over the property. The term does not include a person whose only interest is that of a lienholder. An ownership interest exists even if the person having the interest may not alienate or otherwise dispose of the property until a lien is satisfied. More than one (1) person may have an ownership interest.

(5) "Reasonable attempts to notify the owner" includes:

(A) if there is an owner of record, at least three (3) attempts to contact the owner of record at the owner's address of record; and

(B) notice by publication in a manner that complies with Indiana trial rule 4.13.

(6) "Third party interest" means an interest in property that is not an ownership interest. The term includes the interest of a lienholder or a secured creditor.

(7) "Uncontested forfeiture" means a forfeiture proceeding involving property that is abandoned or unclaimed.

SECTION 2. IC 34-24-1-2 IS REPEALED [EFFECTIVE JULY 1, 2017]. Sec. 2: (a) Property may be seized under this chapter by a law enforcement officer only if:

(1) the seizure is incident to a lawful:

(A) arrest;

(B) search; or

(C) administrative inspection;

(2) the property has been the subject of a prior judgment in favor of the state or unit in a proceeding under this chapter

BRAY, Chair

Report adopted.

(or IC 34-4-30.1 before its repeal); or

(3) a court, after making an ex parte determination that there is probable cause to believe the property is subject to seizure under this chapter, issues an order for seizure.

(b) When property is seized under subsection (a), the law enforcement agency making the seizure may, pending final disposition:

- (1) place the property under seal;
- (2) remove the property to a place designated by the court; or
- (3) require another agency authorized by law to take custody of the property and remove it to an appropriate location.

(c) Property that is seized under subsection (a) (or IC 34-4-30.1-2(a) before its repeal) is not subject to replevin but is considered to be in the custody of the law enforcement agency making the seizure.

SECTION 3. IC 34-24-1-2.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 2.1. (a) This section applies only to an uncontested forfeiture.**

(b) Property is considered abandoned or unclaimed property if:

- (1) at least sixty (60) days have elapsed since the property was seized; and
- (2) the state, or the state and a unit (if applicable), have made reasonable attempts to notify the owner and no person has claimed an ownership interest in the property.

(c) Unclaimed or abandoned property may be forfeited under this chapter if the state, or the state and the unit (if applicable), proves by a preponderance of the evidence that the property is subject to seizure under section 1 of this chapter.

SECTION 4. IC 34-24-1-2.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 2.2. (a) This section applies only to a contested forfeiture.**

(b) A person's property may be forfeited under this chapter only if the state, or the state and the unit (if applicable), proves by clear and convincing evidence that:

- (1) the property is subject to seizure under section 1 of this chapter;
- (2) the related criminal prosecution of the person who possessed or used the seized property resulted in a conviction;
- (3) if the owner of the property is not the person described in subdivision (2), the owner knew or reasonably should have known that the person described in subdivision (2) intended to use the property to commit the related criminal offense;
- (4) the value of the property to be forfeited does not unreasonably exceed the:

- (A) pecuniary:
  - (i) gain derived or sought to be derived by the

crime; or

(ii) loss caused or sought to be caused by the crime; and

(B) value of the owner's interest in the property; and  
**(5) forfeiture of the property is not disproportionate when compared to the related criminal act.**

(c) Following a person's conviction for an offense permitting seizure of the property under section 1 of this chapter, and proof by clear and convincing evidence of the matters described in subsection (b), a court may order the forfeiture of property described in section 1 of this chapter that:

- (1) the person acquired through commission of the offense;
- (2) is directly traceable to property acquired through commission of the offense; or
- (3) is an instrumentality used to commit the offense.

SECTION 5. IC 34-24-1-2.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 2.3. (a) At the request of the state, or the state and the unit (if applicable), a court may issue an ex parte preliminary order to seize property described in section 1 of this chapter. Before issuing an order under this subsection, the court must find that:**

- (1) there is a reasonable likelihood that:
  - (A) the property is subject to seizure;
  - (B) the state, or the state and the unit (if applicable), will prevail on the issue of forfeiture; and
  - (C) failure to enter the order will result in the property being destroyed, removed from Indiana, or otherwise made unavailable for forfeiture; and
- (2) the need to preserve the availability of the property through the entry of the requested order outweighs the hardship to the owner and other parties known to be claiming an interest in the property.

(b) Property may be seized under this chapter by a law enforcement officer only if:

- (1) the seizure is incident to a lawful:
  - (A) arrest; or
  - (B) search;

and the law enforcement officer conducting the arrest or search has probable cause to believe that the property is subject to seizure;

- (2) the property has been the subject of a prior judgment in favor of the state or unit in a proceeding under this chapter; or
- (3) a court issues an order to seize the property after making an ex parte determination that:

- (A) there is a reasonable likelihood that:
  - (i) the property is subject to seizure;
  - (ii) the state, or the state and the unit (if applicable), will prevail on the issue of forfeiture; and
  - (iii) failure to enter the order will result in the property being destroyed, removed from Indiana,

or otherwise made unavailable for forfeiture; and (B) the need to preserve the availability of the property through the entry of the requested order outweighs the hardship to the owner and other parties known to be claiming an ownership interest or a third party interest in the property.

(c) When property is seized under this section, the law enforcement agency making the seizure may, pending final disposition:

- (1) place the property under seal;
- (2) remove the property to a place designated by the court; or
- (3) require another agency authorized by law to take custody of the property and remove it to an appropriate location.

(d) Property that is seized under this section is considered to be in the custody of the law enforcement agency making the seizure.

SECTION 6. IC 34-24-1-2.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2.4. (a) The owner of seized property may regain custody of the property, pending a final forfeiture determination, under this section or section 2.5 of this chapter.

(b) The owner of seized property may bring an action for the release of seized property that has not been forfeited by filing a petition for release in the court in which the related criminal matter is pending. The petition for release and any related proceedings are a civil matter. If the owner prevails in an action for release, the court shall issue a preliminary order of possession and the property shall be returned to the owner pending final resolution of the forfeiture action described in section 4.1 of this chapter. If the property is ordered forfeited under section 4.1 of this chapter, the court shall dissolve the preliminary order of possession and the appropriate law enforcement agency, or another person as ordered by the court, may take possession of the property. If the property is not ordered forfeited, the court shall issue a final order of possession in favor of the owner.

(c) In a civil proceeding under this section, the state bears the burden of proving by a preponderance of the evidence that:

- (1) there is a reasonable likelihood that:
  - (A) the property is subject to seizure;
  - (B) the state, or the state and the unit (if applicable), will prevail on the issue of forfeiture; and
  - (C) failure to enter the order will result in the property being destroyed, removed from Indiana, or otherwise made unavailable for forfeiture; and
- (2) the need to preserve the availability of the property through the entry of the requested order outweighs the hardship to the owner and other parties known to be claiming an ownership interest or third party interest in the property.

(d) If the court orders property returned to the owner

under this section, the court may place reasonable restrictions on the owner's possession, use, and disposal of the property, including authorization for the state to place a lien on the property.

SECTION 7. IC 34-24-1-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2.5. (a) As used in this section, "owner" includes a person with a third party interest in the property.

(b) The owner of property seized under this chapter may file a motion for hardship release of the property at any time after the property is seized. The owner shall file the motion in:

- (1) the court having jurisdiction over the related criminal action, if a related criminal action has been filed; or
- (2) any court having jurisdiction.

The motion for hardship release and any related proceedings are a civil matter, even if filed in the court having jurisdiction over the related criminal action.

(c) If a motion for hardship release of the property is filed, the court shall conduct a hearing not more than ten (10) days after the date the court receives the motion.

(d) After the hearing, the court shall order the property released to the owner pending final disposition of the property, if the owner establishes the following by a preponderance of the evidence:

- (1) The owner has an interest in the property.
- (2) Continued possession by the law enforcement agency pending the final disposition of the forfeiture proceedings will cause a substantial hardship to the owner, including the following:
  - (A) Preventing the functioning of a legitimate business.
  - (B) Preventing an individual from working.
  - (C) Preventing a child from attending school.
  - (D) Preventing or hindering an individual from receiving necessary medical care.
  - (E) Hindering the care of an elderly individual or a disabled dependent child or adult.
  - (F) Leaving an individual homeless.
  - (G) Any other condition presented to the court by the owner or putative interest holder that the court determines causes a substantial hardship.

(3) The hardship from the continued possession of the property by the law enforcement agency that seized the property outweighs the risk that the property will be:

- (A) unlawfully used;
- (B) destroyed;
- (C) removed from the jurisdiction of the court; or
- (D) otherwise made unavailable for forfeiture;

if the property is returned to the owner during the pendency of the forfeiture determination.

(e) A person may seek both release under section 2.4 of this chapter and hardship release under this section, if

applicable.

**(f) If the court orders property returned to the owner under this section, the court may place reasonable restrictions on the owner's possession, use, and disposal of the property, including authorization for the state to place a lien on the property."**

Delete page 2.

Page 3, delete lines 1 through 23.

Page 3, line 26, after "(a)" insert **"This subsection applies only to a contested forfeiture."**

Page 3, line 40, delete "owner of" and insert **"person who owned or used"**.

Page 4, line 1, delete "an" and insert **"a civil"**.

Page 4, delete lines 5 through 10, begin a new line blocked left and insert:

**"The defendant in the related criminal case and the person who owns the property (if the owner is not the defendant in the related criminal case) shall be named as defendants in the forfeiture action. A civil action for forfeiture filed in a court having criminal jurisdiction remains a civil action for all purposes, but shall be adjudicated by the court having jurisdiction over the related criminal case to promote judicial economy.**

**(b) This subsection applies only to an uncontested forfeiture. At any time:**

**(1) after property is determined to be abandoned or unclaimed property under section 2.1 of this chapter; and**

**(2) before the expiration of the period that a prosecution may be commenced under IC 35-41-4-2 for the offense that is the basis for the seizure;**

**the prosecuting attorney may file a civil action for forfeiture and reimbursement of law enforcement costs in any court of competent jurisdiction in the county in which the seizure occurred.**

**(c) A civil action for forfeiture shall be brought in the name of the state, or in the name of the state and the unit that employed the law enforcement officer who made the seizure, if the state was not the employer. If the prosecuting attorney returns the property to the owner, the owner is not liable for any costs or fees incurred in storing, transporting, or maintaining the property."**

Page 4, line 11, strike "(b)" and insert **"(d)"**.

Page 4, line 13, after "the" insert **"civil"**.

Page 4, line 13, reset in roman "complaint".

Page 4, line 13, delete "action".

Page 4, line 17, strike "(c)" and insert **"(e)"**.

Page 4, line 19, after "of the" insert **"civil"**.

Page 4, line 19, reset in roman "complaint".

Page 4, line 19, delete "action".

Page 4, line 20, reset in roman "complaint".

Page 4, line 21, delete "action and" and insert **"and"**.

Page 4, line 22, after "(d)" insert **"(f)"**.

Page 4, line 22, reset in roman "If, at the end of the time allotted for an answer, there is no".

Page 4, line 23, reset in roman "answer on file, the court, upon motion, shall enter".

Page 4, line 23, after "enter" insert **"a default"**.

Page 4, line 23, reset in roman "judgment in favor of".

Page 4, line 24, reset in roman "the state".

Page 4, line 24, after "state" insert **", or the state"**.

Page 4, line 24, reset in roman "and the unit (if appropriate)".

Page 4, line 24, after "appropriate)" insert **"on the issue of forfeiture. Upon conviction of the person who used or possessed the property, the court shall issue an order"**.

Page 4, line 24, reset in roman "for reimbursement of law".

Page 4, reset in roman line 25.

Page 4, line 26, reset in roman "accordance with".

Page 4, line 26, reset in roman "this".

Page 4, line 26, delete "chapter." and insert **"chapter, with no further process."**

Page 4, line 27, delete "(d)" and insert **"(g)"**.

Page 4, delete lines 29 through 37, begin a new line block indented and insert:

**"(1) arresting the person who possessed or used the property;**

**(2) investigating the person who possessed or used the property;**

**(3) investigating the offense with respect to which the property was used or possessed, and investigating any other offense related to the commission of that offense; and**

**(4) prosecuting the civil forfeiture action.**

**However, law enforcement costs incurred in the arrest of a person other than the person who possessed or used the property, in the investigation of a person other than the person who possessed or used the property, or in the prosecution of a civil forfeiture action against a person other than the person who possessed or used the property are recoverable if the arrest, investigation, or forfeiture action is related to the offense committed by the person who possessed or used the property that is the subject of the civil forfeiture action."**

Page 6, line 16, delete "A forfeiture proceeding:" and insert **"This section does not apply:**

**(1) if the court has entered a default judgment under section 3(f) of this chapter; or**

**(2) to an uncontested forfeiture.**

**(b) The civil forfeiture proceeding shall be held immediately after the trier of fact returns its verdict in the related criminal matter.**

**(c) If the person was convicted of the offense in a jury trial, the jury shall reconvene to hear evidence in the civil forfeiture proceeding. If the trial was to the court, or the judgment was entered on a guilty plea, the court alone shall hear evidence in the civil forfeiture hearing.**

**(d) If the trier of fact finds that the state, or the state and a unit, has proved by clear and convincing evidence that:**

**(1) the property is subject to seizure under section 1 of this chapter;**



(2) the related criminal prosecution of the person who possessed or used the seized property resulted in a conviction;

(3) if the owner of the property is not the person described in subdivision (2), the owner knew or reasonably should have known that the person described in subdivision (2) intended to use the property to commit the related criminal offense;

(4) the value of the property to be forfeited does not unreasonably exceed the:

(A) pecuniary:

(i) gain derived or sought to be derived by the crime; or

(ii) loss caused or sought to be caused by the crime; and

(B) value of the owner's interest in the property; and

(5) forfeiture of the property is not disproportionate when compared to:

(A) the related criminal act; and

(B) if the owner is not the person who possessed or used the property, the owner's complicity in the related criminal act;

the trier of fact shall enter a judgment of forfeiture. The trier of fact may enter a partial order of forfeiture and order that only some of the seized property be forfeited.

(e) In determining whether the value of property subject to forfeiture unreasonably exceeds the amounts described in subsection (d)(4), the trier of fact shall consider all relevant factors, including the:

(1) fair market value of the property;

(2) value of the property to the owner, including any hardship that the owner will suffer if the property is forfeited; and

(3) hardship from the loss of a primary residence, motor vehicle, or other property to the defendant's family members or others if the property is forfeited.

In making its determination under this subsection, the trier of fact may not consider the value of the property to the state, or the state and the unit (if applicable).

(f) If the owner of the property is a person who was represented by a public defender in the related criminal case, the public defender may represent the person in the forfeiture proceeding.

(g) Discovery in a forfeiture proceeding is subject to the Indiana rules of trial procedure and shall be conducted in the same manner as in other civil actions.

(h) A person with an ownership interest in the property who is not named in the forfeiture action may intervene as in other civil cases.

(i) A court may not accept a plea agreement in which a defendant agrees to donate property otherwise subject to forfeiture to a person, charity, or other organization.

(j) A person is not jointly and severally liable for an order of forfeiture. If property owned by more than one (1) person is subject to forfeiture, the trier of fact shall, subject to

section 5 of this chapter, order each owner to forfeit the person's share of the property on a pro rata basis or by another equitable means."

Page 6, delete lines 17 through 42.

Page 7, delete lines 1 through 36.

Page 7, line 39, delete "court" and insert "trier of fact".

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

**"Property transferred to the general fund of the state or a unit may be disbursed only pursuant to an appropriation, and may only be used for law enforcement expenses."**

Re-number all SECTIONS consecutively.

(Reference is to SB 8 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 1.

M. YOUNG, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 196, 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 17, begin a new paragraph and insert:

"SECTION 1. IC 20-48-1-11, AS AMENDED BY P.L.146-2008, SECTION 525, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) As used in this section, "debt service obligations" refers to the principal and interest payable: ~~during a calendar year~~

(1) on a school corporation's general obligation bonds and lease rentals under IC 20-47-2 and IC 20-47-3; or

(2) to a school corporation's designated paying agent under a written agreement entered into in connection with the issuance of the school corporation's general obligation bonds.

(b) Before the end of each calendar year, the department of local government finance shall review the bond and lease rental levies, or any levies that replace bond and lease rental levies, of each school corporation that are payable in the next succeeding calendar year and the appropriations from the levies from which the school corporation is to pay the amount, if any, of the school corporation's debt service obligations for that next succeeding calendar year. If the levies and appropriations of the school corporation are not sufficient to pay the debt service obligations for the next succeeding calendar year, the department of local government finance shall establish for each school corporation:

(1) bond or lease rental levies, or any levies that replace the bond and lease rental levies; and

(2) appropriations; that are sufficient to pay the debt service obligations for that next succeeding calendar year.

(c) Upon the failure of a school corporation to pay any of the school corporation's debt service obligations during a calendar year when due, the treasurer of state, upon being notified of the failure by a claimant, shall within five (5) days, excluding Saturdays, Sundays, and legal holidays, pay the unpaid debt service obligations that are due from the funds of the state only to the extent of the amounts appropriated by the general assembly for the calendar year for distribution to the school corporation from state funds; deducting the payment from the appropriated amounts. A deduction under this subsection must be made:

- (1) first from all funds except state tuition support; and
- (2) second from state tuition support.

in an amount equal to the amount of the unpaid debt service obligations that are due to the claimant. Notwithstanding IC 4-13-2-18, IC 20-43-2-1, or any other law, administrative rule, policy, or schedule to the contrary, upon the treasurer of state receiving a request from a claimant as described in this subsection the treasurer of state shall immediately contact the school corporation and the claimant to confirm whether the school corporation is unable to make the required payment on the date on which it is due, and, if confirmed, the treasurer of state shall provide notice of the request to the budget director, the auditor of state, and any department or agency of the state responsible for distributing funds appropriated by the general assembly for distribution to the school corporation from state funds. A department or agency of the state shall, not later than three (3) days after receiving the treasurer of state's notice, excluding Saturdays, Sundays, or legal holidays, transfer the funds and make the funds available to the treasurer of state in order for the treasurer of state to fulfill the obligations of this subsection.

(d) Notwithstanding any other law to the contrary, amounts made available to the treasurer of state for purposes of subsection (c) shall be made from the following sources and in the following order of priority:

- (1) First, from amounts appropriated by the general assembly for the calendar year for distribution to the school corporation from state funds.
- (2) Second, and to the extent that the amounts described in subdivision (1) are insufficient, from any remaining amounts appropriated by the general assembly for distribution for tuition support in each state fiscal year in excess of the aggregate amount of tuition support needed for distribution to school corporations in accordance with the schedule set and approved in accordance with IC 20-43-2-1.
- (3) Third, and to the extent that the amounts described in subdivisions (1) and (2) are insufficient, from the state general fund, from which there is appropriated to the treasurer of state an amount sufficient to pay the

remaining unpaid debt service obligations that are due to the claimant, subject to IC 4-13-2-18(i).

(e) Notwithstanding any other law to the contrary, if any amounts are transferred to the treasurer of state under subsection (c), the applicable department or agency shall recover those amounts by:

- (1) deducting an amount equal to the transfer from any future amounts to be distributed to the school corporation from state funds appropriated by the general assembly; and
- (2) transferring any amount deducted under subdivision (1) to the treasurer of state for the purpose of allowing the treasurer of state to reimburse the fund or account from which the transfer was made.

(f) A reduction of distributions to a school corporation under subsection (e) must be made:

- (1) first, from all funds except state tuition support; and
- (2) second, from state tuition support.

(g) This section shall be interpreted liberally so that the state shall to the extent legally valid ensure that the debt service obligations of each school corporation are paid. However, this section does not create a debt of the state."

Page 2, delete lines 1 through 17.

Renumber all SECTIONS consecutively.

(Reference is to SB 196 as printed February 21, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KENLEY, Chair

Report adopted.

#### COMMITTEE REPORT

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

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

"SECTION 1. IC 20-19-2-19 IS REPEALED [EFFECTIVE JULY 1, 2017]. Sec. 19: (a) The state board shall receive, distribute, and account for all funds received for career and technical education under the Carl D. Perkins Vocational and Applied Technology Act (20 U.S.C. 2301 et seq.):

(b) The state board may not expend or distribute funds received under subsection (a) unless those funds have been allocated by the general assembly."

Page 2, strike line 6.

Page 2, line 7, strike "(6)" and insert "(5)".

Page 2, line 8, strike "(7)" and insert "(6)".

Page 2, line 9, strike "(8)" and insert "(7)".

Page 3, strike line 33.

Page 3, line 34, strike "(C)" and insert "(B)".

Page 3, line 36, strike "(D)" and insert "(C)".

Page 3, line 37, strike "(E)" and insert "(D)".

Page 3, line 38, strike "(F)" and insert "(E)".

Page 3, line 39, strike "(G)" and insert "(F)".

Page 3, line 40, strike "(H)" and insert "(G)".

Page 4, strike lines 15 through 19.

Page 6, delete lines 14 through 24, begin a new paragraph and insert:

"SECTION 9. IC 20-20-38-11 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 11. Upon request of the budget director, the state board shall prepare a legislative budget request for state and federal funds for secondary and postsecondary career and technical education. The budget director shall determine the period to be covered by the budget request. This budget request must be made available to the council before the request's review by the budget committee.~~"

Page 6, line 29, strike "state educational institutions." and insert "**department of workforce development under IC 22-4.1-4-1.5(c)(3).**"

Page 6, line 36, strike "The state board's".

Page 6, strike lines 37 through 42.

Page 7, strike lines 1 through 3.

Page 7, line 4, after "recommendations" insert ", **the department of workforce development's budget request under IC 22-4.1-4-1.5(c)(3),**".

Page 7, line 16, after "board" insert ", **the department of workforce development,**".

Page 11, delete lines 7 through 42, begin a new paragraph and insert:

"SECTION 18. IC 22-4.1-4-1.5, AS ADDED BY P.L.69-2015, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1.5. (a) The department shall do the following:

(1) Administer the Wagner-Peyser program, the WIOA, a free public labor exchange, and related federal and state employment and training programs as directed by the governor.

(2) Formulate and implement an employment and training plan as required by the WIOA, and the Wagner-Peyser Act (29 U.S.C. 49 et seq.).

(3) Coordinate activities with all state agencies and departments that either provide employment and training related services or operate appropriate resources or facilities, to maximize Indiana's efforts to provide employment opportunities for economically disadvantaged individuals, dislocated workers, and others with substantial barriers to employment.

(4) Apply for, receive, disburse, allocate, and account for all funds, grants, gifts, and contributions of money, property, labor, and other things of value from public and private sources, including grants from agencies and instrumentalities of the state and the federal government.

(5) Enter into agreements with the United States government that may be required as a condition of obtaining federal funds related to activities of the department.

(6) Enter into contracts or agreements and cooperate with local governmental units or corporations, including profit or nonprofit corporations, or combinations of units and corporations to carry out the duties of the department imposed by this chapter, including contracts for the establishment and administration of employment and training offices and the delegation of the department's administrative, monitoring, and program responsibilities and duties set forth in this article.

(7) Perform other services and activities that are specified in contracts for payments or reimbursement of the costs made with the Secretary of Labor, any federal, state, or local public agency or administrative entity, or a private for-profit or nonprofit organization under the WIOA.

(8) Enter into contracts or agreements and cooperate with entities that provide career and technical education to carry out the duties imposed by this article.

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

(b) The department shall distribute federal funds made available for employment training in accordance with:

(1) the WIOA, and other applicable federal laws; and  
(2) the plan prepared by the department under subsection (c)(1).

(c) In addition to the duties prescribed in subsections (a) and (b), the department shall do the following:

(1) Implement the postsecondary career and technical education programming plan prepared by the council under IC 22-4.1-19-4.

(2) Upon request of the budget director, prepare a legislative budget request for state and federal funds for employment training. The budget director shall determine the period to be covered by the budget request.

**(3) Upon request of the budget director, prepare a legislative budget request for state and federal funds for secondary and postsecondary career and technical education. The budget director shall determine the period to be covered by the budget request. The department's recommendations concerning appropriations and allocations for secondary and postsecondary career and technical education by secondary schools and state educational institutions must specify:**

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

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

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

(3) (4) Make or cause to be made studies of the needs for various types of programs that are related to employment training and authorized under the WIOA.

(4) (5) Distribute state funds made available for employment training that have been appropriated by the general assembly in accordance with the general assembly appropriation.

SECTION 19. IC 22-4.1-4-9 IS REPEALED [EFFECTIVE JULY 1, 2017]. Sec. 9: (a) Before December 1 of each year, the department shall provide the department of education (established by IC 20-19-3-1) with a report, to be used to determine career and technical education grant amounts in the state fiscal year beginning after the year in which the report is provided, listing whether the labor market demand for each generally recognized labor category is more than moderate, moderate, or less than moderate. In the report, the department shall categorize each of the career and technical education programs using the following four (4) categories:

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

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

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

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

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

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

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

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

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

SECTION 20. IC 22-4.1-4-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 14. (a) The department shall receive, distribute, and account for all funds received for career and technical education under the

Carl D. Perkins Career and Technical Education Improvement Act (20 U.S.C. 2301 et seq.).

(b) The department may not expend or distribute funds received under subsection (a) unless those funds have been allocated by the general assembly."

Page 12, delete lines 1 through 8.

Page 12, delete lines 31 through 42, begin a new paragraph and insert:

"Sec. 6. As used in this chapter, "high value program" means a career and technical education program that the department recognizes as having any of the following:

(1) High employment demand and a high average wage level.

(2) Moderate employment demand and a high average wage level.

(3) High employment demand and a moderate average wage level.

Sec. 7. As used in this chapter, "less than moderate value program" means a career and technical education program that the department recognizes as having any of the following:

(1) Low employment demand and a low average wage level.

(2) Moderate employment demand and a low average wage level.

(3) Low employment demand and a moderate average wage level.

Sec. 8. As used in this chapter, "moderate value program" means a career and technical education program that the department recognizes as having any of the following:

(1) Moderate employment demand and a moderate average wage level.

(2) High employment demand and a low average wage level.

(3) Low employment demand and a high average wage level."

Page 13, delete lines 20 through 23.

Page 13, line 24, delete "12." and insert "11."

Page 13, line 32, delete "13." and insert "12."

Page 13, between lines 36 and 37, begin a new paragraph and insert:

"(c) The total amount of career and technical education enrollment grants that may be made under this chapter in a state fiscal year may not exceed the total amount appropriated by the general assembly for that purpose for the state fiscal year. If the total amount of career and technical education enrollment grants that would otherwise be distributed under this chapter for a particular state fiscal year exceeds the amount appropriated by the general assembly for that purpose for the state fiscal year, the total amount of grants to be distributed under this chapter to each recipient shall be proportionately reduced so that the total reductions equal the amount of the excess."

Page 13, line 37, delete "14." and insert "13."

Page 13, line 41, after "chapter." insert "Each career and technical education organization shall report its pupil enrollment count under this section to the department of education."

Page 14, between lines 3 and 4, begin a new paragraph and insert:

"(c) The fall count, adjusted by the state board under IC 20-43-4-2, shall be used to compute grant amounts under this chapter made in the first six (6) months of the current state fiscal year, and the spring count, as adjusted by the state board under IC 20-43-4-2, shall be used to compute the grant amounts made in the second six (6) months of the state fiscal year.

(d) If the state board adjusts a count of ADM after a distribution is made under this chapter, the adjusted count retroactively applies to the grant amounts distributed to a career and technical education organization affected by the adjusted count. The department shall settle any overpayment or underpayment of grant amounts resulting from an adjusted count of ADM on the schedule determined by the department and approved by the budget agency.

(e) The distribution of the grant amounts under this chapter shall be made each state fiscal year under a schedule set by the budget agency and approved by the governor.

Sec. 14. Except as otherwise provided by this chapter, pupil enrollment under this chapter shall be determined at the same time and in the same manner that a school corporation's fall count and spring count of ADM are determined by the department of education and reported to the department."

Page 14, line 38, delete "(a)".

Page 14, delete lines 40 through 42.

Page 15, delete line 1.

Page 15, line 2, delete "(c)" and insert "(b)".

Page 15, delete lines 36 through 39.

Page 15, line 40, delete "(c)" and insert "(b)".

Renumber all SECTIONS consecutively.

(Reference is to SB 198 as printed February 17, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 3.

KENLEY, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill 199, 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 7.1-1-3-16.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 16.4.

"Entertainment", for purposes of IC 7.1-5-5, means the following:

(1) Participation in a sporting event.

(2) Attendance at a sporting event or an event featuring live entertainment.

(3) The provision of food or beverages.

SECTION 2. IC 7.1-1-3-18.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 18.3. "Gift", for purposes of IC 7.1-5-5, means anything of value, including a rebate, sum of money, accessory, furniture, fixture, loan of money, concession, privilege, use, title, interest, or lease, rehabilitation, decoration, improvement, or repair of premises.

SECTION 3. IC 7.1-1-3-32.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 32.7. "Professional and educational expenses", for purposes of IC 7.1-5-5, means one (1) or more of the following:

(1) Expenses, including the payment of dues, incurred in connection with participation in a trade association.

(2) Expenses related to visiting a primary source of supply for educational purposes.

(3) Providing meals or other entertainment to groups composed of alcoholic beverage industry members.

(4) Services provided by one (1) alcoholic beverage industry member to another in exchange for the payment of the fair market value of the services, if the services are not provided under an agreement tying the provision of services to the purchase or sale of any alcoholic beverages.

(5) Advertising specialties and consumer advertising specialties, even if not otherwise permitted by a rule of the commission, if a wholesaler or primary source of supply does not:

(A) add the name or address of the retailer or dealer to the advertising specialty; or

(B) pay or credit the retailer or dealer, directly or indirectly, for distribution services."

Page 1, after line 14, begin a new paragraph and insert:

"SECTION 5. IC 7.1-5-5-10, AS AMENDED BY P.L.196-2015, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. (a) Except as provided in subsection (b), it is unlawful for a person who holds a retailer's or dealer's permit of any type to receive or accept a gift from a manufacturer of alcoholic beverages or from a permittee authorized to sell and deliver alcoholic beverages. a rebate, sum of money, accessory, furniture, fixture, loan of money, concession, privilege, use, title, interest, or lease, rehabilitation, decoration, improvement or repair of premises.

(b) A person who holds a retailer's or dealer's permit may receive or accept entertainment and professional and educational expenses from a manufacturer of alcoholic beverages or from a permittee authorized to sell and deliver alcoholic beverages, unless the entertainment or professional

and educational expenses are provided in exchange for an agreement by the holder of the retailer's or dealer's permit to directly or indirectly purchase alcoholic beverages from a:

- (1) manufacturer; or
- (2) permittee authorized to sell and deliver alcoholic beverages;

to the exclusion, in whole or in part, of alcoholic beverages sold or delivered by another manufacturer or a permittee authorized to sell and deliver alcoholic beverages.

(b) (c) A person who knowingly or intentionally violates this section commits a Class A misdemeanor.

SECTION 6. IC 7.1-5-5-11, AS AMENDED BY P.L.159-2014, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. (a) Except as provided in subsections (c), and (d), and (e), it is unlawful for a manufacturer of alcoholic beverages or a permittee authorized to sell and deliver alcoholic beverages to:

- (1) give supply, furnish, or grant to another permittee who purchases alcoholic beverages from the manufacturer or permittee a rebate, sum of money, accessory, furniture, fixture, loan of money, concession, privilege, use, title, interest, lease, or rental of premises; a gift; or
- (2) except as provided in IC 7.1-3-2-9 and IC 7.1-3-3-5(f), have a business dealing with the other permittee.

(b) This section ~~shall~~ does not apply to the sale and delivery and collection of the sale price of an alcoholic beverage in the ordinary course of business.

(c) If the promotional program is approved under the rules adopted by the commission and is conducted in all wholesaler establishments through which the manufacturer distributes alcoholic beverages in Indiana, a manufacturer of alcoholic beverages may award bona fide promotional prizes and awards to any of the following:

- (1) A person with a wholesaler's permit issued under IC 7.1-3.
- (2) An employee of a person with a wholesaler's permit issued under IC 7.1-3.

(d) A manufacturer may offer on a nondiscriminatory basis bona fide incentives to wholesalers when the incentives are determined based on sales to retailers or dealers occurring during specified times for specified products. The incentive may be conditioned on the wholesaler selling a:

- (1) specified product at a specified price or less than a specified price; or
- (2) minimum quantity of a specified product to a single customer in a single transaction.

The incentive may not be conditioned on a wholesaler having total sales of a minimum quantity of a specified product during the applicable period.

(e) A manufacturer or a permittee authorized to sell and deliver alcoholic beverages may provide entertainment and professional and educational expenses to another permittee, unless the entertainment or professional and educational expenses are provided in exchange for an agreement to directly or indirectly purchase alcoholic beverages from a:

- (1) manufacturer; or
- (2) permittee authorized to sell and deliver alcoholic beverages;

to the exclusion, in whole or in part, of alcoholic beverages sold or delivered by another manufacturer or a permittee authorized to sell and deliver alcoholic beverages.

(e) (f) A person who knowingly or intentionally violates this section commits a Class A misdemeanor.

SECTION 7. IC 35-52-7-32, AS ADDED BY P.L.169-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 32. IC 7.1-5-5-11 defines a crime concerning ~~rebates;~~ gifts.

SECTION 8. [EFFECTIVE JULY 1, 2017] (a) 905 IAC 1-5.2-5 (advertising specialties) is void. The publisher of the Indiana Administrative Code and Indiana Register shall remove this provision from the Indiana Administrative Code.

(b) This SECTION expires July 1, 2018.

SECTION 9. [EFFECTIVE JULY 1, 2017] (a) 905 IAC 1-5.2-7 (consumer advertising specialties) is void. The publisher of the Indiana Administrative Code and Indiana Register shall remove this provision from the Indiana Administrative Code.

(b) This SECTION expires July 1, 2018."

Re-number all SECTIONS consecutively.

(Reference is to SB 199 as printed February 7, 2017.) and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

ALTING, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill 227, 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, delete ";".
  - Page 2, line 3, reset in roman "(before its)".
  - Page 2, line 4, reset in roman "expiration on".
  - Page 2, line 4, after "2017);" insert "**July 1, 2018**);".
  - Page 2, line 21, delete ";".
  - Page 2, line 21, reset in roman "(before its expiration on".
  - Page 2, line 22, after "2017);" insert "**July 1, 2018**);".
  - Page 3, line 19, delete ".".
  - Page 3, line 19, reset in roman "(before its)".
  - Page 3, line 20, reset in roman "expiration on".
  - Page 3, line 20, after "2017)." insert "**July 1, 2018**).".
  - Page 3, line 25, reset in roman "(a)".
  - Page 3, line 30, reset in roman "(b) This section expires".
  - Page 3, line 30, after "2017." insert "**July 1, 2018**.".
  - Page 6, line 37, delete ".".
  - Page 6, line 37, reset in roman "(before its expiration on".
  - Page 6, line 38, after "2017)." insert "**July 1, 2018**).".
- (Reference is to SB 227 as introduced.)

and when so amended that said bill do pass.  
Committee Vote: Yeas 9, Nays 0.

ALTING, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 242, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 6, delete "6" and insert "7".

Page 1, line 10, delete "homeless person" and insert "person" means either of the following:

**(1) An individual with:**

- (A) a serious and persistent mental illness;**
  - (B) a chronic chemical addiction; or**
  - (C) a serious and persistent mental illness with a co-occurring chronic chemical addiction;**
- resulting in a housing crisis for the individual.

**(2) An individual:**

**(A) with:**

- (i) a serious and persistent mental illness;**
- (ii) a chronic chemical addiction; or**
- (iii) a serious and persistent mental illness with a co-occurring chronic chemical addiction; and**

**(B) who:**

- (i) is exiting a residential treatment program or is living in an institution or other restrictive setting; and**
- (ii) could, with stable and affordable housing, along with community and home based supports, live independently in the community.**

**Sec. 4.** As used in this chapter, "housing crisis" means a situation in which an individual or a household does not have sufficient resources or support networks immediately available to maintain safe and affordable housing or to prevent the individual or household from requiring emergency housing."

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

"**Sec. 5.** As used in this chapter, "program" refers to the Indiana housing first program established by section 6 of this chapter.

**Sec. 6.** (a) The Indiana housing first program is established to provide housing and support services for eligible persons. The program shall be administered by the authority. The Indiana commission to combat drug abuse established under IC 4-3-25-3 may award grants to the authority for the purposes of the program. Not later than January 1, 2018, the authority shall establish policies and procedures to implement and administer the program. The policies and procedures established by the authority under this section must ensure that the program does the following:

**(1) Provides eligible program participants with affordable and safe housing through program rental assistance to be used in dedicated supportive housing units and in existing market units in the community.**

**(2) Includes a plan for the:**

**(A) initial leasing of; and**

**(B) management of rental assistance through the affordability period for;**

**supportive housing developed under the program.**

**(3) Provides eligible program participants with support services, including:**

**(A) employment assistance and job training;**

**(B) substance abuse and addiction treatment;**

**(C) educational assistance;**

**(D) life skills assistance; and**

**(E) treatment for, and the management of, mental and physical health problems;**

that are predicated on assertive engagement rather than coercion. Support services described in clause (B) must be predicated on a harm reduction approach to addiction, rather than mandating abstinence, while supporting a program participant's commitment to recovery.

**(4) Grants eligible persons who have a high degree of medical vulnerability priority as participants in the program.**

**(5) Provides program participants with leases and tenant protections as provided by law.**

**(6) Establishes annual goals to:**

**(A) reduce the number of individuals cycling through chemical addiction programs;**

**(B) provide long term supports for individuals dually diagnosed with:**

**(i) a serious and persistent mental illness; and**

**(ii) a chronic chemical addiction;**

**(C) increase the housing stability of persons with mental illness or other behavioral health issues; and**

**(D) increase positive health indicators for all program participants;**

in Indiana as a whole and in particular regions, communities, and metropolitan statistical areas within Indiana, through the program and support services provided under the program. The goals required by this subdivision must be based on data collected by the authority and the authority's partners.

**(7) Includes partnerships with public entities and private entities, including any of the following, to provide support services and a continuum of care for eligible program participants:**

**(A) Nonprofit or faith based organizations providing services to individuals and families in the program's target population.**

**(B) Units of local government.**

**(C) School corporations and schools.**

**(D) Businesses.**

- (E) Public housing agencies.
- (F) Social service providers.
- (G) Mental health providers.
- (H) Hospitals.
- (I) Affordable housing developers and providers.
- (J) Law enforcement agencies and correctional facilities.
- (K) Organizations serving homeless veterans.
- (L) Organizations serving victims of domestic violence.
- (M) Universities.
- (N) Other public or private entities the authority considers appropriate to partner with to accomplish the purposes of the program.

(b) In establishing the policies and procedures required by this section, the authority may collaborate with or seek guidance from:

- (1) other appropriate state agencies, including the department of correction, the state department of health, and the office of the secretary of family and social services (and the appropriate divisions within the office of the secretary of family and social services);
- (2) officials in other states or municipalities that have implemented housing first programs or other similar programs; and
- (3) any of the entities listed in subsection (a)(7).

Sec. 7. (a) The Indiana housing first account is established within the state general fund to provide funds to provide housing and support services to eligible persons under the program. The authority shall administer the account.

(b) The account consists of the following:

- (1) Money appropriated to the account by the general assembly.
- (2) Investment earnings, including interest, on money in the account.
- (3) Money from any other source, including gifts, grants, donations, and other funds from government programs, foundations, corporations, or any other public or private sources.

(c) The expenses of administering the account shall be paid from money in the account.

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

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

Sec. 8. (a) The authority may adopt rules under IC 4-22-2, including emergency rules adopted in the manner provided by IC 4-22-2-37.1, to establish the policies and procedures required under section 6 of this chapter and to otherwise implement this chapter. Rules or emergency rules adopted by the authority under this section must take effect not later than January 1, 2018.

(b) Notwithstanding IC 4-22-2-37.1(g), an emergency rule

adopted by the authority in the manner provided by IC 4-22-2-37.1 to establish the policies and procedures required under section 6 of this chapter and to otherwise implement this chapter expires on the date a rule that supersedes the emergency rule is adopted by the authority under IC 4-22-2-24 through IC 4-22-2-36."

Delete pages 2 through 3.

Page 4, delete lines 1 through 26.

(Reference is to SB 242 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

BUCK, Chair

Report adopted.

#### COMMITTEE REPORT

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

Page 7, between lines 24 and 25, begin a new paragraph and insert:

"(d) 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."

Page 12, line 37, delete "study" and insert "studies".

Page 12, line 38, delete "; and" and insert "and IC 12-17.2-7.5-5;".

Page 12, line 40, delete "chapter." and insert "chapter; and".

Page 12, between lines 40 and 41, begin a new line block indented and insert:

"(4) make payments to reimburse costs incurred to provide in-home early education services under IC 12-17.2-7.5."

Page 13, delete lines 11 through 12, begin a new paragraph and insert:

"SECTION 27. 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" mean 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 under 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."

Page 13, line 25, delete "twenty-two million dollars (\$22,000,000)." and insert "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 12-17.2-17.5."

Page 13, line 27, delete "twenty-two million dollars (\$22,000,000)." and insert "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 12-17.2-17.5."

Renumber all SECTIONS consecutively.

(Reference is to SB 276 as printed February 17, 2017.)  
and when so amended that said bill do pass.  
Committee Vote: Yeas 12, Nays 1.

KENLEY, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 279, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

KENLEY, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 285, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 5, delete "The following definitions apply throughout" and insert "As used in".

Page 1, line 5, delete ":" and insert ", "mass".

Page 1, line 6, delete "(1) "Mass".

Page 1, run in lines 5 through 6.

Page 1, delete lines 10 through 17, begin a new paragraph and insert:

**"Sec. 2. Every law enforcement agency has the duty to protect the public, including persons engaged in lawful protest, by ensuring that public streets remain open, unobstructed, and clear for use by emergency vehicles and personnel responding to an emergency.**

**Sec. 3. In order to ensure that public streets remain open for use by emergency personnel, the state police department may exercise its jurisdiction under IC 10-11-2-21 to assist the local law enforcement agency.**

**Sec. 4. A person who, being a member of an unlawful assembly involving mass traffic obstruction:**

- (1) engages in tumultuous conduct;**
- (2) obstructs traffic; or**
- (3) fails to obey a lawful order to clear a public street; commits mass traffic obstruction, a Class C infraction."**

Delete page 2.

(Reference is to SB 285 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 5, Nays 1.

BUCK, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill 295, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

CRIDER, Chair

Report adopted.

## COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 299, 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 14-22-6-16, AS ADDED BY P.L.111-2016, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 16. (a) This section does not apply to the following:

- (1) The department or the department's designee.
  - (2) Employees or agents of a governmental entity while performing official duties.
  - (3) Employees or agents of an educational or research institution acting for bona fide educational or scientific purposes.
  - (4) Use of an unmanned aerial vehicle to assist, provide care for, or provide veterinary treatment to a specific wild animal.
  - (5) Use of an unmanned aerial vehicle to monitor areas of agricultural production or to monitor nuisance wild animals.
- (b) As used in this section, "take" means to:
- (1) kill, shoot, spear, harm, catch for the purpose of killing, trap for the purpose of killing, or pursue for the purpose of killing a wild animal; or
  - (2) attempt to engage in conduct under subdivision (1).
- (c) During the period:
- (1) beginning fourteen (14) days before the hunting season for a particular wild animal species; and
  - (2) ending upon the expiration of legal hunting hours on the last day of the hunting season;

a person may not knowingly use an unmanned aerial vehicle (as defined by ~~IC 35-33-5-0.5(7)~~ **IC 35-31.5-2-342.3**) to search for, scout, locate, or detect a wild animal to which the hunting season applies as an aid to take the wild animal."

Page 1, line 3, delete "has the" and insert **"means an aircraft that does not carry a human operator and that is capable of flight under remote control or autonomous programming. The term includes the following:**

- (1) An unmanned aircraft and an unmanned aircraft system (both as defined in the Federal Aviation Administration Modernization and Reform Act of 2012 (P.L.112-95, 126 Stat. 11).**
- (2) A small unmanned aircraft and a small unmanned aircraft system (both as defined in 14 CFR 107.3)."**

Page 1, delete line 4.

Page 1, line 5, delete "(1)".

Page 1, line 5, strike "For purposes of IC 35-33-5,".

Page 1, line 5, strike "the meaning set forth in".

Page 1, strike line 6.

Page 1, delete lines 7 through 16, begin a new paragraph, and

insert:

"SECTION 3. IC 35-31.5-2-343.7, AS ADDED BY P.L.170-2014, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 343.7. "Use of an unmanned aerial vehicle", for purposes of IC 35-33-5, has the meaning set forth in ~~IC 35-33-5-0.5(8)~~ **IC 35-33-5-0.5**.

SECTION 4. IC 35-31.5-2-343.8, AS ADDED BY P.L.170-2014, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 343.8. "User", for purposes of IC 35-33-5, has the meaning set forth in ~~IC 35-33-5-0.5(9)~~ **IC 35-33-5-0.5**."

Page 2, line 27, strike "(7) "Unmanned aerial vehicle" means an aircraft that".

Page 2, line 27, strike "does not".

Page 2, line 28, strike "carry a human operator and".

Page 2, line 28, delete "that".

Page 2, line 28, strike "is capable of flight under".

Page 2, line 29, strike "remote control or autonomous programming."

Page 2, line 29, delete "The term includes".

Page 2, delete lines 30 through 36.

Page 2, line 37, strike "(8)" and insert "(7)".

Page 3, line 2, strike "(9)" and insert "(8)".

Page 3, delete lines 12 through 21.

Page 3, line 22, delete "(c)" and insert "(b)".

Page 3, line 31, delete "or".

Page 3, line 32, after "(3)" insert **"condition or rule of a community corrections program; or**

**(4)"**.

Page 4, line 1, delete "(a) As used in this section,".

Page 4, delete lines 2 through 11.

Page 4, line 12, delete "(b)".

Page 4, delete lines 34 through 42.

Page 5, delete line 1.

Page 5, line 40, delete "without the consent of another person," and insert **"with the intent to peep,"**.

Page 5, line 41, delete ":".

Page 5, line 42, delete "(1)".

Page 5, run in lines 41 through 42.

Page 6, line 1, delete "the other" and insert **"another"**.

Page 6, line 5, delete "(A)" begin a new line block indented and insert:

**"(1)"**.

Page 6, line 6, delete "(B)" begin a new line block indented and insert:

**"(2)"**.

Page 6, line 7, delete "and".

Page 6, delete lines 8 through 9.

Page 6, line 24, delete "(a) As used in this section, "unmanned aerial".

Page 6, delete lines 25 through 33.

Page 6, line 34, delete "(b)".

Page 6, line 41, delete "(a) As used in this section, "unmanned".

Page 6, delete line 42.

Page 7, delete lines 1 through 8.

Page 7, line 9, delete "(b)".

Page 6, run in lines 41 through page 7, line 9.

Renumber all SECTIONS consecutively.

(Reference is to SB 299 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

M. YOUNG, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 322, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, between lines 27 and 28, begin a new paragraph and insert:

**"(e) This subsection applies only to a DNA sample provided by a person arrested for a felony. A person described in subsection (b)(1), (b)(2), (b)(3), or (b)(4) may not ship a DNA sample collected from a felony arrestee for DNA identification testing unless:**

**(1) the arrestee was arrested pursuant to a felony arrest warrant; or**

**(2) a court has found probable cause for the felony arrest."**

Page 4, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 5. IC 10-13-6-22 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 22. A person who knowingly or intentionally disseminates, receives, or otherwise uses or attempts to use information in the Indiana DNA data base or DNA samples used in DNA analyses, knowing that such dissemination, receipt, or use is for a purpose other than authorized by law, commits a ~~Class A misdemeanor~~. **Level 6 felony.**"

Page 4, line 34, delete "four" and insert "**three**".

Page 4, line 35, delete "\$4." and insert "**(\$3).**".

Page 4, delete lines 36 through 42, begin a new paragraph and insert:

"SECTION 6. IC 33-37-7-9, AS AMENDED BY P.L.229-2011, SECTION 262, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. (a) On June 30 and on December 31 of each year, the auditor of state shall transfer to the treasurer of state nine million ~~two hundred seventy-seven thousand twenty-three dollars (\$9,277,023)~~ **four hundred ninety-two thousand twenty-three dollars (\$9,492,023)** for distribution under subsection (b).

(b) On June 30 and on December 31 of each year, the treasurer of state shall deposit into:

(1) the family violence and victim assistance fund established by IC 5-2-6.8-3 an amount equal to ~~eight and~~

~~three-hundredths percent (8.03%); seven and eighty-five hundredths percent (7.85%);~~

(2) the Indiana judges' retirement fund established by IC 33-38-6-12 an amount equal to ~~thirty-eight and fifty-five hundredths percent (38.55%); thirty-seven and sixty-eight hundredths percent (37.68%);~~

(3) the law enforcement academy building fund established by IC 5-2-1-13 an amount equal to two and ~~fifty-six hundredths percent (2.56%); fifty-one hundredths percent (2.51%);~~

(4) the law enforcement training fund established by IC 5-2-1-13 an amount equal to ten and ~~twenty-seven hundredths percent (10.27%); four hundredths percent (10.04%);~~

(5) the violent crime victims compensation fund established by IC 5-2-6.1-40 an amount equal to eleven and ~~ninety-three hundredths percent (11.93%); sixty-six hundredths percent (11.66%);~~

(6) the motor vehicle highway account an amount equal to nineteen and ~~forty-nine hundredths percent (19.49%); five hundredths percent (19.05%);~~

(7) the fish and wildlife fund established by IC 14-22-3-2 an amount equal to twenty-five hundredths percent (0.25%);

(8) the Indiana judicial center drug and alcohol programs fund established by IC 12-23-14-17 for the administration, certification, and support of alcohol and drug services programs under IC 12-23-14 an amount equal to one and ~~sixty-three hundredths percent (1.63%); six-tenths percent (1.6%); and~~

(9) the DNA sample processing fund established under IC 10-13-6-9.5 for the funding of the collection, shipment, analysis, and preservation of DNA samples and the conduct of a DNA data base program under IC 10-13-6 an amount equal to ~~seven and twenty-nine hundredths percent (7.29%); nine and thirty-six hundredths percent (9.36%);~~

of the amount transferred by the auditor of state under subsection (a).

(c) On June 30 and on December 31 of each year, the auditor of state shall transfer to the treasurer of state for deposit into the public defense fund established under IC 33-40-6-1 three million seven hundred thousand dollars (\$3,700,000)."

Page 5, delete lines 1 through 40.

Renumber all SECTIONS consecutively.

(Reference is to SB 322 as printed February 17, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 13, Nays 0.

KENLEY, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 323, 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.

BRAY, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 324, 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 12, strike "or".

Page 2, line 14, delete "." and insert "; or

**(3) the drug is heroin and the amount of heroin involved, aggregated over a period of not more than ninety (90) days, is at least three (3) grams but less than seven (7) grams."**

Page 2, line 17, strike "or".

Page 2, line 19, delete "." and insert ";

**(3) the drug is heroin and the amount of heroin involved, aggregated over a period of not more than ninety (90) days, is at least seven (7) grams but less than twelve (12) grams; or**

**(4) the drug is heroin and:**

**(A) the amount of heroin involved, aggregated over a period of not more than ninety (90) days, is at least three (3) grams but less than seven (7) grams; and**

**(B) an enhancing circumstance applies."**

Page 2, delete lines 24 through 27, begin a new line block indented and insert:

**"(3) the drug is heroin and the amount of heroin involved, aggregated over a period of not more than ninety (90) days, is at least twelve (12) grams; or**

**(4) the drug is heroin and:**

**(A) the amount of heroin involved, aggregated over a period of not more than ninety (90) days, is at least seven (7) grams but less than twelve (12) grams; and**

**(B) an enhancing circumstance applies."**

Page 2, delete lines 28 through 42, begin a new paragraph and insert:

"SECTION 2. IC 35-50-2-2.2, AS AMENDED BY P.L.10-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2.2. (a) Except as provided in subsection (b), (c), ~~or~~ (d), **or** (e), the court may suspend any part of a sentence for a felony.

(b) **Except as provided in subsection (d)**, if a person is convicted of a Level 2 felony or a Level 3 felony, except a Level 2 felony or a Level 3 felony concerning a controlled substance under IC 35-48-4, and has any prior unrelated felony conviction, the court may suspend only that part of a sentence that is in excess of the minimum sentence for the:

(1) Level 2 felony; or

(2) Level 3 felony.

(c) If:

(1) a person has a prior unrelated felony conviction in any jurisdiction for dealing in a controlled substance that is not marijuana, hashish, hash oil, salvia divinorum, or a synthetic drug, including an attempt or conspiracy to commit the offense; and

(2) the person is convicted of a Level 2 felony under

~~(A) IC 35-48-4-1 and the offense involves the:~~

~~(i) manufacture;~~

~~(ii) delivery; or~~

~~(iii) financing of the manufacture or delivery;~~

~~of heroin; or~~

~~(B) IC 35-48-4-1.1;~~

the court may suspend only that part of a sentence that is in excess of the minimum sentence for the Level 2 felony.

(d) **If a person:**

**(1) is convicted of dealing in heroin as a Level 2 or Level 3 felony under IC 35-48-4-1 or IC 35-48-4-2; and**

**(2) has a prior unrelated felony conviction;**

**the court may suspend only that part of a sentence that is in excess of the minimum sentence for the Level 2 or Level 3 felony.**

~~(e)~~ (e) The court may suspend only that part of a sentence for murder or a Level 1 felony conviction that is in excess of the minimum sentence for murder or the Level 1 felony conviction."

Delete pages 3 through 6.

(Reference is to SB 324 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 5, Nays 3.

M. YOUNG, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 348, 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 local government.

Page 1, delete lines 1 through 12, begin a new paragraph and insert:

"SECTION 1. IC 36-1-3-11 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 11. (a) As used in this section, "election" refers to an election described in IC 3-5-1-2.**

**(b) As used in this section, "sign" refers to a sign, the surface area of which is not greater than thirty-two (32) square feet."**

Page 1, line 13, delete "(b) An" and insert "(c) Subject to subsection (d), an".

Page 1, line 16, delete "forty-five (45)" and insert "**thirty (30)**".

Page 1, after line 17, begin a new paragraph and insert:

**"(d) This section does not prohibit a political subdivision from enforcing an ordinance or regulation relating to the number or size of signs at any time if necessary to ensure public safety.**

SECTION 2. IC 36-7-4-1109, AS AMENDED BY P.L.126-2011, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1109. (a) As used in this section, "local governmental agency" includes any agency, officer, board, or commission of a local unit of government that may issue:

- (1) a permit; or
- (2) an approval of a land use or an approval for the construction of a development, a building, or another structure.

(b) As used in this section, "permit" means any of the following:

- (1) An improvement location permit.
- (2) A building permit.
- (3) A certificate of occupancy.
- (4) Approval of a site-specific development plan.
- (5) Approval of a primary or secondary plat.
- (6) Approval of a contingent use, conditional use, special exception or special use.
- (7) Approval of a planned unit development.

(c) Subject to section 1110 of this chapter **(before its expiration)**, if a person files a complete application as required by the effective ordinances or rules of a local governmental agency for a permit with the appropriate local governmental agency, the granting of the permit, and the granting of any secondary, additional, or related permits or approvals required from the same local governmental agency with respect to the general subject matter of the application for the first permit, are governed for at least three (3) years after the person applies for the permit by the statutes, ordinances, rules, development standards, and regulations in effect and applicable to the property when the application is filed, even if before the issuance of the permit or while the permit approval process is pending, or before the issuance of any secondary, additional, or related permits or approvals or while the secondary, additional, or related permit or approval process is pending, the statutes, ordinances, rules, development standards, or regulations governing the granting of the permit or approval are changed by the general assembly or the applicable local legislative body or regulatory body. However, this subsection does not apply if the development or other activity to which the permit relates is not completed within ten (10) years after the development or activity is commenced.

(d) Subsection (e) applies if:

- (1) either:
  - (A) a local governmental agency issues to a person a permit or grants a person approval for the construction of a development, a building, or another structure; or

(B) a permit or approval is not required from the local governmental agency for the construction of the development, building, or structure;

(2) before beginning the construction of the development, building, or structure, the person must obtain a permit or approval for the construction of the development, building, or structure from a state governmental agency; and

(3) the person has applied for the permit or requested the approval for the construction of the development, building, or structure from the state governmental agency within ninety (90) days of issuance of the permit by the local governmental agency.

(e) Subject to subsection (f) and section 1110 of this chapter **(before its expiration)**, if the conditions of subsection (d) are satisfied:

(1) a permit or approval issued or granted to a person by the local governmental agency for the construction of the development, building, or structure; or

(2) the person's right to construct the development, building, or structure without a permit or approval from the local governmental agency;

is governed for at least three (3) years after the person applies for the permit by the statutes, ordinances, rules, development standards, regulations, and approvals in effect and applicable to the property when the person applies for the permit or requests approval from the state governmental agency for the construction of the development, building, or structure, even if before the commencement of the construction or while the permit application or approval request is pending with the state governmental agency the statutes governing the granting of the permit or approval from the local governmental agency are changed by the general assembly or the ordinances, rules, development standards, or regulations of the local governmental agency are changed by the applicable local legislative body or regulatory body. However, this subsection does not apply if the development or other activity to which the permit or approval request relates is not completed within ten (10) years after the development or activity is commenced.

(f) Subsection (d) does not apply to property when it is demonstrated by the local or state governmental agency that the construction of the development, building, or structure would cause imminent peril to life or property.

(g) This section does not apply to building codes under IC 22-13.

**(h) The following provision is considered to be included in any regulation adopted under section 601(d)(2)(B) of this chapter that sets forth requirements for signs:**

**"The owner of any sign that is otherwise allowed by this regulation may substitute noncommercial copy in place of any other commercial or noncommercial copy. This substitution of copy may be made without the issuance of any additional permit by a local government agency. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or the favoring of any**

**particular noncommercial message over any other noncommercial message. This provision prevails over any more specific provision in this regulation to the contrary."**

Re-number all SECTIONS consecutively.  
(Reference is to SB 348 as introduced.)  
and when so amended that said bill do pass.  
Committee Vote: Yeas 7, Nays 0.

BUCK, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 404, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 30, delete "does not apply" and insert "**applies only**".

Page 3, line 30, after "is" delete "not".

Page 3, line 31, delete "." and insert "**and has not been given**".

Page 3, line 32, after "(b)" insert "**This section does not apply to a person who aids or assists an unemancipated pregnant woman who has obtained or is seeking to obtain:**

**(1) parental consent; or**

**(2) a waiver of parental consent;**

**under section 4 of this chapter.**

**(c)**".

Page 3, line 35, delete "(c)" and insert "**(d)**".

Page 3, line 35, delete "(b)" and insert "**(e)**".

Page 3, line 38, delete "a person" and insert "**the unemancipated pregnant woman or the parent or guardian of the unemancipated pregnant woman who is**".

Page 4, line 7, delete "(d)" and insert "**(e)**".

Page 4, line 10, delete "(b)" and insert "**(c)**".

Page 4, line 13, delete "(e) The attorney general, a prosecuting attorney, the" and insert "**(f) The**".

Page 4, line 14, delete "woman, or any person" and insert "**woman**".

Page 4, line 15, delete "who may be adversely affected by the conduct".

Page 4, line 16, delete "person" and insert "**parent or guardian**".

Page 4, line 17, delete ":".

Page 4, line 18, delete "(1)".

Page 4, line 18, delete "future; or" and insert "**future**".

Page 4, delete lines 19 through 21.

Page 4, run in lines 17 through 22.

Page 6, delete lines 17 through 25.

Page 6, line 26, reset in roman "(d)".

Page 6, line 26, delete "(e)".

Page 6, line 26, reset in roman "Each failure".

Page 6, line 26, delete "A person who recklessly fails".

Page 6, line 29, reset in roman "is".

Page 6, line 29, delete "commits".

Page 6, line 29, reset in roman "Class B".

Page 6, line 29, delete "Class A".

Page 6, line 31, reset in roman "(e)".

Page 6, line 31, delete "(f)".

Page 6, delete lines 41 through 42.

Page 7, delete lines 1 through 17.

Page 9, line 18, delete "shall" and insert "**may**".

Page 9, line 22, delete "negligently".

Page 9, line 25, delete "." and insert "**with the intent to avoid the requirements of IC 16-34-2**".

Re-number all SECTIONS consecutively.

(Reference is to SB 404 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 4.

BRAY, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 407, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 20-28-11.5-1, AS ADDED BY P.L.90-2011, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. As used in this chapter, "evaluator" means an individual who conducts a staff performance evaluation. The term includes a teacher who:

(1) has clearly demonstrated a record of effective teaching over several years;

(2) is approved by the principal as qualified to evaluate under the plan; ~~and~~

(3) conducts staff performance evaluations as a significant part of ~~the~~ teacher's responsibilities; ~~and~~

**(4) for a school year beginning after June 30, 2018, completes an evaluation certification program approved by the state board under section 10 of this chapter.**

SECTION 2. IC 20-28-11.5-10 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 10. For school years beginning after June 30, 2018, the state board shall approve one (1) or more evaluator certification programs to improve the quality of teacher evaluations.**

SECTION 3. IC 20-28-11.5-11 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 11. The state board, in collaboration with the department, shall provide ongoing training and intensive support to a pilot group of**

school corporations, as determined by the state board, to assist in developing and improving each participating school corporation's teacher evaluation plan.

SECTION 4. IC 20-28-11.5-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 12. (a) On or before November 1, 2018, the state board shall evaluate the current teacher evaluation requirements and make recommendations in a report to the governor and, in an electronic format under IC 5-14-6, the general assembly regarding methods to improve the implementation of this chapter. The report must, at a minimum, include recommendations:**

**(1) for optional methods for assessing student growth for certificated employees who do not teach in areas measured by the statewide assessment; and**

**(2) regarding the current growth model to ensure that student characteristics are effectively accounted for while maintaining high expectations for all students.**

**(b) This section expires July 1, 2019."**

Delete pages 2 through 3.

Page 4, delete lines 1 through 41.

Page 5, line 35, delete "post a copy of" and insert "**compile information included in the affidavit from each school corporation and post the information on the board's Internet web site. The information posted by the board under this subsection may only include aggregate data for each school corporation and may not include any information that would identify a particular school employee.**".

Page 5, delete line 36.

Page 6, line 10, delete "The general" and insert "**As used in this SECTION, "committee" refers to the education interim study committee established by IC 2-5-1.3-4(5).**

**(b) As used in this SECTION, "legislative council" refers to the legislative council established by IC 2-5-1.1-1.**

**(c) The legislative council is urged to assign to the committee during the 2017 legislative interim following topics relating the federal Every Student Succeeds Act (ESSA):"**

Page 6, delete lines 11 through 13.

Page 6, line 26, delete "(b)" and insert "**(d)**".

Re-number all SECTIONS consecutively.

(Reference is to SB 407 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 5.

KRUSE, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 423, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 9, delete "(a)".

Page 2, line 17, after "law." insert "**However, this subdivision does not apply if the alien has been granted Deferred Action for Childhood Arrival (DACA) status and the alien's DACA status remains valid.**".

Page 2, line 21, delete "(3)" and insert "**(4)**".

Page 2, line 27, delete "(4)" and insert "**(5)**".

Page 2, line 35, delete "(5)" and insert "**(6)**".

(Reference is to SB 423 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 2.

M. YOUNG, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 425, 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 36 through 42, begin a new paragraph, and insert:

"SECTION 5. IC 7.1-5-10-12, AS AMENDED BY P.L.159-2014, SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 12. (a) Except as provided in subsections (b) through (d) and subsection (f), it is unlawful for a permittee to sell, offer to sell, purchase or receive, an alcoholic beverage for anything other than cash. A permittee who extends credit in violation of this section shall have no right of action on the claim.**

**(b) A permittee may credit to a purchaser the actual price charged for a package or an original container returned by the original purchaser as a credit on a sale and refund to a purchaser the amount paid by the purchaser for a container, or as a deposit on a container, if it is returned to the permittee.**

**(c) A manufacturer may extend usual and customary credit for alcoholic beverages sold to a customer who maintains a place of business outside this state when the alcoholic beverages are actually shipped to a point outside this state.**

**(d) An artisan distiller, a distiller, or a liquor or wine wholesaler may extend credit on liquor, flavored malt beverages, and wine sold to a permittee for a period of fifteen (15) days from the date of invoice, date of invoice included. However, if the fifteen (15) day period passes without payment in full, the wholesaler shall sell to that permittee on a cash on delivery basis only.**

**(e) A person who knowingly or intentionally violates this section commits a Class B misdemeanor.**

**(f) Nothing in this section may be construed to prohibit a retailer or dealer from:**

**(1) extending credit to a consumer purchasing alcohol for personal use at any time as long as any amount owed to the retailer or dealer by a consumer for alcohol is paid in full before the consumer leaves the**

permittee's premises; or

(2) accepting a:

(A) credit card;

(B) debit card;

(C) charge card; or

(D) stored value card;

from a consumer purchasing alcohol for personal use."

Page 3, delete lines 1 through 16.

Page 4, delete lines 2 through 3.

(Reference is to SB 425 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 429, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, delete lines 12 through 24.

Page 3, line 25, delete "6." and insert "4."

Page 3, line 30, delete "10" and insert "9".

Page 3, line 31, delete "7." and insert "5."

Page 3, line 39, delete "economic development for" and insert "**Indiana economic development corporation**".

Page 3, line 40, delete "a growing economy board".

Page 4, between lines 1 and 2, begin a new paragraph and insert:

**"Sec. 6. As used in this chapter, "state and local income taxes" means taxes imposed under any of the following:**

**(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax).**

**(2) IC 6-3.6 (local income tax)."**

Page 4, line 2, delete "8." and insert "7."

Page 4, line 4, delete "cultural district development" and insert "**tax**".

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

Page 4, line 6, delete "9." and insert "8."

Page 4, line 8, delete "10." and insert "9".

Page 4, line 8, after "unit" insert "**that contains a district**".

Page 4, line 9, delete "a cultural district development area as".

Page 4, line 10, delete "and the".

Page 4, line 11, delete "gross retail incremental amount".

Page 4, line 13, delete "12" and insert "11".

Page 4, line 26, delete "cultural".

Page 4, line 27, delete "district development" and insert "**tax**".

Page 4, line 28, delete "11." and insert "10."

Page 4, line 29, delete "10" and insert "9".

Page 4, line 33, delete "12." and insert "11."

Page 4, line 34, delete "10" and insert "9".

Page 4, line 35, delete "and the gross retail".

Page 4, line 36, delete "incremental amount".

Page 4, line 41, after "amounts" insert "**of state income tax (as defined in section 6(1) of this chapter)**".

Page 4, line 42, delete "and the gross retail incremental amount".

Page 4, line 42, delete "a" and insert "**all**".

Page 5, line 1, delete "area" and insert "**areas**".

(Reference is to SB 429 as printed February 17, 2017.) and when so amended that said bill do pass.

Committee Vote: Yeas 13, Nays 0.

HERSHMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 467, 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.

Page 2, delete lines 1 through 13.

Page 2, line 28, delete "that incurs costs".

Page 2, line 30, after "damage." insert "**The amount charged may not exceed the state fire marshal's recommended schedule for services to the property.**".

Page 2, line 38, after "pay" insert "**directly**".

Page 2, line 40, after "reimbursement." insert "**The insurer shall provide notification to the claimant when the insurer reimburses a fire department for fire protection services under the claimant's reimbursement policy coverage.**".

Page 2, delete lines 41 through 42.

Delete pages 3 through 29.

Renumber all SECTIONS consecutively.

(Reference is to SB 467 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 479, 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.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 498, 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 20-28-5-19 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 19. (a) This section applies to an individual who:**

**(1) holds a valid Indiana teaching license;**

**(2) holds a valid teaching license subsequently issued by another state (excluding a teaching license equivalent to an Indiana temporary or emergency teaching license) in an additional content area or areas; and**

**(3) was required to pass a content licensure test to obtain the license described in subdivision (2).**

**(b) The department shall grant an application to add the additional content area or areas described in subsection (a)(2) to a valid Indiana teaching license submitted by an individual described in subsection (a)."**

Renumber all SECTIONS consecutively.

(Reference is to SB 498 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

KRUSE, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 499, 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 criminal law and procedure.

Page 2, line 7, delete "The" and insert "**Subject to the approval of the Indiana commission to combat drug abuse, the**".

Page 2, between lines 24 and 25, begin a new paragraph and insert:

**"(e) The Indiana commission to combat drug abuse may make grants totaling not more than seven hundred fifty thousand dollars (\$750,000) in each state fiscal year for purposes of the program."**

Page 18, delete lines 24 through 37.

Renumber all SECTIONS consecutively.

(Reference is to SB 499 as printed February 22, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 1.

KENLEY, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 532, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

HERSHMAN, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 559, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

HERSHMAN, Chair

Report adopted.

#### SENATE MOTION

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

- SR 31 Senator Crider  
Urging Governor Holcomb to recognize September as Brain Aneurysm Month.
- SR 33 Senator Bray  
Honoring Bonnie M. Ennis.
- SR 34 Senator Bray  
Honoring Lillian L. Chaney.
- SCR 11 Senator L. Brown  
Congratulating the University of Saint Francis football team.
- SCR 22 Senator Melton  
Honoring Richard Gordon Hatcher.

LONG

Motion prevailed.

#### RESOLUTIONS ON FIRST READING

##### Senate Resolution 31

Senate Resolution 31, introduced by Senator Crider:

A SENATE RESOLUTION urging Governor Holcomb to recognize September as Brain Aneurysm Awareness Month.

*Whereas, A brain aneurysm, also referred to as a cerebral aneurysm or intracranial aneurysm, is a weak bulging spot on the wall of a brain artery;*

*Whereas, Although relatively uncommon, ruptured aneurysms are very serious and usually associated with a high mortality rate and disability;*

*Whereas, The blood flow within the artery pounds against the thinned portion of the wall, and bulging spots form that begin to swell outward;*

*Whereas, Pressure may cause this aneurysm to rupture, allowing blood to escape into the space around the brain, which usually requires advanced surgical treatment;*

*Whereas, Survivors of brain aneurysms face many challenges on their road to recovery, including physical challenges, emotional challenges, depression, and potential deficits;*

*Whereas, Only through knowledge and understanding will we be better able to help survivors and ensure that all of their rights are protected; and*

*Whereas, It is critical that we help raise awareness of brain aneurysms, including methods of early detection and treatment: Therefore,*

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

SECTION 1. That the Indiana Senate urges the Governor to recognize September as Brain Aneurysm Awareness Month to raise awareness and better help survivors.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Governor Eric Holcomb, the Brain Aneurysm Foundation, and Raymond Morefield.

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

### **Senate Resolution 33**

Senate Resolution 33, introduced by Senator Bray:

A SENATE RESOLUTION honoring Bonnie M. Ennis on the occasion of her 100th birthday.

*Whereas, Bonnie M. Ennis was born on February 28, 1917, to parents Orié and Autrey Balay, in Morgan County, Indiana;*

*Whereas, Bonnie attended Brown School, a one-room elementary school in which all eight grades were taught in a single classroom, and graduated from Martinsville High School in 1936;*

*Whereas, Bonnie married George T. Ennis on January 16, 1936, and they moved to their 38-acre family farm, where Bonnie continues to live today;*

*Whereas, Together Bonnie and George had ten children, 6 sons and four daughters, and Bonnie devoted her life to her husband and children on the family farm;*

*Whereas, Bonnie's family has grown to be quite extensive -*

*she has 28 grandchildren, 41 great grandchildren, and 15 great-great grandchildren;*

*Whereas, Bonnie has lived in Green Township, Morgan County all of her life, within a quarter mile of where she was born and raised;*

*Whereas, Friends recall that Bonnie and George enjoyed going to church, socializing with their friends, and square dancing;*

*Whereas, Bonnie continues to attend Centennial Christian Church, an old country church that was built in the centennial year 1876;*

*Whereas, Those who know Bonnie well say that she is still mentally sharp as a tack, and when they say "see you later" at the end of their visits with Bonnie, she always responds, "I'll be here";*

*Whereas, Bonnie will celebrate her 100<sup>th</sup> birthday on February 28, 2017;*

*Whereas, Bonnie exemplifies kindness, devotion to family and friends, and healthy living, and the Indiana Senate commends Bonnie for these honorable traits;*

*Whereas, It is fitting that the Indiana Senate honors Bonnie on the occasion of her 100<sup>th</sup> birthday, recognizes the positive impact she has had on her family, friends, and community, and wishes her 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 Bonnie M. Ennis on the occasion of her 100<sup>th</sup> birthday, and wishes her 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 Bonnie M. Ennis.

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

### **Senate Resolution 34**

Senate Resolution 34, introduced by Senator Bray:

A SENATE RESOLUTION honoring Lillian L. Chaney on the occasion of her 100th birthday.

*Whereas, Lillian L. Chaney, of Morgantown, Indiana, was born on April 12, 1917;*

*Whereas, According to her friends at the Morgan County Senior Center, Lillian is an inspiration to all who know her - she continues to live independently, her mind is as sharp as ever, and she loves to dress up when she goes out;*

*Whereas, Lillian is a woman of style and grace. Those who know her say that she always dresses impeccably;*

*Whereas, Lillian is very active at the Morgan County Senior Center, where she goes out dancing one night a week and plays cards up to three times a week;*

*Whereas, Lillian's friends describe her as a smiling person who never has a bad thing to say about anyone and that she is an inspiration to anyone who knows her;*

*Whereas, Lillian exemplifies kindness, independence, and healthy living, and the Indiana Senate commends Lillian for being an exemplary citizen and positive role model;*

*Whereas, Lillian will celebrate her 100<sup>th</sup> birthday on April 12, 2017;*

*Whereas, It is fitting that the Indiana Senate honors Lillian on the occasion of her 100<sup>th</sup> birthday, recognizes the positive impact that she has on those around her, and wishes her 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 Lillian L. Chaney on the occasion of her 100<sup>th</sup> birthday and wishes her 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 Lillian Chaney.

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

#### **Senate Concurrent Resolution 11**

Senate Concurrent Resolution 11, introduced by Senators L. Brown, Long, Holdman and Kruse:

A CONCURRENT RESOLUTION congratulating the University of Saint Francis football team on its 2016 National Association of Intercollegiate Athletics (NAIA) championship title.

*Whereas, On December 17, 2016, the University of Saint Francis football team won its first NAIA championship title with its 38-17 win over Baker University;*

*Whereas, This was the University of Saint Francis football team's fourth appearance in the conference championship game;*

*Whereas, The University of Saint Francis Cougars ended the season with an impressive record of 13-1 overall, and 5-1 within their conference;*

*Whereas, The University of Saint Francis football team is coached by Kevin Donley;*

*Whereas, The University of Saint Francis, a Catholic University in the Franciscan tradition, enrolls over 1,800 students and nearly 300 students in its undergraduate and graduate programs, respectively;*

*Whereas, These conference championship football players are student-athletes who managed to balance countless hours of football practices and games on top of a full academic course load;*

*Whereas, The Indiana General Assembly commends these student-athletes for their hard work, discipline, and commitment to both academics and football; and*

*Whereas, It is fitting that the Indiana General Assembly congratulates the University of Saint Francis football team on winning its first NAIA 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 University of Saint Francis football team on winning the 2016 NAIA conference championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Kevin Donley, Head Coach of the University of Saint Francis football team, and Mike McCaffrey, Athletic Director of the University of Saint Francis.

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 Morris.

#### **Senate Concurrent Resolution 22**

Senate Concurrent Resolution 22, introduced by Senator Melton:

A CONCURRENT RESOLUTION honoring Richard Gordon Hatcher on the 50th Anniversary of being elected as Mayor for the city of Gary.

*Whereas, Richard Hatcher was born on July 10, 1933, in Michigan City to Carlton and Catherine Goodwin Hatcher;*

*Whereas, Richard Hatcher received a B.S. degree in business and government from Indiana University and a bachelor of law with honors in criminal law and a J.D. from Valparaiso University School of Law;*

*Whereas, After moving to Gary, Richard Hatcher began practicing law in East Chicago, and in 1961, began serving as a deputy prosecutor for Lake County until he was elected to Gary's City Council in 1963;*

*Whereas, Richard Hatcher was the first and only freshman elected president of the City Council in the history of the city;*

*Whereas, Inaugurated as Mayor of Gary in 1968, Richard Hatcher was one of the first elected African-American mayors of a United States metropolitan city and the first in Indiana;*

*Whereas, While serving as mayor, Richard Hatcher became known throughout the world as a fervent and prolific civil rights spokesman who developed innovative approaches to urban problems and was a national and international spokesman for civil rights, minorities, the poor, and the needs of American cities;*

*Whereas, Richard Hatcher has served the Democratic Party on all levels: a member of the National Committee, a member of the Indiana State Democratic Central Committee, chairman of the Gary Democratic Precinct Organization, vice chairman of the Democratic National Committee, and chairman for Jesse Jackson's presidential campaign;*

*Whereas, As a result of his civil rights activities, Richard Hatcher has been the recipient of more than 100 awards and honors, including "200 Most Outstanding Young Leaders in the U.S." by Time Magazine and the President's Award from the National League of Cities;*

*Whereas, In addition to his work in the political arena, Richard Hatcher has worked as an Institute of Politics Fellow at Harvard University's Kennedy School of Government, taught political science at Roosevelt University, became a senior research professor at Valparaiso University, taught a law course at Cambridge University in England and currently serves as an adjunct professor at Indiana University-Northwest; and*

*Whereas, Richard Hatcher is a role model for African-Americans who aspire to success in our society: 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 Richard Gordon Hatcher for his many accomplishments and achievements in service to the State of Indiana, the city of Gary, and his community.

SECTION 2. That the Secretary of the Senate transmit a copy of this resolution to Richard Gordon Hatcher.

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 C. Brown.

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 18 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS  
Principal Clerk of the House

#### MESSAGE FROM THE PRESIDENT OF THE SENATE

Members of the Senate: I have on the 22nd day of February, 2017, signed House Enrolled Act: 1230.

SUZANNE CROUCH  
Lieutenant Governor

#### MESSAGE FROM THE PRESIDENT OF THE SENATE

Members of the Senate: I have on the 21<sup>st</sup> day of February, 2017, signed House Enrolled Act: 1507.

SUZANNE CROUCH  
Lieutenant Governor

#### SENATE MOTION

Madam President: I move that Engrossed Senate Bill 154, which is eligible for third reading, be returned to second reading for purposes of amendment.

MERRITT

Motion prevailed.

#### REPORT OF THE SENATE COMMITTEE ON ETHICS

Madam President: Pursuant to Senate Rule 97, the Senate Committee on Ethics met on February 23, 2017, to render an advisory opinion with regard to Senator Melton's request that the Committee consider whether or not he has a conflict of interest pertaining to SB 309 which would require him to be excused from voting on this bill at any stage of the legislative process. The members in attendance were: Chairman L. Brown, Senator Eckerty, Senator Walker and Senator Breaux.

The Senate Committee on Ethics has considered the facts presented by Senator Melton and hereby recommends that Senator Melton be excused from participation in all votes pertaining to Senate Bill 309 at any stage in the legislative process because of his potential conflict of interest with regard to the legislation. The vote of the Committee was 4-0.

L. BROWN, Chair

Report adopted.

#### RESOLUTIONS ON SECOND READING

##### Senate Resolution 24

Senator Buck called up Senate Resolution 24 for second reading. The resolution was read a second time. Senator Buck withdrew the call.

## SENATE BILLS ON SECOND READING

### Senate Bill 61

Senator Head called up Senate Bill 61 for second reading. The bill was read a second time by title.

#### SENATE MOTION (Amendment 61-1)

Madam President: I move that Senate Bill 61 be amended to read as follows:

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

"SECTION 1. IC 20-20-40-11, AS ADDED BY P.L.122-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. (a) The commission on seclusion and restraint in schools is established.

(b) The commission has the following ~~nine (9)~~ **ten (10)** members:

(1) The designee of the state superintendent, who serves at the pleasure of the state superintendent.

(2) A representative of the Autism Society of Indiana, chosen by the organization, who serves a two (2) year term.

(3) A representative of the Arc of Indiana, chosen by the organization, who serves a two (2) year term.

(4) A representative of the Indiana Council of Administrators of Special Education, chosen by the organization, who serves a two (2) year term.

(5) A representative of Mental Health America of Indiana, chosen by the organization, who serves a two (2) year term.

(6) A parent of a student with a disability, nominated by a member described in subdivisions (1) through (5) and approved by a majority of the members described in subdivisions (1) through (5), who serves a two (2) year term.

(7) A parent of a student who does not have a disability, nominated by a member described in subdivisions (1) through (5) and approved by a majority of the members described in subdivisions (1) through (5), who serves a two (2) year term.

(8) One (1) accredited nonpublic school administrator nominated by the Indiana Non-public Education Association, who serves a two (2) year term.

(9) One (1) public school superintendent nominated by the Indiana Association of Public School Superintendents, who serves a two (2) year term.

**(10) One (1) member of the National Association for School Resource Officers, chosen by the organization, who serves a two (2) year term.**

(c) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). A member who is not a state employee is also entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and

approved by the budget agency."

Page 3, line 36, delete "A school resource officer".

Page 3, line 37, delete "assigned to a" and insert "A".

Page 4, line 1, delete "in" and insert **"involving a school resource officer, in"**.

Renumber all SECTIONS consecutively.

(Reference is to SB 61 as printed February 22, 2017.)

HEAD

Motion prevailed. The bill was ordered engrossed.

### Senate Bill 126

Senator L. Brown called up Senate Bill 126 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

### Senate Bill 128

Senator Messmer called up Senate Bill 128 for second reading. The bill was re-read a second time by title.

#### SENATE MOTION (Amendment 128-1)

Madam President: I move that Senate Bill 128 be amended to read as follows:

Page 22, delete lines 33 through 42, begin a new paragraph and insert:

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

(1) The construction of major bridges.

(2) In Allen County, the construction, maintenance, and repair of bridges, approaches, and grade separations with respect to structures other than major bridges.

**(3) For an eligible county that is a member of a commuter transportation district established under IC 8-5-15:**

**(A) making grants to a commuter transportation system (as defined in IC 8-5-15-1) only for the benefit of the commuter transportation system (as defined in IC 8-5-15-1);**

**(B) making debt service payments for revenue bonds issued under IC 8-5-15-5.4 for a railroad project of a commuter transportation system (as defined in IC 8-5-15-1); and**

**(C) making grants to the northwest Indiana regional development authority established by IC 36-7.5-2-1 for the benefit of a commuter transportation system (as defined in IC 8-5-15-1), if the northwest Indiana regional development authority has issued bonds for a railroad project of a commuter transportation system (as defined in IC 8-5-15-1).**

(b) The executive of any eligible county may levy a tax in compliance with IC 6-1.1-41 not to exceed three and thirty-three hundredths cents (\$0.0333) on each one hundred dollars (\$100) assessed valuation of all taxable personal and real property within the county to provide for the major bridge fund.

(c) The general assembly finds the following:

(1) Allen County eliminated its levy for a cumulative bridge fund to use its levy authority to fund a juvenile center.

(2) Allen County has more bridges than any other county in Indiana, outside of Marion County: Marion County has five hundred twenty-two (522), Allen County has three hundred fifty-one (351), and Hamilton County has two hundred seventy-seven (277).

(3) Allen County has the largest land area of any county in Indiana.

(4) Allen County is the third largest populated county in Indiana.

(5) Allen County has a heavy manufacturing and industrial base, increasing traffic and wear and tear on streets, roads, and bridges.

(6) Allen County has large temperature fluctuations, leading to increased maintenance costs.

(7) Allen County has three (3) major rivers that come together in the heart of Fort Wayne, which means more bridges are needed in the area due to the infrastructure that accommodates Fort Wayne, the second largest city in Indiana.

(8) Allen County dissolved its cumulative bridge fund in 2002 to provide room in the levy for judicial mandates to build two (2) detention facilities, as the former jail was overcrowded due to the large population.

(9) Allen County has a major bridge fund that is provided to maintain major bridges, but can be used to fund smaller bridges and will not harm the ability of Allen County to pay for obligations caused by judicial mandates.

(10) Expansion of the purposes for Allen County's major bridge fund may be used in Allen County to meet the critical needs in Allen County for the maintenance of bridges other than major bridges in the unincorporated areas of the county.

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

(1) All bridges in unincorporated areas of the county.

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

(e) Subsection (d) does not apply to providing funds for bridges on the state highway system."

Delete page 23.

Page 24, delete lines 1 through 7.

Renumber all SECTIONS consecutively.

(Reference is to SB 128 as printed February 17, 2017.)

BOHACEK

Motion prevailed. The bill was ordered engrossed.

#### Senate Bill 131

Senator Crider called up Senate Bill 131 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 213

Senator Hershman called up Senate Bill 213 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 213-1)

Madam President: I move that Senate Bill 213 be amended to read as follows:

Page 7, after line 14, begin a new line block indented and insert:

**"(6) The unit or a utility owned by the unit shall not impose a rental or other recurring fee for small cell facilities that are strung or located between utility poles if one (1) or more of the utility poles has an associated attachment for which a rental rate is charged."**

(Reference is to SB 213 as printed February 21, 2017.)

HERSHMAN

Motion prevailed.

SENATE MOTION  
(Amendment 213-2)

Madam President: I move that Senate Bill 213 be amended to read as follows:

Page 5, delete lines 18 through 22.

Page 5, line 23, delete "(3)" and insert "**(2)**".

Page 5, line 27, delete "(4)" and insert "**(3)**".

Page 5, delete lines 31 through 38.

Page 5, line 39, delete "(7)" and insert "**(4)**".

(Reference is to SB 213 as printed February 21, 2017.)

STOOPS

Motion failed.

SENATE MOTION  
(Amendment 213-3)

Madam President: I move that Senate Bill 213 be amended to read as follows:

Page 5, line 9, delete "shall follow the" and insert "**shall:**

**(A) follow the application procedures and time limits for review and approval that apply to collocation permit applications under section 22 of this chapter; and**

**(B) require the collocation of a small cell facility on an existing structure, instead of the construction of a new wireless support structure for the small cell facility, if collocation:**

**(i) is consistent with the public health, safety, and welfare; and**

**(ii) meets applicable codes (as defined in section 15(b)(3) of this chapter) or industry standards."**

Page 5, delete lines 10 through 12.

(Reference is to SB 213 as printed February 21, 2017.)

STOOPS

Upon request of Senator Stoops the President Pro Tempore ordered the roll of the Senate to be called. Roll Call 173: yeas 9, nays 40.

Motion failed. The bill was ordered engrossed.

#### Senate Bill 220

Senator Niemeyer called up Senate Bill 220 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 220-1)

Madam President: I move that Senate Bill 220 be amended to read as follows:

Page 2, line 6, delete "six" and insert "**five**".

Page 2, line 7, delete "(600)" and insert "**(500)**".

(Reference is to SB 220 as printed February 21, 2017.)

MELTON

Upon request of Senator Melton the President Pro Tempore ordered the roll of the Senate to be called. Roll Call 174: yeas 9, nays 40.

Motion failed. The bill was ordered engrossed.

#### Senate Bill 222

Senator Hershman called up Senate Bill 222 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 222-1)

Madam President: I move that Senate Bill 222 be amended to read as follows:

Page 2, delete lines 1 through 16, begin a new paragraph and insert:

**"Shall Article 10, Section 5 of the Constitution of the State of Indiana be amended to require the General Assembly to adopt balanced budgets for state government that do not exceed estimated revenues unless a supermajority of two-thirds of the members of the House of Representatives and two-thirds of the members of the Senate vote to suspend the requirement?"**

(Reference is to SB 222 as printed February 21, 2017.)

HERSHMAN

Motion prevailed. The bill was ordered engrossed.

#### Senate Bill 246

Senator Holdman called up Senate Bill 246 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 283

Senator Messmer called up Senate Bill 283 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 283-1)

Madam President: I move that Senate Bill 283 be amended to read as follows:

Page 6, between lines 32 and 33, begin a new paragraph and insert:

**"Sec. 2. A person who knowingly or intentionally:**

**(1) establishes;**

**(2) operates; or**

**(3) promotes;**

**a pyramid promotional scheme is subject to civil action by the attorney general under IC 24-13-3.**

**Sec. 3. It is not a defense to a civil action under IC 24-13-3 that a person, on giving consideration, obtains goods, services, or intangible property in addition to the right to receive compensation."**

Page 7, line 21, delete "division" and insert "**attorney general**".

(Reference is to SB 283 as printed February 22, 2017.)

MESSMER

Motion prevailed. The bill was ordered engrossed.

#### Senate Bill 293

Senator Leising called up Senate Bill 293 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Senate Bill 309

Senator Hershman called up Senate Bill 309 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 309-1)

Madam President: I move that Senate Bill 309 be amended to read as follows:

Page 7, line 14, after "allowed" insert "**or will allow**".

Page 7, line 16, after "met" insert "**or meet**".

(Reference is to SB 309 as printed February 21, 2017.)

HERSHMAN

Motion prevailed.

SENATE MOTION  
(Amendment 309-5)

Madam President: I move that Senate Bill 309 be amended to read as follows:

Page 10, line 8, delete "for" and insert "**to establish**".

Page 10, line 9, delete "approval of".

Page 11, line 34, delete "approved" and insert "**determined**".

Page 11, line 42, delete "After an electricity supplier's initial rate for excess".

Page 12, delete lines 1 through 5.

Page 12, line 6, delete "(a) Subject to subsection (b), the" and insert "**The**".

Page 12, line 9, delete "approve" and insert "**determine**".

Page 12, line 10, delete "generation if the" and insert "**generation, based on the value of the electricity that is supplied back to the electric grid by the customer. After determining an electricity supplier's initial rate for excess distributed generation under this section, the commission may:**

**(1) on an annual basis or according to another schedule determined by the commission; and**

**(2) using a methodology that:**

**(A) is determined to be appropriate by the commission; and**

**(B) is based on the value of the electricity that is supplied back to the electric grid by the customer;**

**establish an updated rate to be paid by the electricity supplier for excess distributed generation."**

Page 12, delete lines 11 through 25.

Page 12, line 28, delete "approved" and insert "**determined**".

(Reference is to SB 309 as printed February 21, 2017.)

STOOPS

Upon request of Senator Stoops the President Pro Tempore ordered the roll of the Senate to be called. Roll Call 175: yeas 10, nays 36.

Motion failed.

SENATE MOTION  
(Amendment 309-2)

Madam President: I move that Senate Bill 309 be amended to read as follows:

Page 8, delete lines 21 through 42, begin a new paragraph and insert:

"SECTION 6. [EFFECTIVE JULY 1, 2017] **(a) As used in this SECTION, "commission" refers to the Indiana utility regulatory commission created by IC 8-1-1-2.**

**(b) As used in this SECTION, "committee" refers to the interim study committee on energy, utilities, and telecommunications established by IC 2-5-1.3-4(8).**

**(c) As used in this SECTION, "legislative council" refers to the legislative council created by IC 2-5-1.1-1.**

**(d) The legislative council is urged to assign to the committee during the 2017 legislative interim the topic of the net metering tariffs offered by investor owned electric**

**utilities under the commission's net metering rule, as codified at 170 IAC 4-4.2.**

**(e) If the topic described in subsection (d) is assigned to the committee, the committee may:**

**(1) consider, as part of its study:**

**(A) the costs and benefits of the net metering tariffs to:**

**(i) customers participating in investor owned electric utilities' net metering tariffs;**

**(ii) customers not participating in investor owned electric utilities' net metering tariffs; and**

**(iii) the investor owned electric utilities offering the net metering tariffs; and**

**(B) any other matters concerning net metering tariffs that the committee considers appropriate; and**

**(2) request information from:**

**(A) the commission;**

**(B) customers described in subdivision (1)(A)(i) and (1)(A)(ii); and**

**(C) any experts, stakeholders, or other interested parties;**

**concerning the issues set forth in subdivision (1).**

**(f) If the topic described in subsection (d) is assigned to the committee, the committee shall issue a final report to the legislative council containing the committee's findings and recommendations, including any recommended legislation concerning the topic described in subsection (d) or the specific issues described in subsection (e)(1), in an electronic format under IC 5-14-6 not later than November 1, 2017.**

**(g) This SECTION expires December 31, 2017."**

Delete pages 9 through 15.

(Reference is to SB 309 as printed February 21, 2017.)

LANANE

Motion failed.

SENATE MOTION  
(Amendment 309-6)

Madam President: I move that Senate Bill 309 be amended to read as follows:

Page 10, line 1, delete "2022." and insert "**2027**".

Page 10, line 2, delete "2022," and insert "**2027**".

Page 10, line 19, delete "2022:" and insert "**2027**".

Page 10, line 23, delete "2022," and insert "**2027**".

Page 11, line 20, delete "2032;" and insert "**2037**";

Page 11, line 39, delete "2021," and insert "**2026**".

(Reference is to SB 309 as printed February 21, 2017.)

STOOPS

Motion failed. The bill was ordered engrossed.

Senate Bill 340

Senator Kruse called up Senate Bill 340 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.



**Senate Bill 347**

Senator Freeman called up Senate Bill 347 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 347-1)

Madam President: I move that Senate Bill 347 be amended to read as follows:

Page 1, line 4, delete "vehicle".

Page 1, delete line 5.

(Reference is to SB 347 as printed February 22, 2017.)

FREEMAN

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 353**

Senator Head called up Senate Bill 353 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 353-1)

Madam President: I move that Senate Bill 353 be amended to read as follows:

Page 7, line 6, delete "coverage." and insert "**coverage in which the policyholder has not more than fifty (50) employees.**".

Page 7, line 17, delete "coverage; and" and insert "**coverage in which the person has not more than fifty (50) employees; and**".

Page 14, delete lines 5 through 9.

Page 14, line 10, delete "(g)" and insert "**(f)**".

Page 14, line 12, delete "(h)" and insert "**(g)**".

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

(Reference is to SB 353 as printed February 22, 2017.)

HEAD

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 413**

Senator Koch called up Senate Bill 413 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 413-4)

Madam President: I move that Senate Bill 413 be amended to read as follows:

Page 1, line 14, after "rule" insert "**or state statute**".

Page 2, line 16, after "rule" insert "**or state statute**".

Page 2, delete lines 22 through 25, begin a new line block indented and insert:

**"(4) the alleged violation is a violation of:**

**(A) a rule or state statute governing the conduct of an agency employee or contractor in the procurement or performance of services or the delivery of property to a governmental entity; or**

**(B) an ethics code;"**.

Page 2, line 28, delete "health." and insert "**health; or**

**(6) the alleged violation constitutes an act or omission that is charged by a state law enforcement agency as a crime or delinquent act or the agency forwards notice of the alleged violation to the attorney general, a state or local law enforcement agency, or a prosecuting attorney for investigation or prosecution as a crime or delinquent act."**

Page 2, line 41, delete "agency." and insert "**agency or a state statute."**

Page 3, line 33, after "rule" insert "**or state statute**".

Page 4, after line 11, begin a new paragraph and insert:

**"Sec. 12. IC 4-21.5-3 does not apply to an act or a failure to act under this chapter."**

(Reference is to SB 413 as printed February 7, 2017.)

KOCH

Motion prevailed.

SENATE MOTION  
(Amendment 413-2)

Madam President: I move that Senate Bill 413 be amended to read as follows:

Page 1, line 16, delete "if".

Page 1, line 17, after "(1)" insert "**if**".

Page 2, line 14, after "(2)" insert "**if**".

Page 2, line 20, after "(3)" insert "**if**".

Page 2, line 22, after "(4)" insert "**if**".

Page 2, line 25, delete "or".

Page 2, line 26, after "(5)" insert "**if**".

Page 2, line 28, delete "." and insert "**; or**".

Page 2, between lines 28 and 29, begin a new line block indented and insert:

**"(6) to a day care regulation under IC 12-17.2."**

(Reference is to SB 413 as printed February 7, 2017.)

STOOPS

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 472**

Senator Crider called up Senate Bill 472 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Senate Bill 505**

Senator Bray called up Senate Bill 505 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 505-3)

Madam President: I move that Senate Bill 505 be amended to read as follows:

Page 36, line 22, delete "Provide" and insert "**Except as provided in subsection (h), provide**".

Page 36, delete lines 27 through 42, begin a new paragraph and insert:

**"(h) A bulk user that is licensed under IC 27-1-15.6-6(d) or holds a certificate of authority under IC 27-7-3-6 may provide bulk form copies related to the specific order for a title search (as defined in IC 27-7-3-2) when operating as:**

**(1) a title plant for the issuance of title insurance (as defined in IC 27-7-3-2); or**

**(2) title company (as defined in IC 27-7-3-2).**

**A bulk user that meets the requirements of this subsection may charge its customers a fee for using the bulk form copies obtained by the bulk user that may not exceed the costs incurred by the bulk user for obtaining the bulk form copies. A bulk user that meets the requirements of this subsection may not resell, provide, transfer, or allow the transfer of any copy of a recorded document, whether in bulk form or as individual copies or images, to any other bulk user, title plant, or title company.**

**(i) A bulk user that does not meet the requirements of subsection (h) is prohibited from selling, offering for sale, advertising for sale, soliciting a purchase of, loaning, giving away, allowing subscription service to, or otherwise transferring, providing, or allowing the transfer of bulk form copies for commercial purposes to a third party, whether the copies are in bulk form or individual copies or images."**

Page 37, delete line 1.

Page 37, line 2, delete "(i)" and insert "(j)".

(Reference is to SB 505 as printed February 10, 2017.)

BRAY

Motion prevailed.

SENATE MOTION  
(Amendment 505-4)

Madam President: I move that Senate Bill 505 be amended to read as follows:

Replace the effective dates in SECTIONS 1 through 6 with "[EFFECTIVE JANUARY 1, 2018]".

Replace the effective dates in SECTIONS 9 through 14 with "[EFFECTIVE JANUARY 1, 2018]".

Replace the effective dates in SECTIONS 36 through 38 with "[EFFECTIVE JANUARY 1, 2018]".

Replace the effective dates in SECTIONS 42 through 45 with "[EFFECTIVE JANUARY 1, 2018]".

Replace the effective dates in SECTIONS 73 through 78 with "[EFFECTIVE JANUARY 1, 2018]".

Replace the effective dates in SECTIONS 80 through 81 with "[EFFECTIVE JANUARY 1, 2018]".

Page 11, line 4, strike "having each page" and insert "**or electronic**".

Page 11, strike line 5.

Page 11, line 13, delete "an".

Page 17, line 29, delete "IC 36-2-7-10(c)(1)" and insert "**IC 36-2-7-10(c)(4)**".

Page 29, line 4, delete "plats" and insert "**pages**".

Page 30, line 16, delete "ten" and insert "**seven**".

Page 30, line 17, delete "\$10" and insert "**(\$7)**".

Page 30, line 24, delete "ten" and insert "**seven**".

Page 30, line 25, delete "\$10" and insert "**(\$7)**".

Page 30, line 32, delete "Ten" and insert "**Eight**".

Page 30, line 32, delete "\$10" and insert "**(\$8)**".

Page 30, line 33, delete "Three" and insert "**Five**".

Page 30, line 33, delete "**(\$3)**" and insert "**(\$5)**".

Page 31, line 2, delete "Thirty-six" and insert "**Thirty-four**".

Page 31, line 2, delete "\$36" and insert "**(\$34)**".

Page 31, line 3, delete "Three" and insert "**Five**".

Page 31, line 3, delete "\$3" and insert "**(\$5)**".

Page 34, delete lines 23 through 24, begin a new line block indented and insert:

**"(2) The bulk form user executes a contract that meets the requirements of subsection (g) with:**

**(A) the county recorder; and**

**(B) if the county recorder uses a third party to provide bulk copy services, the county recorder's designee."**

Page 35, line 3, delete "image" and insert "**page**".

Page 35, line 3, after "a" insert "**copy of a**".

Page 35, line 5, delete "image" and insert "**recorded document**".

Page 36, line 19, after "recorder" insert "**and if the county recorder uses a third party to provide bulk copy services, the county recorder's designee,**".

Page 48, delete lines 25 through 27, begin a new paragraph and insert:

**"(e) As used in this section, "real estate" means:**

**(1) the real property that is subject to the lease or contract; or**

**(2) buildings or fixtures situated on the real property that are subject to the lease or contract."**

Page 102, line 28, delete "[EFFECTIVE JULY 1, 2017]" and insert "[EFFECTIVE JANUARY 1, 2018]".

(Reference is to SB 505 as printed February 10, 2017.)

BRAY

Motion prevailed. The bill was ordered engrossed.

**Senate Bill 515**

Senator Hershman called up Senate Bill 515 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 515-1)

Madam President: I move that Senate Bill 515 be amended to read as follows:

Page 20, line 31, after "only" insert "**that part of**".

Page 20, line 31, delete "adjusted" and insert "**total**".

Page 20, line 32, delete "gross".

(Reference is to SB 515 as printed February 15, 2017.)

HERSHMAN

Motion prevailed.

SENATE MOTION  
(Amendment 515-3)

Madam President: I move that Senate Bill 515 be amended to read as follows:

Page 20, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 13. IC 6-3-2-22, AS ADDED BY P.L.229-2011, SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]: Sec. 22. (a) **Beginning after December 31, 2017, this section applies only to a taxpayer, including a taxpayer's spouse in the case of a joint return, who has adjusted gross income, or combined adjusted gross income with the taxpayer's spouse in the case of a joint return, that is not more than four hundred percent (400%) of the federal income poverty level.**

(b) The following definitions apply throughout this section:

(1) "Dependent child" means an individual who:

- (A) is eligible to receive a free elementary or high school education in an Indiana school corporation;
- (B) qualifies as a dependent (as defined in Section 152 of the Internal Revenue Code) of the taxpayer; and
- (C) is the natural or adopted child of the taxpayer or, if custody of the child has been awarded in a court proceeding to someone other than the mother or father, the court appointed guardian or custodian of the child.

If the parents of a child are divorced, the term refers to the parent who is eligible to take the exemption for the child under Section 151 of the Internal Revenue Code.

(2) "Education expenditure" refers to any expenditures made in connection with enrollment, attendance, or participation of the taxpayer's dependent child in a **public or private elementary or high school education program**. The term includes tuition, fees, computer software, textbooks, workbooks, curricula, school supplies (other than personal computers), and other written materials used primarily for academic instruction or for academic tutoring, or both.

(3) "**Public or private elementary or high school education program**" means attendance at:

(A) **a school corporation;**

~~(A)~~ (B) a nonpublic school (as defined in IC 20-18-2-12); or

~~(B)~~ (C) an accredited nonpublic school;

in Indiana that satisfies a child's obligation under IC 20-33-2 for compulsory attendance at a school. ~~The term does not include the delivery of instructional service in a home setting to a dependent child who is enrolled in a school corporation or a charter school.~~

(4) "**School corporation**" refers to a **public school corporation established under IC 20. The term includes a charter school (as defined in IC 20-24-1-4).**

~~(b) This section applies to taxable years beginning after December 31, 2010.~~

(c) A taxpayer who makes an unreimbursed education

expenditure during the taxpayer's taxable year is entitled to a deduction against the taxpayer's adjusted gross income in the taxable year.

(d) The amount of the deduction is:

(1) one thousand dollars (\$1,000); multiplied by

(2) the number of the taxpayer's dependent children for whom the taxpayer made education expenditures in the taxable year.

A husband and wife are entitled to only one (1) deduction under this section.

(e) To receive the deduction provided by this section, a taxpayer must claim the deduction on the taxpayer's annual state tax return or returns in the manner prescribed by the department."

Renumber all SECTIONS consecutively.

(Reference is to SB 515 as printed February 15, 2017.)

TALLIAN

Motion failed. The bill was ordered engrossed.

SENATE MOTION

Madam President: I move that Engrossed Senate Bill 9, which is eligible for third reading, be returned to second reading for purposes of amendment.

MERRITT

Motion prevailed.

**ENGROSSED SENATE BILLS  
ON THIRD READING**

**Engrossed Senate Bill 43**

Senator Tomes called up Engrossed Senate Bill 43 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

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

Roll Call 176: yeas 40, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lucas and Macer.

**Engrossed Senate Bill 62**

Senator Head called up Engrossed Senate Bill 62 for third reading:

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

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

Roll Call 177: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Ziemke.

### **Engrossed Senate Bill 63**

Senator Head called up Engrossed Senate Bill 63 for third reading:

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

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

Roll Call 178: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Kirchhofer.

### **Engrossed Senate Bill 277**

Senator Head called up Engrossed Senate Bill 277 for third reading:

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

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

Roll Call 179: yeas 42, nays 7. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Olthoff, Davisson, Shackleford and GiaQuinta.

### **Engrossed Senate Bill 367**

Senator Bassler called up Engrossed Senate Bill 367 for third reading:

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

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

Roll Call 180: yeas 48, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Cook.

### **Engrossed Senate Bill 466**

Senator Buck called up Engrossed Senate Bill 466 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

Roll Call 181: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Frizzell.

### **Engrossed Senate Bill 475**

Senator Melton called up Engrossed Senate Bill 475 for third reading:

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

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

Roll Call 182: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives T. Brown, C. Brown and Clere.

### **Engrossed Senate Bill 506**

Senator Head called up Engrossed Senate Bill 506 for third reading:

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

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

Roll Call 183: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Olthoff.

#### SENATE MOTION

Madam President: I move that Senate Resolution 24 be withdrawn from further consideration by the Senate.

BUCK

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Boots be added as second sponsor of Engrossed House Bill 1237.

LEISING

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Crane be added as coauthor of Senate Resolution 17.

RAATZ

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Glick be added as coauthor of Senate Bill 43.

TOMES

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Raatz be added as second author of Senate Bill 61.

HEAD

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Bohacek be added as coauthor of Senate Bill 61.

HEAD

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 61.

HEAD

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 126.

L. BROWN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Crider be removed as second author of Senate Bill 128.

CRIDER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Kenley be added as second author and Senator Crider be added as third author of

Senate Bill 128.

MESSMER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Doriot be added as second author of Senate Bill 131.

CRIDER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senators Niezgodski and Raatz be added as coauthors of Senate Bill 198.

ECKERTY

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Perfect be added as coauthor of Senate Bill 198.

ECKERTY

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senators Houchin and Niemeyer be added as coauthors of Senate Bill 198.

ECKERTY

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Houchin be added as coauthor of Senate Bill 213.

HERSHMAN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 246.

HOLDMAN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Crider be added as coauthor of Senate Bill 279.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Head be added as second author of Senate Bill 283.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Perfect be added as second author and Senator Crider be added as third author of Senate Bill 293.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as coauthor of Senate Bill 322.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Perfect, Crider, Walker and Bohacek be added as coauthors of Senate Bill 322.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Head and Hershman be added as coauthors of Senate Bill 322.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Ford and Eckerty be added as coauthors of Senate Bill 322.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Delph be added as third author and Senators Zakas, M. Young, Glick, Lonnie M. Randolph, Koch and Freeman be added as coauthors of Senate Bill 323.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator G. Taylor be added as coauthor of Senate Bill 323.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Hershman and Bohacek be added as coauthors of Senate Bill 324.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second author of Senate Bill 340.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Sandlin be added as second author of Senate Bill 347.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 353.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Sandlin be added as second author of Senate Bill 401.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as coauthor of Senate Bill 404.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zakas be added as coauthor of Senate Bill 413.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as second author of Senate Bill 472.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as coauthor of Senate Bill 472.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as coauthor of Senate Bill 478.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as second author of Senate Bill 496.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hershman be added as coauthor of Senate Bill 499.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as third author of Senate Bill 505.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as second author of Senate Bill 515.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 515.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, February 27, 2017.

HERSHMAN

Motion prevailed.

The Senate adjourned at 3:56 p.m.

JENNIFER L. MERTZ  
Secretary of the Senate

SUZANNE CROUCH  
President of the Senate