



Journal of the Senate

State of Indiana

120th General Assembly

Second Regular Session

Twenty-third Meeting Day

Thursday Afternoon

February 22, 2018

The Senate convened at 1:51 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Pastor Bobby Little of the Christian Embassy, Washington D.C.

The Pledge of Allegiance to the Flag was led by Senator Gregory F. Walker.

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

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

Roll Call 220: present 48; excused 2. [Note: A indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 42

Senate Concurrent Resolution 42, introduced by Senators Zakas, Long, Lanane, Bray, M. Young, Head, Lonnie M. Randolph, G. Taylor, Glick, Tallian, L. Brown, Charbonneau, Delph, Freeman, Holdman and Koch:

A CONCURRENT RESOLUTION congratulating Jane Seigel on her retirement from the Indiana Office of Court Services after twenty years of service.

Whereas, Jane Seigel received her Bachelors of Arts degree from DePauw University in 1976 and her Juris Doctorate from the Indiana University School of Law - Indianapolis in 1979;

Whereas, Jane served as general counsel for the Indiana Association of Cities and Towns and worked in various legal positions at the Indianapolis-Marion County City-County Legal Division, now the Office of Corporation Counsel, before being appointed by Chief Justice Randall Shepard in 1998 as the executive director of the Indiana Judicial Center;

Whereas, During her tenure, Jane increased collaboration with state and local criminal justice stakeholders and oversaw the expansion of judicial education, problem-solving courts, and juvenile detention alternatives;

Whereas, Jane played a critical role in the merger of the former Indiana Judicial Center and Division of State Court of Administration in 2016 and currently leads a staff of 62 employees who provide high caliber training and education, legal research, and technical assistance for trial court judges, probation officers, and court personnel;

Whereas, As executive director, Jane serves as Indiana's Commissioner on the Interstate Commission for Adult Offender Supervision and the Interstate Juvenile Compact, chairs the Justice Reinvestment Advisors Council and the Rules Committee for the Adult Interstate Commission, serves on the Board of Trustees of the Indiana Criminal Justice Institute, and serves on the State Steering Committee for the Juvenile Detention Alternatives Initiative, and is a member of the Annie E. Casey's JDAI Applied Leadership Network;

Whereas, Jane was awarded the 2008 Founder's Award from the Probation Officers Professional Association of Indiana and the 2013 Executive Chair Award from the Interstate Commission for Adult Offender Supervision; and

Whereas, Jane is retiring from her position as executive director of the Indiana Office of Court Services after 20 years: 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 Jane Seigel on her retirement from the Indiana Office of Court Services and thanks her for twenty years of dedication and service to the state of Indiana.

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

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

Senate Concurrent Resolution 44

Senate Concurrent Resolution 44, introduced by Senators Mrvan and Niemeyer:

A CONCURRENT RESOLUTION urging the legislative council to assign to the appropriate study committee the topic of improving the post-secondary financial assistance program for children of disabled veterans and to more judiciously grant funds for post-secondary education monies by limiting the use of these funds.

Whereas, In 2011, IC 21-14-4-2.5 changed the financial support formula for children of Hoosiers who enter the Armed Forces of the United States of America and who subsequently become disabled veterans as described in federal law;

Whereas, Hoosiers who are serving after 2011 are eligible for federal post-secondary education benefits for their service and that they may grant these earned benefits to their dependents;

Whereas, Present remission is based upon the percentage of disability, thus creating two "classes" of Hoosier Veterans per several veterans service organizations;

Whereas, This treatment of those who served since July 2011 is discriminatory and devalues those who serve today and in the future;

Whereas, Concurrently there are no requirements for course completion or minimum acceptable standards for payment of the supplement of continuation in the program;

Whereas, Currently the VA medical claims processing system does not provide timely decisions for veterans' disability claims;

Whereas, Dependents of these disabled veterans continue to accrue thousands of dollars in higher education debt;

Whereas, State college professors' dependents get free tuition;

Whereas, Many students are earning post-secondary college credits while still in secondary school; and

Whereas, Some students receive state funds based upon funding 247 hours of post-secondary education: 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 legislative council is urged to assign the following topics to the appropriate study committee: (1) changing Indiana Code to reflect that post-secondary funds from the State of Indiana can only be used for education up to and including a bachelor's degree, (2) allowing grants provided by the State of Indiana only after all other grants, scholarships, and other gifts are exhausted, (3) repealing of the 2011 Indiana Code that modified the tuition assistance for children of disabled veterans, and (4) placing children of disabled veterans ahead of other children for consideration for state funding for post-secondary education.

The resolution was read in full and referred to the Committee on Education and Career Development.

Senate Resolution 32

Senate Resolution 32, introduced by Senator Delph:

A SENATE RESOLUTION urging the legislative council to assign to the appropriate study committee the topic of spousal support and educational support.

Whereas, Divorce is a disruptive event in a family's life;

Whereas, Recent statistics indicate that the divorce rate is increasing throughout the country;

Whereas, Often judges and family support magistrates are permitted to order parents to support their children enrolled in accredited postsecondary schools for up to four full academic years and until they reach a specified age;

Whereas, Indiana law currently does not allow family courts to order spousal support under most circumstances;

Whereas, The doctrine of equitable distribution is used to look at the future financial situation of each spouse after the termination of the marriage and is often not equitable;

Whereas, All marriages are currently treated the same, regardless of length of time;

Whereas, Rehabilitative maintenance is not sufficient nor appropriate in some cases where spousal support should still be considered;

Whereas, The global economy and global employers mean many spouses willingly move for their spouse's career, sometimes several times, and are not Indiana natives;

Whereas, Indiana is one of the few states that does not allow spousal support in most cases;

Whereas, Women, who are more likely to be the stay-at-home parent, and children fare much worse financially in divorce than men;

Whereas, There are many misconceptions about the spousal support laws currently in place in Indiana;

Whereas, Lesser paid spouses are not able to afford a legal fight as their higher paid spouses are and are likely to agree to unfair settlements because of the lack of funds;

Whereas, A spousal support tool may help find a true path to a fair settlement in many, but not all, cases;

Whereas, Money can and is often used as a weapon against the lower paid spouse and children;

Whereas, Spousal support is not an issue dealing with men, women, fathers, or mothers; it is an issue dealing with Hoosiers; and

Whereas, It would benefit all Hoosiers to further study to better understand how the lack of the ability of a family court to order spousal support, in conjunction with the current law of equitable distribution, affects divorcees with significantly lower income and those in long term marriages, where certain roles and assumptions (an implied contract) have been accepted by both spouses: Therefore,

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

SECTION 1. That the legislative council is urged to assign to the appropriate study committee the topic of spousal support and educational support.

SECTION 2. That the committee should include in its study the possibility of adding to the list of factors that a court may consider when making findings concerning spousal maintenance and allowing a court to award spousal maintenance as appropriate, but not to exceed: (1) a period of time that equals the duration of the marriage; or (2) an annual amount, including child support obligations for any child of the marriage, equivalent to 40 percent of the payor spouse's annual salary.

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

Senate Resolution 33

Senate Resolution 33, introduced by Senator Niezgodski:

A SENATE RESOLUTION urging the legislative council to

assign to the appropriate committee the topic of improving the professionalism of county veteran service officers so as to ensure veterans are fully served in every county in Indiana.

Whereas, Current Indiana Code requires every county to have an accredited veteran service officer;

Whereas, The Federal Department of Veterans Affairs requires annual re-accreditation to be able to represent veterans in filing their disability claims and to seek other federal veteran earned benefits;

Whereas, The state of Indiana has not funded county veteran service officer training;

Whereas, Indiana requires annual training for re-certification to maintain expertise as the disability claims process changes often through the United State Department of Veterans Affairs;

Whereas, County veterans service officers and city veterans service officers can be appointed for four year terms;

Whereas, The duties of a county veterans service officer can vary from county to county;

Whereas, In some instances county veterans service officers are not trained or accredited in a timely manner and there are no consequences, even though the failure to become accredited is contrary to federal regulations and Indiana law;

Whereas, Some county service officers do not become accredited, do not retain their accreditation, or retire and must be replaced;

Whereas, Initial training and replacement training are crucial to the success and support of veterans who need assistance;

Whereas, Current, initial county veterans service officer training does not insure that candidates are capable of developing a disability claim on behalf of the veteran they are serving, which is contrary to federal requirements;

Whereas, This results in county veterans service officers having their work reviewed, corrected, and submitted by other veteran service officers who were trained to national standards;

Whereas, The best training provided to county veterans service officers is administered by the National Association of County Veteran Services Officers (NACVSO); and

Whereas, Some counties are not in compliance with Indiana Code and have not replaced, in a timely manner, county veterans service officers, thereby not sufficiently providing services to veterans in their counties: Therefore,

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

SECTION 1. That the legislative council is urged to assign the following topics to the appropriate study committee: 1. Funding training for new county veterans service officers and re-accreditation training for existing officers. 2. Extending the employment of county veterans service officers to at least five years. 3. Notifying a county that they are in violation of Indiana Code when they do not have a trained and accredited county veterans service officer. 4. Ensuring that Indiana accreditation standards are the same as the National standards.

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

Senate Resolution 38

Senate Resolution 38, introduced by Senator Tomes:

A SENATE RESOLUTION urging the legislative council to assign to the appropriate study committee the topic of providing school districts the option of permitting teachers to carry concealed firearms in schools.

Whereas, At least 17 individuals died after a 19-year-old ex-pupil opened fire at Marjory Stoneman Douglas High School in Parkland, Florida;

Whereas, On December 14, 2012, 20 children and 6 teachers were killed at Sandy Hook Elementary School in Newtown, Connecticut;

Whereas, In 2014, the Federal Bureau of Investigation initiated a study of the 160 active shooter incidents between 2000 and 2013 and found that active shooter incidents are increasing on an average of 6.4 per year, at least 66.9% of the incidents ended before police arrived, 24.4% of incidents occurred within the educational system, and 17% of the incidents occurred at schools;

Whereas, In 2013, 33 states introduced more than 80 bills related to arming teachers and school staff, including measures that authorize school districts and schools to create and implement policies to allow arming of teachers and staff at their discretion, allowing districts to designate a certain number of staff to carry concealed firearms, allowing teachers who already have concealed carry permits to carry weapons on school grounds, and creating programs that allow teachers and staff to provide school security and carry firearms;

Whereas, Eighteen states currently allow armed adults on school property, including Alabama, California, Connecticut, Hawaii, Idaho, Iowa, Kentucky, Massachusetts, Mississippi, Montana, New Hampshire, New Jersey, New York, Oregon, Rhode Island, Texas, Utah, and Wyoming; and

*Whereas, There is a need to ensure the safety of Indiana students and educators within educational institutions:
Therefore,*

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

SECTION 1. That the legislative council is urged to assign to the appropriate study committee the topic of providing school districts the option of allowing teachers to carry concealed firearms in schools.

SECTION 2. That the committee, if assigned the topic, shall consider whether or not specialized firearm training in an educational setting should be completed prior to allowing teachers to carry concealed firearms in schools.

SECTION 3. That the committee, if assigned the topic, is allowed to consider any additional studies or legislative options to support the safety of Hoosier students in Indiana schools.

SECTION 4. That the committee, if assigned the topic, shall issue to the legislative council a final report containing the study committee's findings and recommendations, including recommended legislation concerning the topic, in an electronic format under IC 5-14-6, not later than November 1, 2018.

The resolution was read in full and referred to the Committee on Corrections and Criminal Law.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Resolution 21, 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 8, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Resolution 24, 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 10, Nays 0.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Resolution 25, 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 1.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1006, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1007, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, between lines 33 and 34, begin a new paragraph and insert:

"SECTION 8. IC 12-23-21.2-1, AS ADDED BY P.L.125-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. The following definitions apply throughout this chapter:

- (1) "Certified treatment provider" means a person certified by the division to provide opioid treatment services.
- (2) "Division" means the division of mental health and addiction.
- (3) "Opioid treatment services" means evidence based treatment and recovery support services provided in an inpatient, residential, or outpatient setting to individuals diagnosed with opioid use disorder. The services include:
 - (A) opioid reversal medication;
 - (B) addiction counseling;
 - (C) inpatient detoxification; ~~and~~
 - (D) medication assisted treatment, including a federal Food and Drug Administration approved long acting, nonaddictive medication for the treatment of opioid dependence; ~~and~~
 - (E) **federal Food and Drug Administration approved percutaneous nerve stimulators for substance abuse disorders.**
- (4) "Program" means the opioid treatment pilot program for opioid use disorder established under section 2 of this chapter.

SECTION 9. IC 12-23-21.2-5, AS ADDED BY P.L.125-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The division shall collect data and report the outcomes of the services

provided under this chapter to the legislative council in an electronic format under IC 5-14-6 not later than November 1, 2020.

(b) The report shall include the following:

- (1) The number of patients served by the program.
- (2) The average length of time spent in the program.
- (3) The number and type of opioid treatment services provided by the program, **including the number of patients who received percutaneous nerve stimulators for substance abuse disorders.**
- (4) The number of patients demonstrating improvement in functioning, as defined by the division, while receiving opioid treatment services in the program.
- (5) The number of patients who transitioned to opioid abstinence.
- (6) A summary description of the most effective opioid treatment services.
- (7) The patient relapse rate after leaving the program.
- (8) The number of patients arrested upon leaving the program, and the reason for the arrest, if known.
- (9) Recommendations to improve the effectiveness and efficiency of the program.

SECTION 10. IC 25-23.6-5-3.5, AS AMENDED BY P.L.192-2017, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 3.5. (a) The applicant for a license as a clinical social worker must have at least two (2) years of clinical social work experience after receiving a graduate degree in social work and under the supervision of a qualified supervisor as determined by the board.

(b) If an individual is obtaining the clinical social work experience described in subsection (a) in Indiana, the individual must be licensed as a social worker under section 1 of this chapter.

(c) A doctoral internship may be applied toward the supervised clinical social work experience requirement.

(d) Except as provided in subsection (e), the clinical social work experience requirement may be met by work performed at or away from the premises of the qualified supervisor.

(e) The clinical social work requirement may not be performed away from the qualified supervisor's premises if:

- (1) the work is the independent private practice of clinical social work; and
- (2) the work is not performed at a place with the supervision of a qualified supervisor available.

(f) Any supervised clinical social work experience hours that an applicant accumulates under this chapter, **including hours obtained under a temporary permit issued under section 11(e) of this chapter**, do not expire and may be used by the applicant to satisfy the supervised clinical social work experience requirements under this chapter."

Page 5, delete lines 25 through 26, begin a new line block indented and insert:

"(1) either:

- (A) meets the educational requirements for a license as a social worker; or
- (B) holds a diploma in social work from an accredited institution; and".

Renumber all SECTIONS consecutively.

(Reference is to HB 1007 as printed January 26, 2018.)

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

Committee Vote: Yeas 9, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1017, 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.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Engrossed House Bill 1023, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1024, 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.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Engrossed House Bill 1035, 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 14 through 17.

Page 2, delete lines 1 through 14.

Page 2, line 15, delete "4." and insert "2."

Page 2, line 18, delete "5." and insert "3."

Page 2, line 21, delete "6." and insert "4."

Page 2, line 22, delete "in accordance with section 10 of this" and insert ".".

Page 2, delete line 23.

Page 2, between lines 23 and 24, begin a new paragraph and insert:

"Sec. 5. As used in this chapter, "permitted property" means a property that is subject to a valid, unexpired, unrevoked permit under this chapter. A permitted property may contain one (1) or more dwelling units offered as short term rentals.

Sec. 6. As used in this chapter, "short term rental" means the rental of:

- (1) a single family home;
- (2) a dwelling unit in a single family home;
- (3) a dwelling unit in a two-family or multifamily dwelling; or
- (4) a dwelling unit in a condominium, cooperative, or time share;

for terms of less than thirty (30) days at a time through a short term rental platform. The term includes a detached accessory structure, including a guest house, or other living quarters that are intended for human habitation, if the entire property is designated for a single family residential use. The term does not include property that is used for any nonresidential use.

Sec. 7. As used in this chapter, "short term rental platform" means an entity that:

- (1) provides a platform through which unaffiliated parties offer to rent a short term rental to an occupant; and
- (2) collects consideration for the rental from the occupant."

Page 2, line 24, delete "7." and insert "8."

Page 2, line 29, delete "8." and insert "9."

Page 2, line 41, delete "9." and insert "10."

Page 3, delete lines 32 through 42, begin a new paragraph and insert:

"Sec. 11. (a) A unit may require an owner to obtain a permit for each property by adopting an ordinance that sets forth only the requirements of this chapter for obtaining a permit. A unit may require only one (1) permit for each single family home, two-family or multifamily dwelling, condominium, cooperative, or time share that an owner rents in whole or in part under this chapter. A permit covers all:

- (1) dwelling units; and
- (2) detached accessory structures;

located on the permitted property that the owner offers to the public as a short term rental.

(b) An owner must submit a permit application for each property for which a permit is sought. The permit application may require the owner to provide only the following information for each property:

(1) The owner's name, street address, mailing address, electronic mail address (if applicable), and telephone number. If the owner is a corporation or partnership, the application must require the owner's:

- (A) state of incorporation or organization; and
- (B) names, residence addresses, and telephone numbers of principal officers or partners.

(2) If a property manager is used, the property manager's name, street address, mailing address, electronic mail address (if applicable), and telephone number.

(3) A short description of how each of the owner's short term rentals on the property are marketed or advertised, including the following:

- (A) The advertised occupancy limits of each short term rental.
- (B) Whether the short term rental is:
 - (1) a single family home;
 - (2) a dwelling unit in a single family home;
 - (3) a dwelling unit in a two-family or multifamily dwelling; or
 - (4) a dwelling unit in a condominium, cooperative, or time share.

(c) A permit application must be made by an owner. If the owner is a corporation, partnership, or other legal entity, the permit application must be made by an officer or agent of the owner.

(d) Subject to section 16 of this chapter, if an owner submits a permit application under this section that meets the requirements set forth in the ordinance adopted by the unit, the unit shall issue a permit to the owner within thirty (30) days of receipt of the application.

Sec. 12. If any information provided by an owner to a unit in the permit application changes, the owner shall provide updated information to the unit in writing within thirty (30) business days.

Sec. 13. (a) A permit expires one (1) year after the date the permit is issued.

(b) Except as provided in subsection (c), a unit may charge a permit fee, not to exceed one hundred fifty dollars (\$150), for each of the following:

- (1) An initial permit issued to an owner for the permitted property.
- (2) The issuance of a subsequent permit to an owner for the permitted property after the owner's previous permit has been revoked.

(c) A unit may not charge a permit fee for renewing a permit, including renewal of a permit that has expired."

Page 4, delete lines 1 through 31.

Page 4, line 32, delete "13." and insert "14."

Page 4, line 33, delete "short term rental" and insert "**permitted property**".

Page 4, line 34, delete "short term rental" and insert "**permitted property**".

Page 4, line 38, delete "14." and insert "15."

Page 4, line 42, delete "15." and insert "16."

Page 5, delete lines 5 through 7, begin a new paragraph and insert:

"Sec. 17. If an owner sells all or part of a permitted property, the permit may not be transferred to the new owner. The new owner must submit an application for a new permit."

Page 5, line 8, delete "17." and insert "18."

Page 5, line 9, delete "short term rental".

Page 5, line 14, delete "18." and insert "19."

(Reference is to HB 1035 as printed January 16, 2018.)

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 Health and Provider Services, to which was referred Engrossed House Bill 1058, 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.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Engrossed House Bill 1070, 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 8-22-2-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 7. (a) The board may, in the name of the eligible entity, take action to recover damages for the breach of an agreement, express or implied, relating to the operation, control, leasing, management, or improvement of the property under its control, to impose the penalties for the violation of ordinances of the entity or of its rules or regulations, and for injury to the personal or real property under its control, and to recover possession of any such property. All rules and regulations that the board adopts under this chapter shall be published in accordance with IC 5-3-1.

(b) In addition to other taxes of the eligible entity, a tax may be levied annually by the fiscal body for aviation purposes, and the entity's treasurer shall collect the taxes as other taxes are collected. When the taxes are collected they shall be deposited in the treasury of the entity in a separate fund known as the "aviation fund". Only one (1) tax levy for aviation purposes may be imposed upon the assessed property in a county, city, or town

unless that unit approves by ordinance the levy of more than one (1) tax for aviation purposes. The fiscal body of the entity may appropriate and transfer to the aviation fund any sum or sums out of the general funds of the entity, in accordance with statutes providing for additional appropriations for the entities, and the fiscal body may borrow money and issue bonds of the entity for aviation purposes and shall turn the proceeds from the bonds into the aviation fund of the entity.

(c) The board of aviation commissioners shall prepare and file with the executive of the eligible entity annually, at the time the executive designates, a full and detailed estimate of the appropriations required during the ensuing year for the maintenance and operation of the airports and landing fields showing the number of employees, including manager and secretary, and the amount of salary and wages recommended for each. Expenditures for the maintenance and operation of the airports or landing fields are limited to the appropriations of money made in advance by the fiscal body upon furnished estimates. Purchases and expenditures shall be made and allowable claims shall be paid by the board in the same manner as provided for the allowance of other claims against the entity. The fiscal body of the entity may appropriate a sufficient amount for the help, supplies, and equipment necessary for the equipment and maintenance of the airports or landing fields.

(d) The fiscal body of the entity may **initially** appropriate a sufficient amount as a rotary fund to be used by the board for:

- (1) the purchase of fuels and lubricants to be sold to the general public in the operation of the airport; **and**
- (2) **paying the cost of personnel, supplies, and equipment necessary for the operation and maintenance of the airport fueling system.**

(e) All funds received from the sale of fuels and lubricants purchased with funds from a rotary fund shall be **turned over transferred** at least once a month to the treasurer of the entity to remain in the rotary fund to be checked against by the board as other appropriations are disbursed, for the sole purpose of:

- (1) purchasing fuels and lubricants for sale to the public in the operation of the airport; **and**
- (2) **paying the cost of personnel, supplies, and equipment necessary for the operation and maintenance of the airport fueling system.**

(f) **Notwithstanding subsection (e), the board, in its discretion, may at any time transfer profits from the sale of fuels and lubricants to:**

- (1) **the aviation fund; or**
- (2) **the reserve or depreciation account created under subsection (i).**

At the end of each fiscal year, the board shall make a detailed statement to the fiscal body showing the amount of money received and paid over to the treasurer to the credit of the rotary fund and also showing the amount of fuels and lubricants on hand.

(g) If at the end of a fiscal year:

- (1) the accumulated rotary fund, **not including any**

amounts transferred under subsection (f); plus
(2) the value of inventory of fuels and lubricants on hand; exceeds the total previous appropriation to year's expenditure from the fund by twenty-five percent (25%), the excess profits shall be turned over transferred to the aviation fund, or, in the board's discretion, to the reserve or depreciation account created under subsection (i).

(h) The board may incur obligations or liability of any sort on behalf of the entity only if it falls within the appropriation specifically made for that purpose. All money remaining in the treasury to the credit of the board at the end of the calendar year belongs to the general aviation fund to be used by the board for aviation purposes. All funds received by the board from whatever source, except funds received from the sale of fuels and lubricants purchased by funds from the rotary fund, shall be deposited in the treasury of the entity to the credit of the aviation fund.

(~~d~~) (i) The board may create a reserve or depreciation account for the purpose of capital improvements or replacements out of operating profits from the operation of the airport."

Renumber all SECTIONS consecutively.

(Reference is to HB 1070 as printed January 30, 2018.)

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 Education and Career Development, to which was referred Engrossed House Bill 1074, 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 8 through 19 with "[EFFECTIVE UPON PASSAGE]".

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

"SECTION 1. IC 5-32-1-1, AS ADDED BY P.L.128-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 1. This article applies only to the following:

- (1) A public works project of a state educational institution that begins after June 30, 2014.
- (2) A public works project of a public agency, other than a state educational institution, that begins after June 30, 2017, **and before July 1, 2020.**

SECTION 2. IC 5-32-1-3 IS REPEALED [EFFECTIVE JULY 1, 2018]. ~~Sec: 3: This article expires July 1, 2020:~~

SECTION 3. IC 5-32-2-15, AS ADDED BY P.L.128-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 15. (a) **Before July 1, 2020,** "public agency" has the meaning set forth in IC 5-30-1-11. **This subsection expires July 1, 2021.**

(b) After June 30, 2020, "public agency" means a state educational institution (as defined in IC 21-7-13-32)."

Page 8, delete lines 4 through 34, begin a new paragraph and insert:

"SECTION 14. IC 21-36-3-6, AS AMENDED BY P.L.217-2017, SECTION 149, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. ~~(a)~~ Except as provided in ~~subsection (b) and~~ section 7 of this chapter, the value of the real estate to be sold and conveyed under this chapter shall be determined by three (3) disinterested appraisers ~~appointed by the governor.~~ **appointed by the board of trustees of the state educational institution.** Real estate may ~~not~~ be sold or conveyed for less than the appraised value **if the board of trustees of a state educational institution approves a resolution that authorizes the sale or conveyance of real estate for less than the appraised value.**

~~(b) Subsection (a) does not apply to Ivy Tech Community College through December 31, 2017. This subsection expires June 30, 2018."~~

Page 10, after line 2, begin a new paragraph and insert:

"SECTION 22. **An emergency is declared for this act.**"

Renumber all SECTIONS consecutively.

(Reference is to HB 1074 as reprinted January 17, 2018.)

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 Engrossed House Bill 1104, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, between lines 40 and 41, begin a new paragraph and insert:

"SECTION 3. IC 5-3-1-2.3, AS AMENDED BY P.L.149-2016, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2.3. **(a)** A notice published in accordance with this chapter or any other Indiana statute is valid even though the notice contains errors or omissions, as long as:

- (1) a reasonable person would not be misled by the error or omission; and
- (2) the notice is in substantial compliance with the time and publication requirements applicable under this chapter or any other Indiana statute under which the notice is published.

(b) This subsection applies if:

- (1) a political subdivision publishes or submits to the department of local government finance's computer gateway a notice concerning a tax rate, tax levy, or budget;**
- (2) the notice contains an error or omission that causes**

the notice to inaccurately reflect the tax rate, tax levy, or budget actually proposed or fixed by the political subdivision; and

(3) the difference between the amount of the published or submitted tax rate, tax levy, or budget of the political subdivision and the tax rate, tax levy, or budget actually proposed or fixed by the political subdivision is less than twenty-five hundredths of one percent (0.25%).

Notwithstanding any other law, a notice described in this subsection is a valid notice and the department of local government finance shall correct the error or omission."

Page 9, delete lines 26 through 42, begin a new paragraph and insert:

"SECTION 13. IC 6-1.1-11-3, AS AMENDED BY P.L.232-2017, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) Subject to subsections (e), (f), (g), ~~and (h), and (i)~~, an owner of tangible property who wishes to obtain an exemption from property taxation shall file a certified application in duplicate with the county assessor of the county in which the property that is the subject of the exemption is located. The application must be filed annually on or before:

- (1) May 15 on forms prescribed by the department of local government finance, if the application is filed for an assessment date in a year that ends before January 1, 2016; and
- (2) April 1 of the year containing the assessment date, if the application is filed in a year that begins after December 31, 2015.

Except as provided in sections 1, 3.5, and 4 of this chapter, the application applies only for the taxes imposed for the year for which the application is filed.

(b) The authority for signing an exemption application may not be delegated by the owner of the property to any other person except by an executed power of attorney.

(c) An exemption application which is required under this chapter shall contain the following information:

- (1) A description of the property claimed to be exempt in sufficient detail to afford identification.
- (2) A statement showing the ownership, possession, and use of the property.
- (3) The grounds for claiming the exemption.
- (4) The full name and address of the applicant.
- (5) For the year that ends on the assessment date of the property, identification of:
 - (A) each part of the property used or occupied; and
 - (B) each part of the property not used or occupied;
 for one (1) or more exempt purposes under IC 6-1.1-10 during the time the property is used or occupied.
- (6) Any additional information which the department of local government finance may require.

(d) A person who signs an exemption application shall attest in writing and under penalties of perjury that, to the best of the person's knowledge and belief, a predominant part of the

property claimed to be exempt is not being used or occupied in connection with a trade or business that is not substantially related to the exercise or performance of the organization's exempt purpose.

(e) An owner must file with an application for exemption of real property under subsection (a) or section 5 of this chapter a copy of the assessor's record kept under IC 6-1.1-4-25(a) that shows the calculation of the assessed value of the real property for the assessment date for which the exemption is claimed. Upon receipt of the exemption application, the county assessor shall examine that record and determine if the real property for which the exemption is claimed is properly assessed. If the county assessor determines that the real property is not properly assessed, the county assessor shall:

- (1) properly assess the real property or direct the township assessor to properly assess the real property; and
- (2) notify the county auditor of the proper assessment or direct the township assessor to notify the county auditor of the proper assessment.

(f) If the county assessor determines that the applicant has not filed with an application for exemption a copy of the record referred to in subsection (e), the county assessor shall notify the applicant in writing of that requirement. The applicant then has thirty (30) days after the date of the notice to comply with that requirement. The county property tax assessment board of appeals shall deny an application described in this subsection if the applicant does not comply with that requirement within the time permitted under this subsection. After December 31, 2015, the notice required by this subsection must be sent not later than April 25 in the year that it is required.

(g) This subsection applies whenever a law requires an exemption to be claimed on or in an application accompanying a personal property tax return. The claim or application may be filed on or with a personal property tax return not more than thirty (30) days after the filing date for the personal property tax return, regardless of whether an extension of the filing date has been granted under IC 6-1.1-3-7.

(h) Notwithstanding subsection (a), a person seeking an exemption may file an exemption application up to three (3) years following the deadline set forth in subsection (a) if:

- (1) the property on which the person seeking an exemption was exempt from taxation for the tax year immediately before the deadline set forth in subsection (a); and
- (2) the person seeking an exemption would have been eligible for the exemption on the deadline set forth in subsection (a).

This subsection does not extend the deadline for an appeal of a denial of an exemption application.

(i) **Notwithstanding subsection (a), a person seeking an exemption under IC 6-1.1-10-16 may file an exemption application up to thirty (30) days following the deadline set forth in subsection (a) if the person pays a late filing fee equal to the lesser of:**

- (1) **twenty-five dollars (\$25) for each day after the deadline set forth in subsection (a); or**

(2) two hundred fifty dollars (\$250)."

Delete pages 10 through 14.

Page 15, delete lines 1 through 9.

Page 40, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 31. IC 6-1.1-18.5-13.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 13.9. (a) This section applies only to the Goshen Public Library.**

(b) If both the governing body of the library and the fiscal body of the library adopt resolutions requesting an increase in the library's 2019 maximum permissible ad valorem property tax levy, the governing body of the library may submit a petition to the department of local government finance requesting a one (1) time increase in the library's maximum permissible ad valorem property tax levy. The petition must be submitted before October 1, 2018.

(c) If a proper petition is submitted, the department of local government finance shall increase the library's maximum permissible ad valorem property tax levy for taxes due and payable in 2019. The amount of the increase under this section is the difference between:

- (1) the library's maximum permissible ad valorem property tax levy in 2018; and**
- (2) the library's maximum permissible ad valorem property tax levy in 2017.**

The increase under this section is a one (1) time, temporary increase to the library's maximum permissible ad valorem property tax levy.

(d) This section expires June 30, 2020."

Page 48, delete lines 8 through 42, begin a new paragraph and insert:

"SECTION 38. IC 6-3.1-11-24, AS ADDED BY P.L.166-2014, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 24. (a) If a pass through entity does not have state income tax liability against which the tax credit provided by this chapter may be applied, a shareholder, partner, or member of the pass through entity is entitled to a tax credit equal to:**

- (1) the tax credit determined for the pass through entity for the taxable year; multiplied by**
- (2) the percentage of the pass through entity's distributive income to which the shareholder, partner, or member is entitled.**

(b) The credit provided under subsection (a) is in addition to a tax credit to which a shareholder, partner, or member of a pass through entity is otherwise entitled under this chapter.

(c) Notwithstanding subsections (a) and (b), a pass through entity and its shareholders, partners, beneficiaries, or members may allocate the credit among its shareholders, partners, beneficiaries, or members of the pass through entity as provided by written agreement without regard to their sharing of other tax or economic attributes. Such agreements shall be filed with the corporation not later than fifteen (15) days after execution. However, this subsection

applies only to a project that is located in a redevelopment project area, an economic development area, or an urban renewal project area and that includes, as part of the project, the use and repurposing of two (2) or more buildings and structures that are:

- (1) at least seventy-five (75) years old; and
- (2) located at a site at which manufacturing previously occurred over a period of at least seventy-five (75) years."

Delete page 49.

Page 50, delete lines 1 through 34.

Page 50, line 35, delete "IC 6-3.6-11-7" and insert "IC 6-3.6-11-7.5".

Page 50, line 37, delete "7." and insert "7.5".

Page 51, line 1, delete "distributive" and insert "certified".

Page 51, line 2, delete "during".

Page 51, line 3, delete "a month".

Page 51, line 4, delete "distributive shares during that month" and insert "certified shares".

Page 51, delete lines 6 through 10, begin a new paragraph and insert:

"(c) If a municipality's percentage of certified shares compared to other municipalities for a year minus the municipality's percentage of total population compared to other municipalities exceeds five (5) percentage points, the municipality's certified share amount is the lesser of the municipality's:"

Page 51, delete lines 13 through 16, begin a new paragraph and insert:

"(d) If a township's percentage of certified shares compared to other townships for a year minus the township's percentage of total population compared to other townships exceeds five (5) percentage points, the township's certified share amount is the lesser of the township's:"

Page 51, line 22, after "allocated" insert "and distributed".

Page 51, line 23, delete "as distributive" and insert ".".

Page 51, delete line 24.

Page 57, delete lines 36 through 42, begin a new paragraph and insert:

"SECTION 45. IC 13-18-15-2, AS AMENDED BY P.L.228-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2. (a) The persons involved shall negotiate the terms for connection and service under this chapter.

(b) If service is ordered under this chapter, a receiver of that service that is located in an unincorporated area may grant a waiver to a municipality providing the service. A waiver under this section:

- (1) must waive the receiver's right of remonstrance against annexation of the areas in which the service is to be provided; and
- (2) may be one (1) of the terms for connection and service described in subsection (a).

(c) The waiver, if granted:

- (1) shall be noted on the deed of each property affected and

recorded as provided by law; and

(2) is considered a covenant running with the land.

(d) Notwithstanding any other law, a waiver of the right of remonstrance executed after June 30, 2015, expires not later than fifteen (15) years after the date the waiver was executed:

(e) (d) This subsection applies to any deed recorded after June 30, 2015. This subsection applies only to property that is subject to a remonstrance waiver. A municipality shall, within a reasonable time after the recording of a deed to property located within the municipality, provide written notice to the property owner that a waiver of the right of remonstrance exists with respect to the property.

(e) A remonstrance waiver executed on or before July 1, 2003, is void. This subsection does not invalidate an annexation that was effective on or before July 1, 2018.

(f) A remonstrance waiver executed after June 30, 2003, and not later than June 30, 2018, is subject to the following:

(1) The waiver is void unless the waiver was recorded:

(A) before January 1, 2019; and

(B) with the county recorder of the county where the property subject to the waiver is located.

(2) A waiver that is not void under subdivision (1) expires not later than fifteen (15) years after the date the waiver is executed.

This subsection does not invalidate an annexation that was effective on or before July 1, 2018.

(g) A remonstrance waiver executed after June 30, 2018, is subject to the following:

(1) The waiver is void unless the waiver is recorded:

(A) not later than thirty (30) business days after the date the waiver was executed; and

(B) with the county recorder of the county where the property subject to the waiver is located.

(2) A waiver that is not void under subdivision (1) expires not later than fifteen (15) years after the date the waiver is executed.

This subsection does not invalidate an annexation that was effective on or before July 1, 2018."

Page 58, delete lines 1 through 29.

Page 62, between lines 22 and 23, begin a new paragraph and insert:

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

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

- (1) Five (5) hours of newly elected official training courses within eight (8) weeks of the individual's first election to the office of circuit court clerk.

- (+) (2) Fifteen (15) hours of training courses within one (1) year. ~~and~~
- (-) (3) Forty (40) hours of training courses within three (3) years.

~~after the individual is elected to the office of circuit court clerk:~~

(c) A training course that an individual completes:

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

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

(d) An individual shall fulfill the training requirements established by subsection (b) for each term to which the individual is elected as circuit court clerk. **However, the individual is required to fulfill the training requirement described in subsection (b)(1) only as provided in subsection (b)(1).**

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

Page 63, delete lines 25 through 42, begin a new paragraph and insert:

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

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

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

(d) Money in the fund shall be used solely to provide training of county elected officials required by IC 33-32-2-9, IC 36-2-9-2.5, IC 36-2-9.5-2.5, IC 36-2-10-2.5, IC 36-2-11-2.5, and IC 36-2-12-2.5.

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

- (1) **Travel, lodging, and related expenses associated with any training paid for from the fund.**
- (2) **Training of one (1) or more designees of a county elected official if sufficient funds are appropriated by the county fiscal body.**

SECTION 57. IC 36-2-9-2.5, AS AMENDED BY P.L.279-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2.5. (a) As used

in this section, "training courses" refers to training courses related to the office of county auditor that are compiled or developed by the Association of Indiana Counties and approved by the state board of accounts.

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

(1) Five (5) hours of newly elected official training courses within eight (8) weeks of the individual's first election to the office of county auditor.

(+) (2) Fifteen (15) hours of training courses within one (1) year. ~~and~~

(-) (3) Forty (40) hours of training courses within three (3) years.

~~after the individual is elected to the office of county auditor:~~

(c) A training course that an individual completes:

- (1) after being elected to the office of county auditor; and
- (2) before the individual begins serving in the office of county auditor;

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

(d) An individual shall fulfill the training requirements established by subsection (b) for each term to which the individual is elected as county auditor. **However, the individual is required to fulfill the training requirement described in subsection (b)(1) only as provided in subsection (b)(1).**

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

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

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

(1) Five (5) hours of newly elected official training courses within eight (8) weeks of the individual's first election to the office of county auditor.

(+) (2) Fifteen (15) hours of training courses within one (1) year. ~~and~~

(-) (3) Forty (40) hours of training courses within three (3) years.

~~after the individual is elected to the office of county auditor:~~

(c) A training course that an individual completes:

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

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

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

(d) An individual shall fulfill the training requirements established by subsection (b) for each term to which the individual is elected as county auditor. **However, the individual is required to fulfill the training requirement described in subsection (b)(1) only as provided in subsection (b)(1).**

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

SECTION 59. IC 36-2-10-2.5, AS AMENDED BY P.L.279-2013, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2.5. (a) As used in this section, "training courses" refers to training courses related to the office of county treasurer that are compiled or developed by the Association of Indiana Counties and approved by the state board of accounts.

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

(1) Five (5) hours of newly elected official training courses within eight (8) weeks of the individual's first election to the office of county treasurer.

~~(2) Fifteen (15) hours of training courses within one (1) year. and~~

~~(3) Forty (40) hours of training courses within three (3) years.~~

after the individual is elected to the office of county treasurer:

(c) A training course that the individual completes:

- (1) after being elected to the office of county treasurer; and
- (2) before the individual begins serving in the office of county treasurer;

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

(d) An individual shall fulfill the training requirements established by subsection (b) for each term to which the individual is elected as county treasurer. **However, the individual is required to fulfill the training requirement described in subsection (b)(1) only as provided in subsection (b)(1).**

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

SECTION 60. IC 36-2-11-2.5, AS AMENDED BY

P.L.279-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2.5. (a) As used in this section, "training courses" refers to training courses related to the office of county recorder that are compiled or developed by the Association of Indiana Counties and approved by the state board of accounts.

(b) An individual elected to the office of county recorder ~~after November 4, 2008~~; shall complete at least **the following after the individual is elected to the office of county recorder:**

(1) Five (5) hours of newly elected official training courses within eight (8) weeks of the individual's first election to the office of county recorder.

~~(2) Fifteen (15) hours of training courses within one (1) year. and~~

~~(3) Forty (40) hours of training courses within three (3) years.~~

after the individual is elected to the office of county recorder:

(c) A training course that the individual completes:

- (1) after being elected to the office of county recorder; and
- (2) before the individual begins serving in the office of county recorder;

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

(d) An individual shall fulfill the training requirements established by subsection (b) for each term to which the individual is elected as county recorder. **However, the individual is required to fulfill the training requirement described in subsection (b)(1) only as provided in subsection (b)(1).**

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

SECTION 61. IC 36-2-12-2.5, AS AMENDED BY P.L.279-2013, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2.5. (a) As used in this section, "training course" refers to:

- (1) a training course related to the office of county surveyor that is compiled or developed by the Association of Indiana Counties and approved by the state board of accounts; or
- (2) an educational course regarding land surveying that is taken by an individual who is:
 - (A) serving in the office of county surveyor; and
 - (B) an actively registered professional surveyor.

~~(b) An individual elected to the office of county surveyor after June 30, 2009; but before July 1, 2013; shall, within two (2) years after beginning the county surveyor's term, complete at least twenty-four (24) hours of training courses.~~

~~(c) (b) An individual elected to the office of county surveyor after June 30, 2013; shall complete at least the following after the individual is elected to the office of county surveyor:~~

(1) Five (5) hours of newly elected official training courses within eight (8) weeks of the individual's first election to the office of county surveyor.

~~(+)~~ **(2) Fifteen (15) hours of training courses within one (1) year. and**

~~(2)~~ **(3) Forty (40) hours of training courses within three (3) years.**

after the individual is elected to the office of county surveyor:

~~(d)~~ **(c) A training course that an individual completes:**

- (1) after being elected to the office of county surveyor; and
- (2) before that individual begins serving in the office of county surveyor;

shall be counted toward the requirements under subsection ~~(e)~~ **(b).**

~~(e)~~ **(d) An individual shall fulfill the training requirement established by subsection ~~(e)~~ (b) for each term the individual serves. However, the individual is required to fulfill the training requirement described in subsection (b)(1) only as provided in subsection (b)(1).**

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

SECTION 62. IC 36-4-3-11.7, AS ADDED BY P.L.228-2015, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 11.7. ~~(a)~~ Notwithstanding any other law, a waiver of the right of remonstrance executed after June 30, 2015, expires not later than fifteen (15) years after the date the waiver was executed:

~~(b)~~ **(a) This subsection applies to any deed recorded after June 30, 2015. This subsection applies only to property that is subject to a remonstrance waiver. A municipality shall, within a reasonable time after the recording of a deed to property located within the municipality, provide written notice to the property owner that a waiver of the right of remonstrance exists with respect to the property.**

(b) A remonstrance waiver executed on or before July 1, 2003, is void. This subsection does not invalidate an annexation that was effective on or before July 1, 2018.

(c) A remonstrance waiver executed after June 30, 2003, and not later than June 30, 2018, is subject to the following:

- (1) The waiver is void unless the waiver was recorded:**
 - (A) before January 1, 2019; and**
 - (B) with the county recorder of the county where the property subject to the waiver is located.**
- (2) A waiver that is not void under subdivision (1) expires not later than fifteen (15) years after the date the waiver is executed.**

This subsection does not invalidate an annexation that was effective on or before July 1, 2018.

(d) A remonstrance waiver executed after June 30, 2018,

is subject to the following:

(1) The waiver is void unless the waiver is recorded:
(A) not later than thirty (30) business days after the date the waiver was executed; and

(B) with the county recorder of the county where the property subject to the waiver is located.

(2) A waiver that is not void under subdivision (1) expires not later than fifteen (15) years after the date the waiver is executed.

This subsection does not invalidate an annexation that was effective on or before July 1, 2018."

Page 64, delete lines 1 through 5.

Page 65, line 18, delete "fifty (50)" and insert **"thirty-five (35)".**

Page 68, line 11, delete "fifty (50)" and insert **"thirty-five (35)".**

Page 74, line 31, delete "fifty (50)" and insert **"thirty-five (35)".**

Page 78, delete lines 38 through 42, begin a new line block indented and insert:

"(5) Notwithstanding subdivision (4), in the case of an allocation area that is established after June 30, 2018, and that is located in a redevelopment project area described in section 25.1(c)(3)(C) of this chapter, an economic development area described in section 25.1(c)(3)(C) of this chapter, or an urban renewal project area described in section 25.1(c)(3)(C) of this chapter, for each year the allocation provision is in effect, if the amount of excess assessed value determined by the commission under subdivision (4)(A) is expected to generate more than two hundred percent (200%) of:
(A) the amount of allocated tax proceeds necessary to make, when due, principal and interest payments on bonds described in subdivision (3) for the project; plus
(B) the amount necessary for other purposes described in subdivision (3) for the project;
the amount of the excess assessed value that generates more than two hundred percent (200%) of the amounts described in clauses (A) and (B) shall be allocated to the respective taxing units in the manner prescribed by subdivision (1)."

Page 79, delete lines 1 through 16.

Page 106, delete lines 19 through 42, begin a new paragraph and insert:

"SECTION 75. IC 36-9-22-2, AS AMENDED BY P.L.228-2015, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2. (a) The power of the municipal works board to fix the terms of a contract under this section applies to contracts for the installation of sewage works that have not been finally approved or accepted for full maintenance and operation by the municipality on July 1, 1979.

(b) The works board of a municipality may contract with owners of real property for the construction of sewage works within the municipality or within four (4) miles outside its

corporate boundaries in order to provide service for the area in which the real property of the owners is located. The contract must provide, for a period of not to exceed fifteen (15) years, for the payment to the owners and their assigns by any owner of real property who:

- (1) did not contribute to the original cost of the sewage works; and
- (2) subsequently taps into, uses, or deposits sewage or storm waters in the sewage works or any lateral sewers connected to them;

of a fair pro rata share of the cost of the construction of the sewage works, subject to the rules of the board and notwithstanding any other law relating to the functions of local governmental entities. However, the contract does not apply to any owner of real property who is not a party to the contract unless the contract or (after June 30, 2013) a signed memorandum of the contract has been recorded in the office of the recorder of the county in which the real property of the owner is located before the owner taps into or connects to the sewers and facilities. The board may provide that the fair pro rata share of the cost of construction includes interest at a rate not exceeding the amount of interest allowed on judgments, and the interest shall be computed from the date the sewage works are approved until the date payment is made to the municipality.

(c) The contract must include, as part of the consideration running to the municipality, the release of the right of the parties to the contract and their successors in title to remonstrate against pending or future annexations by the municipality of the area served by the sewage works. Any person tapping into or connecting to the sewage works contracted for is considered to waive the person's rights to remonstrate against the annexation of the area served by the sewage works.

(d) This subsection does not affect any rights or liabilities accrued, or proceedings begun before July 1, 2013. Those rights, liabilities, and proceedings continue and shall be imposed and enforced under prior law as if this subsection had not been enacted. For contracts executed after June 30, 2013, **if the release of the right to remonstrate is not void under subsections (h), (i), or (j), the release is binding on a successor in title to a party to the contract only if the successor in title:**

- (1) has actual notice of the release; or
- (2) has constructive notice of the release because the contract, or a signed memorandum of the contract stating the release, has been recorded in the chain of title of the property.

(e) Subsection (c) does not apply to a landowner if all of the following conditions apply:

- (1) The landowner is required to connect to the sewage works because a person other than the landowner has polluted or contaminated the area.
- (2) The costs of extension of or connection to the sewage works are paid by a person other than the landowner or the municipality.

(f) Subsection (c) does not apply to a landowner who taps

into, connects to, or is required to tap into or connect to the sewage works of a municipality only because the municipality provides wholesale sewage service (as defined in IC 8-1-2-61.7) to another municipality that provides sewage service to the landowner.

~~(g) Notwithstanding any other law, a waiver of the right of remonstrance executed after June 30, 2015, expires not later than fifteen (15) years after the date the waiver was executed.~~

~~(h)~~ (g) This subsection applies to any deed recorded after June 30, 2015. This subsection applies only to property that is subject to a remonstrance waiver. A municipality shall provide written notice to any successor in title to property within a reasonable time after the deed is recorded, that a waiver of the right of remonstrance exists with respect to the property.

(h) A remonstrance waiver executed on or before July 1, 2003, is void. This subsection does not invalidate an annexation that was effective on or before July 1, 2018.

(i) A remonstrance waiver executed after June 30, 2003, and not later than June 30, 2018, is subject to the following:

- (1) The waiver is void unless the waiver was recorded:**
 - (A) before January 1, 2019; and**
 - (B) with the county recorder of the county where the property subject to the waiver is located.**
- (2) A waiver that is not void under subdivision (1) expires not later than fifteen (15) years after the date the waiver is executed.**

This subsection does not invalidate an annexation that was effective on or before July 1, 2018.

(j) A remonstrance waiver executed after June 30, 2018, is subject to the following:

- (1) The waiver is void unless the waiver is recorded:**
 - (A) not later than thirty (30) business days after the date the waiver was executed; and**
 - (B) with the county recorder of the county where the property subject to the waiver is located.**
- (2) A waiver that is not void under subdivision (1) expires not later than fifteen (15) years after the date the waiver is executed.**

This subsection does not invalidate an annexation that was effective on or before July 1, 2018.

SECTION 76. IC 36-9-25-14, AS AMENDED BY P.L.228-2015, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 14. (a) As to each municipality to which this chapter applies:

- (1) all the territory included within the corporate boundaries of the municipality; and
- (2) any territory, town, addition, platted subdivision, or unplatted land lying outside the corporate boundaries of the municipality that has been taken into the district in accordance with a prior statute, the sewage or drainage of which discharges into or through the sewage system of the municipality;

constitutes a special taxing district for the purpose of providing for the sanitary disposal of the sewage of the district in a manner

that protects the public health and prevents the undue pollution of watercourses of the district.

(b) Upon request by:

(1) a resolution adopted by the legislative body of another municipality in the same county; or

(2) a petition of the majority of the resident freeholders in a platted subdivision or of the owners of unplatted land outside the boundaries of a municipality, if the platted subdivision or unplatted land is in the same county;

the board may adopt a resolution incorporating all or any part of the area of the municipality, platted subdivision, or unplatted land into the district.

(c) A request under subsection (b) must be signed and certified as correct by the secretary of the legislative body, resident freeholders, or landowners. The original shall be preserved in the records of the board. The resolution of the board incorporating an area in the district must be in writing and must contain an accurate description of the area incorporated into the district. A certified copy of the resolution, signed by the president and secretary of the board, together with a map showing the boundaries of the district and the location of additional areas, shall be delivered to the auditor of the county within which the district is located. It shall be properly indexed and kept in the permanent records of the offices of the auditor.

(d) In addition, upon request by ten (10) or more interested resident freeholders in a platted or unplatted territory, the board may define the limits of an area within the county and including the property of the freeholders that is to be considered for inclusion into the district. Notice of the defining of the area by the board, and notice of the location and limits of the area, shall be given by publication in accordance with IC 5-3-1. Upon request by a majority of the resident freeholders of the area, the area may be incorporated into the district in the manner provided in this section. The resolution of the board incorporating the area into the district and a map of the area shall be made and filed in the same manner.

(e) In addition, a person owning or occupying real property outside the district may enter into a sewer service agreement with the board for connection to the sewage works of the district. If the agreement provides for connection at a later time, the date or the event upon which the service commences shall be stated in the agreement. The agreement may impose any conditions for connection that the board determines. The agreement must also provide the amount of service charge to be charged for connection if the persons are not covered under section 11 of this chapter, with the amount to be fixed by the board in its discretion and without a hearing.

(f) All sewer service agreements made under subsection (e) or (after June 30, 2013) a signed memorandum of the sewer service agreement shall be recorded in the office of the recorder of the county where the property is located. The agreements run with the property described and are binding upon the persons owning or occupying the property, their personal representatives, heirs, devisees, grantees, successors, and assigns. Each agreement that

is recorded, or each agreement of which a signed memorandum is recorded, and that provides for the property being served to be placed on the tax rolls shall be certified by the board to the auditor of the county where the property is located. The certification must state the date the property is to be placed on the tax rolls, and upon receipt of the certification together with a copy of the agreement, the auditor shall immediately place the property certified upon the rolls of property subject to the levy and collection of taxes for the district. An agreement may provide for the collection of a service charge for the period services are rendered before the levy and collection of the tax.

(g) Except as provided in subsection (j), sewer service agreements made under subsection (e) must contain a waiver provision that persons (other than municipalities) who own or occupy property agree for themselves, their executors, administrators, heirs, devisees, grantees, successors, and assigns that they will:

- (1) neither object to nor file a remonstrance against the proposed annexation of the property by a municipality within the boundaries of the district;
- (2) not appeal from an order or a judgment annexing the property to a municipality; and
- (3) not file a complaint or an action against annexation proceedings.

(h) This subsection does not affect any rights or liabilities accrued or proceedings begun before July 1, 2013. Those rights, liabilities, and proceedings continue and shall be imposed and enforced under prior law as if this subsection had not been enacted. For contracts executed after June 30, 2013, a waiver of the right to remonstrate under subsection (g) **that is not void under subsections (l), (m), or (n)** is binding as to an executor, administrator, heir, devisee, grantee, successor, or assign of a party to a sewer service agreement under subsection (g) only if the executor, administrator, heir, devisee, grantee, successor, or assign:

- (1) has actual notice of the waiver; or
- (2) has constructive notice of the waiver because the sewer service agreement or a signed memorandum of the sewer service agreement stating the waiver has been recorded in the chain of title of the property.

(i) This section does not affect any sewer service agreements entered into before March 13, 1953. **However, this section applies to a remonstrance waiver regardless of when the waiver was executed.**

(j) Subsection (g) does not apply to a landowner if all of the following conditions apply:

- (1) The landowner is required to connect to a sewer service because a person other than the landowner has polluted or contaminated the area.
- (2) The costs of extension of service or connection to the sewer service are paid by a person other than the landowner or the municipality.

(k) Notwithstanding any other law, a waiver of the right of remonstrance executed after June 30, 2015, expires not later than

fifteen (15) years after the date the waiver was executed.

(k) This subsection applies to any deed recorded after June 30, 2015. This subsection applies only to property that is subject to a remonstrance waiver. A municipality shall provide written notice to any successor in title to property within a reasonable time after the deed is recorded, that a waiver of the right of remonstrance has been granted with respect to the property.

(l) A remonstrance waiver executed on or before July 1, 2003, is void. This subsection does not invalidate an annexation that was effective on or before July 1, 2018.

(m) A remonstrance waiver executed after June 30, 2003, and not later than June 30, 2018, is subject to the following:

(1) The waiver is void unless the waiver was recorded:

(A) before January 1, 2019; and

(B) with the county recorder of the county where the property subject to the waiver is located.

(2) A waiver that is not void under subdivision (1) expires not later than fifteen (15) years after the date the waiver is executed.

This subsection does not invalidate an annexation that was effective on or before July 1, 2018.

(n) A remonstrance waiver executed after June 30, 2018, is subject to the following:

(1) The waiver is void unless the waiver is recorded:

(A) not later than thirty (30) business days after the date the waiver was executed; and

(B) with the county recorder of the county where the property subject to the waiver is located.

(2) A waiver that is not void under subdivision (1) expires not later than fifteen (15) years after the date the waiver is executed.

This subsection does not invalidate an annexation that was effective on or before July 1, 2018."

Delete pages 107 through 110.

Page 111, delete lines 1 through 25.

Page 112, delete lines 10 through 13.

Page 114, line 21, delete "shall pay the refund" and insert "may make a determination that any refund due under this SECTION shall be paid in three (3) equal annual installments."

Page 114, delete line 22.

Page 115, between lines 1 and 2, begin a new paragraph and insert:

"SECTION 83. [EFFECTIVE UPON PASSAGE] (a) The legislative council is urged to assign to an appropriate interim study committee the task of studying the following issues:

(1) The impact to other units of government in Lake County of Lake County's allocation decision under IC 6-3.6-11-3(b)(1) to allocate the local income tax property tax credits uniformly for all taxpayers and to distribute the revenue only to the county unit.

(2) The impact to Lake County and St. Joseph County units of government when property taxes on debt incurred before July 1, 2008, are included in the

calculation of property tax circuit breaker credits after December 31, 2019, and the actions that those units have taken to prepare for the fiscal consequences that will result from the inclusion of those property taxes in the calculation of property tax circuit breaker credits.

(3) The issue of whether property taxes imposed due to a referendum should be eligible for local income tax property tax relief credits.

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

Renumber all SECTIONS consecutively.

(Reference is to HB 1104 as reprinted January 30, 2018.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1120, 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 7, strike "refers to a:" and insert "means a dwelling (as defined in IC 13-11-2-61.3)".

Page 1, delete lines 9 through 14.

Page 2, line 26, reset in roman "may not".

Page 2, line 26, delete "shall".

Page 2, line 42, after "3." insert "(a) As used in this section, "property" refers to a:

(1) dwelling (as defined in IC 13-11-2-61.3);

(2) building;

(3) motor vehicle (as defined in IC 9-13-2-105(a));

(4) trailer (as defined in IC 9-13-2-184(b)); or

(5) watercraft (as defined by IC 9-13-2-198.5).

(b)".

Page 3, line 1, delete "(as)".

Page 3, line 2, delete "defined in IC 5-2-6-19)".

Page 3, line 9, strike "which" and insert "whose jurisdiction".

Page 3, line 20, delete "IC 5-2-6-19." and insert "IC 5-2-15-3."

Page 3, line 36, strike "which" and insert "whose jurisdiction".

Page 5, line 38, delete "dwelling;" and insert "dwelling (as defined in IC 13-11-2-61.3);".

Page 5, line 40, delete "IC 9-13-2-105);" and insert "IC 9-13-2-105(a));".

Page 5, line 41, delete "IC 9-13-2-184);" and insert "IC 9-13-2-184(b)); or".

Page 5, line 42, delete "IC 9-13-2-198.5); or" and insert "IC 9-13-2-198.5)".

Page 6, delete line 1.

(Reference is to HB 1120 as printed January 26, 2018.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred Engrossed House Bill 1130, 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 13 and 14, begin a new paragraph and insert:

"SECTION 17. IC 25-21.8-4-2, AS AMENDED BY P.L.267-2017, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2. An individual who applies for licensure as a massage therapist must do the following:

- (1) Complete and submit the licensure application in the form and manner provided by the board.
- (2) Furnish evidence satisfactory to the board showing that the individual:

- (A) is at least eighteen (18) years of age;
- (B) has a high school diploma or the equivalent of a high school diploma;
- (C) has successfully completed a massage therapy school or program that:
 - (i) requires at least ~~five hundred (500)~~ **six hundred twenty-five (625)** hours of supervised classroom and hands on instruction on massage therapy;
 - (ii) is in good standing with a state, regional, or national agency of government charged with regulating massage therapy schools or programs; and
 - (iii) is accredited by the state workforce innovation council under IC 22-4.1-21 or accredited by another state where the standards for massage therapy education are substantially the same as the standards in Indiana, or is a program at an institution of higher learning that is approved by the board; and
- (D) has taken and passed a licensure examination approved by the board.

- (3) Provide a history of any criminal convictions the individual has, including any convictions related to the practice of the profession. The board shall deny an application for licensure if the applicant:

- (A) has been convicted of:
 - (i) prostitution;
 - (ii) rape; or
 - (iii) sexual misconduct; or
- (B) is a registered sex offender.

- (4) Provide proof that the applicant currently has professional liability insurance with minimum coverage of two million dollars (\$2,000,000) per claim and six million dollars (\$6,000,000) in aggregate.
- (5) Submit to a national criminal history background check

as prescribed by IC 25-0.5-1-9.

(6) Verify the information submitted on the application form.

(7) Pay fees established by the board."

Renumber all SECTIONS consecutively.

(Reference is to HB 1130 as printed January 16, 2018.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

MESSMER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Engrossed House Bill 1135, 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.

PERFECT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Engrossed House Bill 1143, 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 36, delete "disclosure" and insert "**information required by this subsection, including the effective date of the new prior authorization requirement,**".

Page 4, line 4, after "transmission." insert "**A health plan shall provide for:**

- (1) a secure electronic transmission; and**
- (2) acknowledgment of receipt, by use of a transaction number or another reference code;**

of a request for prior authorization and any supporting information."

Page 4, line 26, delete "16(b)" and insert "**16**".

Page 5, line 25, delete "service:" and insert "**service rendered by a participating provider:**".

Page 5, line 32, delete "if the health care provider is a participating provider,".

Page 6, line 9, delete "service," and insert "**service rendered by a participating provider,**".

Page 6, line 19, delete "a claim for".

Page 6, line 20, delete "with a prior" and insert "**with:**

- (A) a prior authorization; and**
- (B) all terms and conditions of the participating provider's agreement or contract with the health plan;**".

Page 6, line 21, delete "authorization,".

(Reference is to HB 1143 as reprinted January 30, 2018.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

PERFECT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1175, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1230, 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 15, delete "bullying or" and insert "**bullying and**".

Page 1, line 17, delete "or cyberbullying" and insert "**and cyberbullying**".

Page 2, line 8, delete "link of" and insert "**link on**".

Page 2, line 42, delete "body" and insert "**body, or the equivalent authority for an accredited nonpublic school,**".

Page 3, line 4, delete "body." and insert "**body, or the equivalent authority for an accredited nonpublic school.**".

Page 4, after line 20, begin a new paragraph and insert:

"SECTION 5. [EFFECTIVE JULY 1, 2018] **(a) The definitions in IC 20 apply throughout this SECTION.**

(b) The following definitions apply throughout this SECTION:

(1) "Credential" means a professional certificate or license issued to an individual by an agency of Indiana.

(2) "Educational and career services" means services that assist students in identifying realistic and challenging futures and provide support services to help students in realizing those futures.

(3) "Health services" means programs and services that promote and protect the health, safety, and well-being of students to ensure a healthy environment that nurtures academic growth. The term includes mental health services.

(4) "Student assistance services" means services that prevent or alleviate problems that interfere with student learning.

(5) "Student services" means:

(A) educational and career services;

(B) student assistance services; and

(C) health services.

(6) "Student services provider" means an individual who:

(A) provides educational and career services, student assistance services, or health services; and

(B) holds credentials in the area of:

(i) school counseling, for educational and career services;

(ii) school counseling, school psychology, or school social work (master's level), for student assistance services; or

(iii) registered nursing, for health services.

(c) The department shall conduct a statewide needs assessment survey that collects data concerning:

(1) the status of the student services provider workforce;

(2) the relevant roles and functions being performed by student services providers;

(3) the percentages of time spent by student services providers in addressing various student needs;

(4) the level of unmet student needs;

(5) how schools are addressing trauma occurring in the student population;

(6) how the social and emotional needs of students are being addressed;

(7) the steps that schools take to promote a positive school environment; and

(8) the recommended ratios of student services providers within school workforces as determined by national student services professional associations;

in public elementary, middle, and high schools in Indiana, including charter schools.

(d) The survey described in subsection (c) may be in an electronic format.

(e) Before January 1, 2019, the department shall report the department's findings to the general assembly in an electronic format under IC 5-14-6. The department shall post the report on its Internet web site.

(f) This SECTION expires July 1, 2019."

Renumber all SECTIONS consecutively.

(Reference is to HB 1230 as reprinted February 1, 2018.)

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 Environmental Affairs, to which was referred Engrossed House Bill 1233, 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 5, line 13, delete "[EFFECTIVE JULY 1, 2018]:" and insert "[EFFECTIVE JANUARY 1, 2019]:".

Page 5, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 10. IC 13-26-4-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2019]: Sec. 5. (a) If a plan also contemplates that sewage treatment for the district will be provided in cooperation with a municipality, the order must provide that:

(1) at least one (1) trustee shall be appointed by the executive of the municipality; and

(2) at least:

(A) one (1) trustee shall be appointed by the fiscal body; and

(B) one (1) trustee shall be appointed by the executive; of the county having the largest amount of territory in the district.

(b) After December 31, 2018:

(1) the executive of a municipality may not appoint an employee of the municipality; and

(2) the fiscal body or executive of a county may not appoint an employee of the county;

as a trustee under subsection (a)."

Page 5, line 30, delete "[EFFECTIVE".

Page 5, line 31, delete "JULY 1, 2018]:" and insert "[EFFECTIVE JANUARY 1, 2019]:".

Page 6, line 2, delete "[EFFECTIVE JULY".

Page 6, line 3, delete "1, 2018]." and insert "[EFFECTIVE JANUARY 1, 2019]:".

Page 6, between lines 18 and 19, begin a new paragraph and insert:

"SECTION 13. IC 13-30-10-1, AS AMENDED BY P.L.114-2008, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 1. (a) A person who knowingly or intentionally: ~~destroys; alters; conceals; or falsely certifies a record that:~~

(1) makes a false material statement, representation, or certification in any form, notice, or report; or

(2) destroys, alters, conceals, withholds, or falsely certifies a record, report, plan or other document;

(+) that is required to be filed or maintained under the terms of a permit issued by the department and (2) may be used to determine the status of compliance; under IC 13-17 or IC 13-18 commits a Class B misdemeanor.

(b) A person who knowingly or intentionally **tampers with, falsifies, or renders inaccurate or inoperative a recording or monitoring device or a monitoring device method, including the data gathered from the device or method, that is required to be maintained by** under a permit issued by the department **under IC 13-17 or IC 13-18** commits a Class B misdemeanor.

(c) A person who knowingly or intentionally ~~falsifies testing or monitoring data required by a permit issued by the department~~ **commits a Class B misdemeanor: makes a false material statement or representation in any label, manifest, record, report, or other document that is required to be maintained or filed under a permit issued under IC 13-22** commits a

Class B misdemeanor.

(d) Notwithstanding the maximum fine provisions of IC 35-50-3-3, criminal fines for a person convicted of an offense described in subsection (a) or (b) shall be assessable as follows:

(1) For a person regulated under IC 13-17, a fine in a maximum amount of not less than ten thousand dollars (\$10,000) per day per violation, in accordance with the requirements of 40 CFR 70.11(a)(3).

(2) For a person regulated under IC 13-18, a fine in a maximum amount of not less than five thousand dollars (\$5,000) per day per violation, in accordance with the requirements of 40 CFR 123.27(a)(3).

(e) Notwithstanding the maximum fine provisions of IC 35-50-3-3, criminal fines for a person convicted of an offense described in subsection (c) shall be assessable in a maximum amount of not less than ten thousand dollars (\$10,000) per day per violation, in accordance with the requirements of 40 CFR 271.16(a)(3).

(+) (f) The penalties under this section apply regardless of whether a person uses electronic submissions or paper documents to accomplish the actions described in this section.

SECTION 14. IC 13-30-10-1.5, AS AMENDED BY P.L.158-2013, SECTION 196, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 1.5. (a) Except as provided in subsection (b), a person regulated under IC 13-22 who knowingly: ~~does any of the following commits a Class B misdemeanor:~~

(1) transports hazardous waste to an unpermitted facility;

(2) treats, stores, or disposes of hazardous waste without a permit issued by the department **under IC 13-22; or**

(3) transports, treats, stores, disposes, recycles, or causes to be transported used oil regulated under ~~329 IAC 13~~ **rules adopted by the board without a manifest or** in violation of the standards established by the department for the management of used oil;

(+) (4) Makes a false material statement or representation in any label, manifest, record, report, or other document filed or maintained under the hazardous waste or used oil standards:

commits a Class B misdemeanor.

(b) An offense under subsection (a) is a Level 6 felony if the offense results in damage to the environment that renders the environment unfit for human or vertebrate animal life. An offense under subsection (a) is a Level 5 felony if the offense results in the death of another person. **Notwithstanding the maximum fine provisions of IC 35-50-3-3, criminal fines for a person convicted of an offense described in subsection (a) shall be assessable in a maximum amount of not less than ten thousand dollars (\$10,000) per day per violation.**

(c) Before imposing sentence upon conviction of an offense under subsection (a) or (b); the court shall consider either or both of the following factors; if found by the jury or if stipulated to by the parties in a plea agreement:

(1) If the offense involves discharge of a contaminant into the environment, whether that discharge resulted in any or a combination of the following:

- (A) A substantial risk of serious bodily injury;
- (B) Serious bodily injury to an individual;
- (C) The death of a vertebrate animal;
- (D) Damage to the environment that:

- (i) renders the environment unfit for human or vertebrate animal life; or
- (ii) causes damage to an endangered, an at risk, or a threatened species:

(2) Whether the person did not know and could not reasonably have been expected to know that the contaminant discharged into the environment was capable of causing a result described in subdivision (1):

(d) Notwithstanding the maximum fine under IC 35-50-3-3, the court shall order a person convicted under subsection (a) to pay a fine of at least five thousand dollars (\$5,000) per day for each violation and not more than twenty-five thousand dollars (\$25,000) per day for each violation:

(e) Notwithstanding the maximum fine under IC 35-50-2-6(a) or IC 35-50-2-7(a), the court shall order a person convicted under subsection (b) to pay:

- (1) a fine of at least five thousand dollars (\$5,000) and not more than fifty thousand dollars (\$50,000) for each day of violation; or
- (2) if the person has a prior unrelated conviction for an offense under this title that may be punished as a felony, a fine of at least five thousand dollars (\$5,000) and not more than one hundred thousand dollars (\$100,000) for each day of violation:

(f) (c) Except as provided in subsection (g); (d), a person regulated under IC 13-17 who does any of the following commits a Class E misdemeanor: **knowingly violates:**

- (1) Knowingly violates any applicable requirements of IC 13-17-4, IC 13-17-5, IC 13-17-6, IC 13-17-7, IC 13-17-8, IC 13-17-9, IC 13-17-10, or IC 13-17-13 **or of rules of the board implementing the chapters referred to in this subdivision;**
- (2) Knowingly violates any air pollution registration, construction, or operating permit condition of a permit issued by the department **under IC 13-17; or**
- (3) Knowingly violates any fee or filing requirement in IC 13-17, **including the requirement to file an application for a permit under IC 13-17;**
- (4) Knowingly makes any false material statement, representation, or certification in any form, notice, or report required by an air pollution registration, construction, or operating permit issued by the department:

commits a Class C misdemeanor.

(g) An offense under subsection (f) is a Level 6 felony if the offense results in damage to the environment that renders the environment unfit for human or vertebrate animal life. An offense under subsection (f) is a Level 5 felony if the offense results in

the death of another person:

(h) Before imposing sentence upon conviction of an offense under subsection (f) or (g), the court shall consider either or both of the following factors, if found by the jury or if stipulated to by the parties in a plea agreement:

(1) If the offense involves discharge of a contaminant into the environment, whether that discharge resulted in any or a combination of the following:

- (A) A substantial risk of serious bodily injury;
- (B) Serious bodily injury to an individual;
- (C) The death of a vertebrate animal;
- (D) Damage to the environment that:

- (i) renders the environment unfit for human or vertebrate animal life; or
- (ii) causes damage to an endangered, an at risk, or a threatened species:

(2) Whether the person did not know and could not reasonably have been expected to know that the contaminant discharged into the environment was capable of causing a result described in subdivision (1):

(i) (d) Notwithstanding the maximum fine under IC 35-50-3-4, **provisions of IC 35-50-3-4, the court shall order criminal fines for a person convicted under of an offense described in subsection (f) (c) to pay a fine shall be assessable in a maximum amount of at least five thousand dollars (\$5,000) per day for each violation and not more than twenty-five thousand dollars (\$25,000) not less than ten thousand dollars (\$10,000) per day for each per violation.**

(j) Notwithstanding the maximum fine under IC 35-50-2-6(a) or IC 35-50-2-7(a), the court shall order a person convicted under subsection (g) to pay:

- (1) a fine of at least five thousand dollars (\$5,000) and not more than fifty thousand dollars (\$50,000) for each day of violation; or
- (2) if the person has a prior unrelated conviction for an offense under this title that may be punished as a felony, a fine of at least five thousand dollars (\$5,000) and not more than one hundred thousand dollars (\$100,000) for each day of violation:

(k) (e) Except as provided in subsection (h); (f), a person regulated under IC 13-18 who does any of the following commits a Class E misdemeanor: **willfully or negligently violates:**

- (1) **Willfully or recklessly violates** any applicable standards or limitations of IC 13-18-3-2.4, IC 13-18-4-5, IC 13-18-8, IC 13-18-9, IC 13-18-10, IC 13-18-12, IC 13-18-14, IC 13-18-15, or IC 13-18-16 **or of rules of the board implementing the chapters referred to in this subdivision;**
- (2) **Willfully or recklessly violates any condition of a National Pollutant Discharge Elimination System permit condition issued by the department under IC 13-18-19 or rules adopted by the board under IC 13-18-19;**
- (3) **Willfully or recklessly violates any National Pollutant Discharge Elimination System Permit filing requirement**

under IC 13-18-19; or

(4) Knowingly makes any false material statement, representation, or certification in any National Pollutant Discharge Elimination System Permit form or in any notice or report required by a National Pollutant Discharge Elimination System permit issued by the department; any condition of a permit issued by the department in accordance with the requirements of 33 U.S.C. 1344; commits a Class A misdemeanor.

(f) Notwithstanding the maximum fine provisions of IC 35-50-3-2, criminal fines for a person convicted of an offense described in subsection (e) shall be assessable in a maximum amount of not less than ten thousand dollars (\$10,000) per day per violation.

(t) An offense under subsection (k) is a Level 6 felony if the offense results in damage to the environment that renders the environment unfit for human or vertebrate animal life. An offense under subsection (k) is a Level 5 felony if the offense results in the death of another person.

(m) Before imposing sentence upon conviction of an offense under subsection (k) or (t), the court shall consider any or a combination of the following factors, if found by the jury or if stipulated to by the parties in a plea agreement:

(1) If the offense involves discharge of a contaminant into the environment, whether that discharge resulted in any or a combination of the following:

(A) A substantial risk of serious bodily injury.

(B) Serious bodily injury to an individual.

(C) The death of a vertebrate animal.

(D) Damage to the environment that:

(i) renders the environment unfit for human or vertebrate animal life; or

(ii) causes damage to an endangered, at risk, or a threatened species.

(2) Whether the person did not know and could not reasonably have been expected to know that the contaminant discharged into the environment was capable of causing a result described in subdivision (1).

(3) Whether the discharge was the result of a combined sewer overflow and the person regulated had given notice of that fact to the department.

(n) Notwithstanding the maximum fine under IC 35-50-3-4, the court shall order a person convicted under subsection (k)(1), (k)(2), or (k)(3) to pay a fine of at least five thousand dollars (\$5,000) a day for each violation and not more than twenty-five thousand dollars (\$25,000) a day for each violation.

(o) Notwithstanding the maximum fine under IC 35-50-3-4, the court shall order a person convicted under subsection (k)(4) to pay a fine of at least five thousand dollars (\$5,000) for each instance of violation and not more than ten thousand dollars (\$10,000) for each instance of violation.

(p) Notwithstanding the maximum fine under IC 35-50-2-6(a) or IC 35-50-2-7(a), the court shall order a person convicted under subsection (t) to pay:

(1) a fine of at least five thousand dollars (\$5,000) and not

more than fifty thousand dollars (\$50,000) for each day of violation; or

(2) if the person has a prior unrelated conviction for an offense under this title that may be punished as a felony; a fine of at least five thousand dollars (\$5,000) and not more than one hundred thousand dollars (\$100,000) for each day of violation.

(g) A person who willfully or recklessly violates any applicable standards or limitations of IC 13-18-8 commits a Class B misdemeanor.

(h) A person who willfully or recklessly violates any applicable standards or limitations of IC 13-18-9, IC 13-18-10, or IC 13-18-10.5, commits a Class C misdemeanor.

(i) A person who:

(1) knowingly commits any act described in subsection (a), (c), or (e); and

(2) knows that commission of the act places another person in imminent danger of death or serious bodily injury;

commits a Level 2 felony.

(j) It shall be a defense to an offense described in subsection (i) that the person charged:

(1) did not know; or

(2) could not reasonably have been expected to know; that the violation would place another person in imminent danger or threat of serious bodily injury. For the purposes of subsection (i), a person is responsible only for the person's own actual awareness or actual belief, and knowledge by another person may not be attributed to the person.

(k) When imposing a sentence upon a person beyond the minimum sentences and fines required under this section, the court may consider any of the following factors, if found by the finder of fact or if stipulated to by the parties in a plea agreement:

(1) If the offense involves the discharge of a contaminant into the environment, whether the discharge resulted in any of the following:

(A) A substantial risk of serious bodily injury.

(B) Serious bodily injury to an individual.

(C) The death of an animal.

(D) Damage to the environment that:

(i) renders the environment unfit for human or animal life; or

(ii) causes damage to an endangered, at risk, or threatened species.

(2) Whether the person did not know and could not reasonably have been expected to know that the contaminant discharged into the environment was capable of causing a result described in subdivision (1).

(q) (l) The penalties under this section apply regardless of whether a person uses electronic submissions or paper documents to accomplish the actions described in this section."

Renumber all SECTIONS consecutively.

(Reference is to HB 1233 as reprinted January 30, 2018.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 1.

ECKERTY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1245, 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 35 through 42.

Page 4, delete lines 1 through 24.

Renumber all SECTIONS consecutively.

(Reference is to HB 1245 as reprinted February 2, 2018.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Engrossed House Bill 1250, 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 3 and 4, begin a new paragraph and insert:

"SECTION 3. IC 35-42-2-1, AS AMENDED BY P.L.65-2016, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 1. (a) As used in this section, "public safety official" means:

- (1) a law enforcement officer, including an alcoholic beverage enforcement officer;
- (2) an employee of a penal facility or a juvenile detention facility (as defined in IC 31-9-2-71);
- (3) an employee of the department of correction;
- (4) a probation officer;
- (5) a parole officer;
- (6) a community corrections worker;
- (7) a home detention officer;
- (8) a department of child services employee;
- (9) a firefighter;
- (10) an emergency medical services provider; ~~or~~
- (11) a judicial officer;
- (12) a bailiff of any court; or**
- (13) a special deputy (as described in IC 36-8-10-10.6).**

(b) As used in this section, "relative" means an individual related by blood, half-blood, adoption, marriage, or remarriage, including:

- (1) a spouse;
- (2) a parent or stepparent;
- (3) a child or stepchild;

- (4) a grandchild or stepgrandchild;
- (5) a grandparent or stepgrandparent;
- (6) a brother, sister, stepbrother, or stepsister;
- (7) a niece or nephew;
- (8) an aunt or uncle;
- (9) a daughter-in-law or son-in-law;
- (10) a mother-in-law or father-in-law; or
- (11) a first cousin.

(c) Except as provided in subsections (d) through (k), a person who knowingly or intentionally:

- (1) touches another person in a rude, insolent, or angry manner; or
- (2) in a rude, insolent, or angry manner places any bodily fluid or waste on another person;

commits battery, a Class B misdemeanor.

(d) The offense described in subsection (c)(1) or (c)(2) is a Class A misdemeanor if it:

- (1) results in bodily injury to any other person; or
- (2) is committed against a member of a foster family home (as defined in IC 35-31.5-2-139.3) by a person who is not a resident of the foster family home if the person who committed the offense is a relative of a person who lived in the foster family home at the time of the offense.

(e) The offense described in subsection (c)(1) or (c)(2) is a Level 6 felony if one (1) or more of the following apply:

- (1) The offense results in moderate bodily injury to any other person.
- (2) The offense is committed against a public safety official while the official is engaged in the official's official duty.
- (3) The offense is committed against a person less than fourteen (14) years of age and is committed by a person at least eighteen (18) years of age.
- (4) The offense is committed against a person of any age who has a mental or physical disability and is committed by a person having the care of the person with the mental or physical disability, whether the care is assumed voluntarily or because of a legal obligation.
- (5) The offense is committed against an endangered adult (as defined in IC 12-10-3-2).

(6) The offense:

- (A) is committed against a member of a foster family home (as defined in IC 35-31.5-2-139.3) by a person who is not a resident of the foster family home if the person who committed the offense is a relative of a person who lived in the foster family home at the time of the offense; and
- (B) results in bodily injury to the member of the foster family.

(f) The offense described in subsection (c)(2) is a Level 6 felony if the person knew or recklessly failed to know that the bodily fluid or waste placed on another person was infected with hepatitis, tuberculosis, or human immunodeficiency virus.

(g) The offense described in subsection (c)(1) or (c)(2) is a Level 5 felony if one (1) or more of the following apply:

(1) The offense results in serious bodily injury to another person.

(2) The offense is committed with a deadly weapon.

(3) The offense results in bodily injury to a pregnant woman if the person knew of the pregnancy.

(4) The person has a previous conviction for a battery offense:

(A) included in this chapter against the same victim; or
(B) against the same victim in any other jurisdiction, including a military court, in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a battery offense included in this chapter.

(5) The offense results in bodily injury to one (1) or more of the following:

(A) A public safety official while the official is engaged in the official's official duties.

(B) A person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(C) A person who has a mental or physical disability if the offense is committed by an individual having care of the person with the disability, regardless of whether the care is assumed voluntarily or because of a legal obligation.

(D) An endangered adult (as defined in IC 12-10-3-2).

(h) The offense described in subsection (c)(2) is a Level 5 felony if:

(1) the person knew or recklessly failed to know that the bodily fluid or waste placed on another person was infected with hepatitis, tuberculosis, or human immunodeficiency virus; and

(2) the person placed the bodily fluid or waste on a public safety official.

(i) The offense described in subsection (c)(1) or (c)(2) is a Level 4 felony if it results in serious bodily injury to an endangered adult (as defined in IC 12-10-3-2).

(j) The offense described in subsection (c)(1) or (c)(2) is a Level 3 felony if it results in serious bodily injury to a person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(k) The offense described in subsection (c)(1) or (c)(2) is a Level 2 felony if it results in the death of one (1) or more of the following:

(1) A person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(2) An endangered adult (as defined in IC 12-10-3-2)."

Renumber all SECTIONS consecutively.

(Reference is to HB 1250 as printed January 26, 2018.) and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 2.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1260, 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 3, delete "JULY 1, 2018]:" and insert "UPON PASSAGE]:".

Page 2, line 12, after "organization" insert "**for the period the recognized accrediting organization has been granted accreditation**".

Page 2, line 23, delete "The" and insert "**When requested by the federal Centers for Medicare and Medicaid Services, the**".

Page 2, line 30, after "(g)" insert "**Subsections (b) through (f) do not affect the state department's performance of an initial survey of a hospital obtaining an initial license under this article.**

SECTION 3. IC 16-21-2-13.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13.5. (a)**".

Page 2, line 31, delete "develop and implement" and insert "**identify, develop, implement, and maintain**".

Page 2, line 32, after "standards." insert "**Any licensure survey must be based on:**

(1) the standards established by the recognized accrediting organization that accredits the hospital; and

(2) state law.

(b) The state department shall notify the recognized accrediting organization of any changes to state law for purposes of licensure."

Renumber all SECTIONS consecutively.

(Reference is to HB 1260 as printed January 29, 2018.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Engrossed House Bill 1270, 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 29, between lines 25 and 26, begin a new paragraph and insert:

"(d) It is a defense to a prosecution under subsection (c) that:

(1) the building, structure, vehicle, or other place is not primarily used for an unlawful purpose described in subsection (a);

(2) the offense involves the unlawful use or keeping of:

(A) less than:

(i) thirty (30) grams of marijuana; or

(ii) five (5) grams of hash oil, hashish, or salvia; or

(B) an item of drug paraphernalia (as described in IC 35-48-4-8.5) that is designed for use with, or intended to be used for, marijuana, hash oil, hashish, or salvia; and

(3) the person does not have a prior unrelated conviction for a violation of subsection (c)."

(Reference is to HB 1270 as printed January 26, 2018.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1286, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 15, after "Service" insert "**consisting of passenger transport**".

Page 1, line 15, after "provided" insert "**in connection with technology offered**".

Page 1, line 16, after "IC 8-2.1-17-18)." insert "**Such service is governed by IC 8-2.1-19.1.**".

(Reference is to HB 1286 as printed January 30, 2018.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 2.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1303, 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 1.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1314, 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 10, delete "services" and insert "**services,**".

Page 2, delete lines 20 through 28, begin a new line double block indented and insert:

"(E) Foster care youth who met academic standards on statewide assessment program tests (as defined in IC 20-32-2-2.3) administered during the school year. The information reported under this subdivision must also be disaggregated by race, grade, gender, free or reduced price lunch status, and eligibility for special education.".

Page 2, line 30, after "prekindergarten" insert "**pilot**".

Page 3, delete lines 1 through 8, begin a new paragraph and insert:

"(e) Not later than June 30, 2019, the department shall:

(1) develop a remediation plan concerning foster care youth; and

(2) submit a copy of the remediation plan to the following:

(A) The state board.

(B) The department of child services.

(C) The legislative council in an electronic format under IC 5-14-6.".

Page 3, line 9, delete "November 1, 2018, and before November 1" and insert "**April 1, 2019, and before April 1**".

Page 3, line 11, delete "and include any policy recommendations described".

Page 3, line 12, delete "in subsection (e)".

Page 3, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 2. IC 20-19-3-18 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 18. (a) As used in this section, "graduation rate" has the meaning set forth in IC 20-26-13-6.**

(b) The state board shall, in collaboration with the department and the department of child services, annually prepare a report on homeless youth educational outcomes that includes the following:

(1) The annual graduation rate of homeless youth, including the following information:

(A) The graduation rate for each of the following:

(i) Homeless youth who received a graduation waiver under IC 20-32-4-4.

(ii) Homeless youth who did not receive a graduation waiver under IC 20-32-4-4.

(B) The number and percentage of homeless youth who received each type of diploma.

(2) The adjusted cohort graduation rate for homeless youth, including the adjusted cohort graduation rate for each of the following:

(A) Homeless youth who received a graduation waiver under IC 20-32-4-4.

(B) Homeless youth who did not receive a graduation waiver under IC 20-32-4-4.

(3) The number and percentage of each of the following:

(A) Homeless youth who were promoted to the next grade level at the end of the school year.

(B) Homeless youth who were retained in the same grade level for the next school year.

(C) Homeless youth who were suspended during the school year.

(D) Homeless youth who were expelled during the school year.

(E) Homeless youth who met academic standards on statewide assessment program tests (as defined in IC 20-32-2-2.3) administered during the school year.

The information reported under this subdivision must also be disaggregated by race, grade, gender, free or reduced price lunch status, and eligibility for special education.

(4) The number and percentage of eligible homeless youth who are enrolled in the prekindergarten pilot program under IC 12-17.2-7.2.

(5) The number and percentage of homeless youth who passed the reading skills evaluation administered under IC 20-32-8.5-2.

(6) The number and percentage of homeless youth enrolled in schools, disaggregated by the category or designation of the school under IC 20-31-8-3.

(7) The number and percentage of homeless youth enrolled in schools, disaggregated by the type of school, including public schools, charter schools, accredited nonpublic schools, and secure private facilities (as defined in IC 31-9-2-115).

(c) Not later than August 31, 2019, the department shall:

(1) develop a remediation plan concerning homeless youth; and

(2) submit a copy of the remediation plan to the following:

(A) The state board.

(B) The Indiana housing and community development authority established by IC 5-20-1-3.

(C) The legislative council in an electronic format under IC 5-14-6.

(d) Before June 1, 2019, and before June 1 each year thereafter, the department shall submit the report described in subsection (b) to the following:

(1) The Indiana housing and community development authority.

(2) The legislative council in an electronic format under IC 5-14-6."

Renumber all SECTIONS consecutively.

(Reference is to HB 1314 as reprinted January 26, 2018.)

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 Health and Provider Services, to which was referred Engrossed House Bill 1317, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 1, delete "IC 5-10-8-19" and insert "IC 5-10-8-20".

Page 1, line 3, delete "19." and insert "20."

Page 2, delete lines 4 through 18, begin a new paragraph and insert:

"(e) A pharmacy or pharmacist shall have the right to provide a covered individual with information concerning the amount of the covered individual's cost share for a prescription drug. Neither a pharmacy nor a pharmacist shall be proscribed by a pharmacy benefits manager from discussing this information or from selling to the covered individual a more affordable alternative if an affordable alternative is available.

(f) A copayment that applies to a drug under a state employee plan must not exceed the amount payable to the pharmacy for the drug under any applicable agreement between the state employee plan and the pharmacy. This subsection does not prohibit the adjudication of claims in accordance with the state employee plan."

Page 10, line 31, delete "dialysate, a drug," and insert "a dialysate drug".

Page 10, line 34, delete "dialysate, drug," and insert "dialysate drug".

Page 10, line 36, delete "dialysate, drug," and insert "dialysate drug".

Page 10, line 40, delete "dialysate, drug," and insert "dialysate drug".

Page 10, line 42, delete "dialysate, drug," and insert "dialysate drug".

Page 11, line 7, delete "dialysate, drug," and insert "dialysate drug".

Page 11, delete lines 31 through 42, begin a new paragraph and insert:

"(d) A pharmacy or pharmacist shall have the right to provide an insured with information concerning the amount of the insured's cost share for a prescription drug. Neither a pharmacy nor a pharmacist shall be proscribed by an insurer from discussing this information or from selling to the insured a more affordable alternative if an affordable alternative is available.

(e) A copayment required by an insurer that applies to a drug must not exceed the total submitted charges by the network pharmacy for the drug under any applicable agreement entered into by the insurer with the pharmacy. This subsection does not prohibit the adjudication of claims in accordance with an accident and sickness insurance policy issued or administered by an insurer."

Page 12, delete line 1.

Page 12, delete lines 15 through 30, begin a new paragraph and insert:

"(d) A pharmacy or pharmacist shall have the right to provide an enrollee with information concerning the amount of the enrollee's cost share for a prescription drug. Neither a pharmacy nor a pharmacist shall be proscribed by a health maintenance organization from discussing this information or from selling to the enrollee a more affordable alternative if an affordable alternative is available.

(e) A copayment required by a health maintenance organization that applies to a drug must not exceed the total submitted charges by the network pharmacy for the drug under any applicable agreement entered into by the health maintenance organization with the pharmacy. This subsection does not prohibit the adjudication of claims in accordance with an individual contract or group contract issued or administered by a health maintenance organization."

(Reference is to HB 1317 as printed January 30, 2018.) and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.
Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Utilities, to which was referred Engrossed House Bill 1267, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 1, delete "IC 2-5-41" and insert "IC 2-5-44".

Page 1, line 4, delete "41." and insert "44."

Page 1, line 8, delete "following fifteen (15)" and insert **"following:"**.

Page 1, delete line 9.

Page 2, line 2, delete "The public finance director of the Indiana finance" and insert **"One (1) or more officers or employees of the state of Indiana appointed by the governor."**

Page 2, delete lines 3 through 4.

Page 2, line 5, delete "The commissioner of the department of environmental" and insert **"One (1) or more individuals appointed by the governor to represent the interests of the operators of:**

- (A) drinking water systems;**
- (B) wastewater management systems; or**
- (C) storm water management systems.**

(5) One (1) or more engineers or other professionals who have the expertise in the design and construction of:

- (A) drinking water systems;**
- (B) wastewater management systems; or**

(C) storm water management systems; necessary to the prudent operation of those systems and who are appointed by the governor.

(6) One (1) or more individuals appointed by the governor to represent the interests of ratepayers and others who constitute the source of funding for:

- (A) drinking water systems;**
- (B) wastewater management systems; or**
- (C) storm water management systems.**

(7) One (1) or more members of the general public who are not described in subdivisions (4) through (5) and who are appointed by the governor."

Page 2, delete lines 6 through 27.

Page 2, line 28, delete "Eight (8)" and insert **"A majority of the"**.

Page 2, line 28, delete "constitute" and insert **"constitutes"**.

Page 3, line 27, after "prioritize" insert **"the funding of"**.

Page 4, delete lines 21 through 28.

Page 4, line 29, delete "(7)" and insert **"(5)"**.

Page 4, line 31, delete "(6)." and insert **"(4)."**

Page 5, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 3. [EFFECTIVE UPON PASSAGE] (a) The legislative council is urged to assign to an appropriate interim study committee the task of studying research and outreach efforts to reduce non-point source impacts on water quality, as conducted through government supported programs and by universities, including programs related to:

- (1) nutrient management and soil health; and**
- (2) drainage water management.**

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

Renumber all SECTIONS consecutively.

(Reference is to HB 1267 as reprinted January 30, 2018.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

MERRITT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Engrossed House Bill 1301, 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 5, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 8. IC 27-1-3-35 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 35. (a) The governor and the commissioner may apply to the United States Secretary of Health and Human Services for a waiver for state innovation under Section 1332 of the federal Patient Protection and Affordable Care Act (42 U.S.C. 18052).

(b) If the waiver applied for under subsection (a) is granted, the governor and the commissioner may implement a state plan of innovation that meets the waiver requirements established under federal law and as approved by the United States Secretary of Health and Human Services."

Page 41, line 18, delete "0.50;" and insert **"fifty-hundredths (0.50);"**.

Page 41, line 22, delete "The" and insert **"the"**.

Page 41, line 39, delete "'assessable" refers only to premiums on" and insert **"assessable premiums must be measured within Indiana."**

Page 41, delete line 40.

Page 48, line 19, delete "IC 27-1-23-1(b)." and insert **"IC 27-1-23-1(b)."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1301 as reprinted February 1, 2018.) and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

PERFECT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Engrossed House Bill 1328, 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.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1359, 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 1.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Engrossed House Bill 1397, 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 36, line 2, delete "Closed-end" and insert **"Closed-end"**.

Page 37, line 16, delete "charges, and the consumer is not obligated to" and insert **"charges under the terms and conditions of the GAP agreement."**

Page 37, delete lines 17 through 19.

Page 37, line 25, delete "contract" and insert **"contractual"**.
Page 37, line 26, delete "licensed" and insert **"authorized to engage in the insurance business"**.

Page 42, line 37, delete "Closed- end" and insert **"Closed-end"**.

Page 44, line 9, delete "charges, and the" and insert **"charges under the terms and conditions of the GAP agreement."**

Page 44, delete lines 10 through 12.

Page 44, line 18, delete "contract" and insert **"contractual"**.

Page 44, line 19, delete "licensed" and insert **"authorized to engage in the insurance business"**.

(Reference is to HB 1397 as printed January 19, 2018.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

PERFECT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1398, 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 31 through 35, begin a new paragraph and insert:

"(b) To establish a coalition under this chapter, at least four (4), but not more than a total of eight (8), of any of the following must jointly submit a plan to the state board in a manner prescribed by the state board:

(1) A school corporation.

(2) An eligible school (as defined in IC 20-51-1-4.7).

(3) An accredited nonpublic school."

Page 2, line 42, delete "higher" and insert **"postsecondary"**.

Page 3, delete lines 23 through 28.

Page 3, line 30, delete "department" and insert **"state board"**.

Page 3, line 34, after "corporation," insert **"an"**.

Page 3, line 35, delete "accredited" and insert **"an accredited"**.

Page 3, line 39, delete "who" and insert **"that"**.

Page 4, line 1, after "corporation," insert **"an"**.

Page 4, line 2, delete "accredited" and insert **"an accredited"**.

Page 4, line 9, delete "For the 2018-2019 school year, not more than" and insert **"For the 2018-2019 school year and for each school year before the 2021-2022 school year, not more than a total of"**.

Page 4, line 17, delete "school" and insert **"member"**.

Page 4, line 37, delete "school" and insert **"member"**.

Page 4, line 37, delete "(a)(4)" and insert **"(a)(5)"**.

Page 4, delete lines 39 through 42, begin a new line block indented and insert:

"(1) IC 20-28-6 (teacher contracts).

(2) IC 20-28-9 (teacher salary and related payments).

(3) IC 20-28-10 (conditions of employment).

- (4) IC 20-28-11.5 (staff performance evaluations).
- (5) IC 20-29 (collective bargaining).
- (6) IC 20-31 (accountability for performance and improvement), except for IC 20-31-4.
- (7) IC 20-32-4 (graduation requirements).
- (8) IC 20-32-5.1 (Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) program).
- (9) IC 20-33 (students).
- (10) IC 20-34 (student health and safety measures).
- (11) IC 20-35 (special education).
- (12) IC 20-36 (high ability students).
- (13) IC 20-39 (accounting and financial reporting procedures).
- (14) IC 20-40 (government funds and accounts).
- (15) IC 20-41 (extracurricular funds and accounts).
- (16) IC 20-42 (fiduciary funds and accounts).
- (17) IC 20-42.5 (allocation of expenditures to student instruction and learning).
- (18) IC 20-43 (state tuition support).
- (19) IC 20-44 (property tax levies).
- (20) IC 20-46 (levies other than general fund levies).
- (21) IC 20-47 (related entities; holding companies; lease agreements).
- (22) IC 20-48 (borrowing and bonds).
- (23) IC 20-49 (state management of common school funds; state advances and loans).
- (24) IC 20-50 (homeless children and foster care children)."

Page 5, delete lines 1 through 25.

Page 5, line 42, delete "trained." and insert "**trained if the student is trained in a type of employment.**".

Page 6, line 9, delete "school." and insert "**school, if applicable.**".

Page 6, delete lines 10 through 26.

(Reference is to HB 1398 as reprinted January 30, 2018.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 2.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1406, 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.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Engrossed House Bill 1412, 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.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1424, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 7, Nays 3.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1426, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 1, delete "IC 2-5-41" and insert "IC 2-5-43".

Page 1, line 4, delete "41." and insert "**43.**".

Page 2, line 13, after "(1)" insert "**standard**".

Page 4, line 8, delete "IC 20-32-4-4." and insert "IC 20-32-4-4 or".

Page 4, line 36, after "diploma with" insert "**a Core 40 with**".

Page 7, line 36, after "diplomas with" insert "**Core 40 with**".

Page 10, line 41, after "diplomas with" insert "**Core 40 with**".

Page 11, delete lines 26 through 38, begin a new paragraph and insert:

"SECTION 9. IC 20-26-5-37, AS AMENDED BY P.L.242-2017, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 37. (a) A high school operated by a school corporation shall offer the high school's students the opportunity to earn **any type of state an Indiana diploma approved by the state board: with any type of designation established under IC 20-19-2-21.**

(b) Notwithstanding ~~IC 20-32-4-1 (before its expiration on July 1, 2018); IC 20-32-4-1.5 (after June 30, 2018); IC 20-32-4-4(5); and IC 20-32-4-5(b)(2)(E); IC 20-32-4-1.5, IC 20-32-4-4(b)(5), IC 20-32-4-4.1(b)(3), and IC 20-32-4-5(b)(2)(D)~~, a school corporation shall not require a student with a disability to complete locally required credits that exceed state credit requirements to receive a diploma unless otherwise required as part of the student's individualized education program under IC 20-35."

Page 12, line 4, before "postsecondary" insert "**a**".

Page 13, line 8, delete "with an" and insert "**with a Core 40 with**".

Page 16, line 1, delete "may" and insert "**shall**".

Page 16, line 13, delete "with an" and insert "**with a Core 40 with**".

Page 18, line 29, delete "IC 20-32-4-4 IC 20-32-4-4.1" and insert "IC 20-32-4-4, **IC 20-32-4-4.1**".

Page 18, line 36, reset in roman "This section applies after June 30,".

Page 18, line 37, reset in roman "2018.".

Page 18, line 37, delete "Notwithstanding the expiration of section 1 of this chapter on".

Page 18, delete lines 38 through 41.

Page 18, line 42, reset in roman "4,".

Page 18, line 42, after "4," insert "**4.1**".

Page 19, line 25, strike "pathway" and insert "**competency**".

Page 20, delete lines 5 through 42, begin a new paragraph and insert:

"SECTION 24. IC 20-32-4-4, AS AMENDED BY P.L.242-2017, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) **This section applies only to a student in a cohort with an expected graduation date of before July 1, 2023. A student described in this subsection may be eligible to receive a graduation waiver under this section or section 4.1 of this chapter.**

(b) A student who ~~does not achieve a passing score on the graduation examination (before July 1, 2018) or fails to meet a graduation pathway requirement (after June 30, 2018)~~ **postsecondary readiness competency requirement established by the state board under section 1.5 of this chapter** and who does not meet the requirements of section ~~1~~ **1.5** of this chapter may be eligible to graduate if the student does all the following:

~~(1) Takes the graduation examination in each subject area in which the student did not achieve a passing score at least one (1) time every school year after the school year in which the student first takes the graduation examination. This subsection expires July 1, 2018.~~

(1) Attempts to meet a postsecondary readiness competency established by the state board under section 1.5(c) of this chapter at least one (1) time every school year after the school year in which the student first attempted and failed to successfully complete the postsecondary readiness competency.

(2) Completes remediation opportunities provided to the student by the student's school.

(3) Maintains a school attendance rate of at least ninety-five percent (95%) with excused absences not counting against the student's attendance.

(4) Maintains at least a "C" average or the equivalent in the courses comprising the credits specifically required for graduation by rule of the state board.

(5) Otherwise satisfies all state and local graduation requirements.

(6) Either:

(A) completes:

(i) the course and credit requirements for a general

diploma, including the career academic sequence;

(ii) a workforce readiness assessment; and

(iii) at least one (1) industry certification that appears on the state board's approved industry certification list, which must be updated annually with recommendations from the department of workforce development established by IC 22-4.1-2-1; or

(B) obtains a written recommendation from a teacher of the student in each subject area in which the student has not ~~achieved a passing score on the graduation examination~~ **successfully completed a postsecondary readiness competency established by the state board under section 1.5(c) of this chapter**. The written recommendation must be aligned with the governing body's relevant policy and must be concurred in by the principal of the student's school and be supported by documentation that the student has attained the academic standard in the subject area based on:

(i) ~~tests competencies other than the graduation examination; the postsecondary readiness competencies established by the state board under section 1.5(c) of this chapter;~~ or

(ii) classroom work.".

Page 21, delete lines 1 through 2.

Page 21, line 15, after "one" and insert "**(1)**".

Page 21, line 42, delete "readiness through alternative" and insert "**planning**".

Page 22, line 1, delete "means,".

Page 22, delete lines 2 through 5, begin a new line double block indented and insert:

(A) college acceptance;

(B) acceptance in an occupational training program;

(C) workforce entry; or

(D) military enlistment;".

Page 22, delete lines 7 through 42.

Page 23, delete lines 1 through 6, begin a new paragraph and insert:

"SECTION 26. IC 20-32-4-5, AS AMENDED BY P.L.242-2017, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 5. (a) This section applies to a student who is a student with a disability (as defined in IC 20-35-1-8).

(b) If the student ~~does not achieve a passing score on the graduation examination (before July 1, 2018) or fails to meet a graduation pathway requirement (after June 30, 2018);~~ **postsecondary readiness competency requirement established by the state board under section 1.5(c) of this chapter**, the student's case conference committee may determine that the student is eligible to graduate if the case conference committee finds the following:

(1) The student's teacher of record, in consultation with a teacher of the student in each subject area in which the student has not ~~achieved a passing score;~~ **successfully completed a postsecondary readiness competency**

established by the state board under section 1.5(c) of this chapter, makes a written recommendation to the case conference committee. The recommendation must:

- (A) be aligned with the governing body's relevant policy;
 - (B) be concurred in by the principal of the student's school; and
 - (C) be supported by documentation that the student has attained the academic standard in the subject area based on:
 - (i) **tests competencies** other than the **graduation examination postsecondary readiness competencies established by the state board under section 1.5(c) of this chapter**; or
 - (ii) classroom work.
- (2) The student meets all the following requirements:
- (A) Retakes the graduation examination in each subject area in which the student did not achieve a passing score as often as required by the student's individualized education program. This clause expires July 1, 2018.
 - ~~(B)~~ (A) Completes remediation opportunities provided to the student by the student's school to the extent required by the student's individualized education program.
 - ~~(C)~~ (B) Maintains a school attendance rate of at least ninety-five percent (95%) to the extent required by the student's individualized education program with excused absences not counting against the student's attendance.
 - ~~(D)~~ (C) Maintains at least a "C" average or the equivalent in the courses comprising the credits specifically required for graduation by rule of the state board.
 - ~~(E)~~ (D) Otherwise satisfies all state and local graduation requirements."

Page 23, line 12, strike "1" and insert "1.5".

Page 25, delete lines 36 through 42.

Delete page 26.

Page 27, delete lines 1 through 10, begin a new paragraph and insert:

"SECTION 34. IC 20-32-5.1-7, AS ADDED BY P.L.242-2017, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) Except as otherwise provided in this section and in the manner provided in section 6 of this chapter, the state board is responsible for determining the appropriate subjects, grades, and format of a statewide assessment.

(b) For each school year beginning after June 30, 2018, and except as provided in section 11 of this chapter, the statewide assessment must be administered to all full-time students attending a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) in grades subject to the statewide assessment required by federal law and in a manner prescribed by the state board.

(c) Subject matter tested on the statewide assessment as determined by the state board under subsection (a) must, at a minimum, do the following:

- (1) Comply with requirements established under federal law with:
 - (A) math and English/language arts assessed yearly in grades 3 through 8, and at least once in grades 9 through 12; and
 - (B) science assessed at least once in grades 3 through 5, grades 6 through 9, and grades 10 through 12.
 - (2) Require that United States history or United States government be assessed at least once in grades 5 or 8.
- ~~(d) For each school year beginning after June 30, 2018, a high school shall administer as part of the statewide assessment end of course assessments in at least the areas of:~~
- ~~(1) English/language arts;~~
 - ~~(2) science; and~~
 - ~~(3) algebra I.~~

~~(e) Students must be eligible to take the end of course assessments described in subsection (d) upon completion of the corresponding course regardless of the student's current grade level.~~

~~(d) For each school year beginning after June 30, 2019, a high school shall administer as part of the statewide assessment a nationally recognized college entrance exam. The proficiency benchmark must be approved by the commission for higher education, in consultation with the state educational institutions, and may not be lower than the national college ready benchmark established for that particular exam.~~

~~(e) If a nationally recognized college entrance exam administered under subsection (d) assesses science, the nationally recognized college entrance exam must be used to assess science as required under subsection (c)(1)(B) for the grade level for which the nationally recognized college entrance exam is administered. If a nationally recognized college entrance exam does not assess science, another examination may be administered to assess science, including an end of course assessment.~~

(f) The statewide assessment:

- (1) may not use technology that may negatively influence the ability to measure a student's mastery of material or a particular academic standard being tested; and
- (2) may use a technology enhanced test question only when the technology enhanced test question is the best way to measure the academic standard being tested.

~~(g) A statewide assessment, other than an assessment administered under subsection (d), must use a scale score that will ensure the statewide assessment scores are comparable to scale scores used as part of the ISTEP program under IC 20-32-5, before its expiration.~~

SECTION 35. IC 20-32-5.1-8, AS ADDED BY P.L.242-2017, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) Except as provided in subsection (b), the statewide assessment must be

administered in a single testing window that must take place at the end of a school year on dates determined by the state board.

(b) **If an end of course assessment is administered, an end of course assessment may be administered at the end of the course for that particular subject matter.**"

Page 27, line 32, delete "IC 20-32-4-4 IC 20-32-4-4.1" and insert "IC 20-32-4-4, **IC 20-32-4-4.1**,".

Page 29, line 5, delete "IC 20-32-4-4 IC 20-32-4-4.1" and insert "IC 20-32-4-4, **IC 20-32-4-4.1**,".

Page 30, line 38, delete "with an" and insert "**with a Core 40 with**".

Page 30, line 41, delete "with an" and insert "**with a Core 40 with**".

Page 31, line 14, delete "with an" and insert "**with a Core 40 with**".

Page 31, line 17, delete "with an" and insert "**with a Core 40 with**".

Page 31, line 37, delete "with an" and insert "**with a Core 40 with**".

Page 32, line 25, delete "with an" and insert "**with a Core 40 with**".

Page 32, line 33, after "diploma" insert "**with a**".

Page 32, line 33, reset in roman "Core 40".

Page 33, line 7, after "diploma with" insert "**a Core 40 with**".

Page 33, line 13, after "diploma" insert "**with a**".

Page 33, line 13, reset in roman "Core 40".

Page 38, line 24, delete "with an" and insert "**with a Core 40 with**".

Page 38, line 33, after "diploma" delete "with an" and insert "**with a Core 40 with**".

Page 38, line 40, after "diploma" delete "with an" and insert "**with a Core 40 with**".

Page 39, delete lines 37 through 42.

Page 40, delete lines 1 through 31, begin a new paragraph and insert:

"SECTION 52. IC 21-18.5-4-8.5, AS AMENDED BY P.L.233-2015, SECTION 315, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 8.5. (a) This section does not apply to a student who:

(1) receives a graduation waiver under IC 20-32-4-4 **or IC 20-32-4-4.1**; and

(2) receives a ~~general~~ **an Indiana diploma with a general designation** by satisfying the conditions set forth in IC 20-32-4-4 ~~including, with respect to IC 20-32-4-4(6), the condition set forth in IC 20-32-4-4(6)(B) or IC 20-32-4-4.1~~;

if the student has an individualized education program.

(b) Except as provided in subsection (a), this section applies to a student who receives a graduation waiver under IC 20-32-4-4 after June 30, 2014.

(c) Notwithstanding any other law, and except as provided in subsection (e), a student who:

(1) receives a graduation waiver under IC 20-32-4-4 **or IC 20-32-4-4.1**; and

(2) receives a ~~general~~ **an Indiana diploma with a general designation** by satisfying the conditions set forth in IC 20-32-4-4 ~~including, with respect to IC 20-32-4-4(6), the condition set forth in IC 20-32-4-4(6)(B); or IC 20-32-4-4.1~~;

is disqualified from receiving state scholarships, grants, or assistance administered by the commission unless the student ~~passes a college and career readiness exam~~ **satisfies the requirements of the state board of education established under described in IC 20-32-9-3.**

(d) ~~The college and career readiness exam taken by a student under subsection (c)~~ **Any exam used under subsection (c) to meet the requirements of the state board of education established under IC 20-32-9-3** shall be administered by the secondary school that granted the student the graduation waiver. The cost of the exam shall be paid by the department.

(e) A student described in subsection (c) is not disqualified from receiving state scholarships, grants, or assistance administered by the commission for credit bearing degree seeking courses, as mutually defined by the commission and the postsecondary educational institution offering the course."

Page 41, delete lines 5 through 24, begin a new paragraph and insert:

"SECTION 55. IC 21-43-8-3, AS AMENDED BY P.L.3-2008, SECTION 153, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 3. To complete the requirements for a high school diploma, an individual participating in the program established under this chapter must have:

(1) passed

(A) the graduation examination given under IC 20-32-4;

(B) an examination for a general educational development diploma;

(C) an examination equivalent to the graduation examination:

(i) administered by the state educational institution; and

(ii) approved by the department of education; or

(D) an examination that demonstrates the student is ready for college level work:

(i) administered by the state educational institution; and

(ii) approved by the department of education; and

(2) (1) completed the course work necessary to meet:

(A) the minimum high school course requirements established by the Indiana state board of education; and

(B) the requirements of the state educational institution; and

(2) met at least one (1) of the following:

(A) Passed an examination for a general educational development diploma.

(B) Passed an examination that demonstrates the student is ready for college level work:

- (i) administered by the state educational institution; and
 (ii) approved by the department of education.
 (C) Successfully completed a postsecondary readiness competency established by the state board under IC 20-32-4-1.5(c)."

Renumber all SECTIONS consecutively.

(Reference is to HB 1426 as reprinted February 2, 2018.)

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

Committee Vote: Yeas 9, Nays 0.

KRUSE, Chair

Report adopted.

SENATE MOTION

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

- HCR 43 Senator Breaux
 Commemorating Frederick Douglass.
 HCR 47 Senator Houchin
 Recognizing Dubois County on the occasion of the 200th anniversary of its founding.
 SCR 37 Senator Melton
 Recognizing Earl Smith, Jr.
 SCR 45 Senator Houchin
 Congratulating the Orleans Dogwood Festival on its 50th anniversary.
 SR 34 Senator Crider
 Urging Governor Holcomb to recognize September as Brain Aneurysm Awareness Month.
 SR 36 Senator Head
 Congratulating Evelyn Byrum.
 SR 37 Senator Houchin
 Congratulating Salem Apothecary.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 43

House Concurrent Resolution 43, sponsored by Senator Breaux:

A CONCURRENT RESOLUTION commemorating Frederick Douglass.

Whereas, Frederick Douglass, a former slave, abolitionist, ambassador to Haiti, and social reformer, is thought by many to have been the "greatest orator in American history";

Whereas, Frederick Douglass was one of the most famous intellectuals of his time, advising presidents and lecturing to thousands on a range of subjects;

Whereas, Frederick Douglass was a well-known human rights leader in the anti-slavery movement and the first African-American to hold a high United States governmental position;

Whereas, Frederick Douglass's writings included several autobiographies describing his experiences living in slavery and his life after the Civil War, including the "Narrative of the Life of Frederick Douglass, an American Slave";

Whereas, Frederick Douglass was born into slavery about 1818 in Talbot County, Maryland;

Whereas, The exact year and date of his birth are unknown, although he chose to celebrate his birthday on February 14;

Whereas, Frederick Douglass began his life with his maternal grandmother, Betty Bailey, but at a young age was chosen to live in the home of the plantation owners;

Whereas, Defying a ban on teaching slaves to read and write, Sophia, the wife of slave owner Hugh Auld, taught Frederick Douglass the alphabet when he was around 12 years old;

Whereas, It was through his ability to read that Frederick Douglass developed his ideological opposition to slavery;

Whereas, Intent upon sharing his great knowledge, Frederick Douglass taught other slaves on the plantation to read the New Testament at a weekly church service;

Whereas, Frederick Douglass married Anna Murray, a free black woman who helped him in his final attempt to escape slavery, on September 15, 1838, and together they had five children;

Whereas, After settling in New Bedford, Massachusetts, as a free man, Frederick Douglass began telling the story of his life in slavery and became a regular abolitionist lecturer;

Whereas, Upon returning from living abroad for two years, Frederick Douglass founded several abolitionist newspapers: The North Star, Frederick Douglass Weekly, Frederick Douglass' Paper, Douglass' Monthly and New National Era; it was also during this period that he published his first autobiography;

Whereas, Frederick Douglass became an outspoken supporter of women's rights and was the only African-American to attend the first women's rights convention in Seneca Falls, New York;

Whereas, By the time the Civil War began, Frederick Douglass was one of the most famous black men in the country and used his status to influence the role of African-Americans in

the war and their status in the country, conferring with President Abraham Lincoln regarding the treatment of black soldiers and President Andrew Johnson on the subject of black suffrage;

Whereas, After the war, Frederick Douglass was appointed to several political positions, serving as president of the Freedman's Savings Bank and as chargé d'affaires for the Dominican Republic;

Whereas, Frederick Douglass became the first African-American nominated for vice president of the United States as Victoria Woodhull's running mate on the Equal Rights Party ticket in 1872;

Whereas, Frederick Douglass was nominated without his knowledge or consent and never campaigned;

Whereas, Frederick Douglass died on February 20, 1895, and is buried in Mount Hope Cemetery in Rochester, New York;

Whereas, The memory of Frederick Douglass is honored by Indy Parks and Recreation with a park named for him, Douglass Park, located on the northeast side of Indianapolis at 1616 East 25th Street;

Whereas, Frederick Douglass was further honored when, in 1928, the northern portion of the park was turned into Douglass Park Golf Course, the only golf course in the nation named for an African-American;

Whereas, On Friday, February 16, 2018, the City of Indianapolis and Indy Parks and Recreation celebrated Frederick Douglass's 200th birthday at Douglass Park; and

Whereas, Frederick Douglass was one of the most influential African-Americans of the nineteenth century: 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 wishes to commemorate the many accomplishments of Frederick Douglass.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Indy Parks and Recreation.

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

House Concurrent Resolution 47

House Concurrent Resolution 47, sponsored by Senators Houchin and Messmer:

A CONCURRENT RESOLUTION recognizing Dubois County on the occasion of the 200th anniversary of its founding.

Whereas, Dubois County is comprised of 432 square miles of territory and was originally populated by the Piankashaw and Shawnee tribes who established several principal trails that crossed the area;

Whereas, Prior to the American Revolution, Dubois County was part of the Commonwealth of Virginia, but in 1787, Congress established the Northwest Territory, which included what is currently Indiana;

Whereas, The location of Dubois County helped its early development;

Whereas, Dubois County was located on early Native American trails, two rivers (White River and Patoka River), and its location on the Buffalo Trace, which was a cleared path 10 to 20 feet wide formed by the annual trip of thousands of buffalo from the plains of Illinois to the salt licks of Kentucky;

Whereas, Before Dubois County was formed, the area was part of Knox County and then subdivided into Gibson and Pike counties;

Whereas, In late 1817, the Indiana Legislature decided that there were enough people and activity in the area to warrant a separate county;

Whereas, The county was named after Toussaint Dubois, who was the first person to own property in present day Dubois County; although the county was named after him, he never resided in Dubois County;

Whereas, Portersville was the first seat of county government in Dubois County with governmental proceedings conducted at the residence at Fort McDonald; but by 1818 there was a log courthouse and log jail;

Whereas, In 1830, the state legislature moved the county seat of government to Jasper, where a new courthouse and jail were constructed;

Whereas, Today the county includes two cities, Jasper and Huntingburg; three towns, Ferdinand, Holland, and Birdseye; and several communities, some of the bigger ones being Dubois, Haysville, Ireland, St. Anthony, and St. Henry; and

Whereas, It is fitting to remember the past and acknowledge the importance of Dubois County to the future: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates Dubois County on the bicentennial of its founding.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the Dubois County Council, the Dubois County Commissioners, and the Dubois County Visitors Center and Tourism Commission.

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

Senate Concurrent Resolution 37

Senate Concurrent Resolution 37, introduced by Senator Melton:

A CONCURRENT RESOLUTION recognizing Earl Smith, Jr. on his induction into the 2018 Indiana Basketball Hall of Fame.

Whereas, Earl Smith, Jr. is a Gary native and 1952 graduate of Roosevelt High School where he was a three sport athlete competing in basketball, football and track and field;

Whereas, While in high school, Earl was twice a state champion in the long jump, and a three year starter for the boys' basketball team;

Whereas, Earl would go on to run track and play football for The University of Iowa Hawkeyes;

Whereas, In 1954, Earl was an all-Big Ten selection after leading the Hawkeyes football team in scoring;

Whereas, After college, Earl returned to the Gary Community School Corporation to teach and coach basketball;

Whereas, During his coaching career, Earl coached at Froebel, Emerson and Lew Wallace High Schools in Gary;

Whereas, In 26 seasons, his teams won 323 games, three sectional titles and three regional titles;

Whereas, In 1975, Earl took Emerson High School to the boys' basketball semifinals game;

Whereas, In 1980, Earl began coaching at Lew Wallace High School and won regional titles in 1983 and 1986;

Whereas, Earl's final position was Athletic Director for the City of Gary, a position he held for 14 years;

Whereas, In 2013, after 56 years with the Gary Community School Corporation, Earl retired;

Whereas, Earl is the brother of former State Senator, Earline Rogers who represented the City of Gary for 34 years;

Whereas, Earl was awarded the Gary Old Timers Athletic Association Lifetime Achievement Award in January, 2018; and

Whereas, Earl Smith, Jr. has contributed greatly to his community and the Gary Community School Corporation for many years, enhancing the lives of thousands of student-athletes through his leadership and talents: 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 Earl Smith, Jr. on his induction into the 2018 Indiana Basketball Hall of Fame.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Earl Smith, Jr. and former State Senator Earline Rogers.

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.

Senate Concurrent Resolution 45

Senate Concurrent Resolution 45, introduced by Senator Houchin:

A CONCURRENT RESOLUTION congratulating the Orleans Dogwood Festival on its 50th anniversary.

Whereas, Dogwood trees are known for bright and fragrant blooms in early spring, deep green leaves in summer, beautiful foliage in autumn, and red berries in the winter;

Whereas, Dogwood trees are native to the United States and grow in abundance in Southern Indiana, including the land around the town of Orleans in Orange County;

Whereas, Orleans successfully launched "Operation Dogwood" in the mid 1960's to have dogwood trees planted along roads, in the historic Congress Square, and in yards throughout the town;

Whereas, Hundreds of dogwood trees have been planted along State Road 37 in northern Orange County and bloom red, pink, and white flowers each April;

Whereas, Orleans celebrated the first Dogwood Festival in 1968 with a three day event;

Whereas, Governor Edgar Whitcomb officially proclaimed Orleans as the Dogwood Capital of Indiana in 1970; and

Whereas, The town of Orleans will celebrate the 50th Annual Orleans Dogwood Festival from April 21, 2018 through April 28, 2018: 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 town of Orleans on the 50th anniversary of the Orleans Dogwood Festival.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Orleans Dogwood Festival.

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 Davisson.

Senate Resolution 34

Senate Resolution 34, introduced by Senator Crider:

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

Whereas, 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 rate of mortality 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, Ruptured brain aneurysms are fatal in nearly forty percent of all cases, with four out of seven brain aneurysm survivors having a disability and sixty-six percent suffering some permanent neurological deficit;

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 Governor Holcomb 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 copies 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 36

Senate Resolution 36, introduced by Senator Head:

A SENATE RESOLUTION congratulating Evelyynn Byrum on being named one of the Distinguished Finalists for Indiana's Top Youth Volunteers of 2018.

Whereas, Evelyynn Byrum of Twelve Mile, Indiana, noticed individuals around her being affected by cancer and decided, at the age of thirteen, to make a difference through community service;

Whereas, Evelyynn coordinated a number of races and "trunk-or-treat" events from 2013 to 2018 to support individuals affected by cancer and to support research for a cure by partnering with Purdue University's cancer research center to support its research work and to publicize her supportive events;

Whereas, Due to her extensive community service efforts, Evelyynn was nominated by Caston Junior-Senior High School to be considered for the Prudential Spirit of Community Award;

Whereas, The Prudential Spirit of Community Award is the United States' largest youth recognition program based solely on volunteer service, with distinguished finalists and state honorees being selected based on criteria including personal initiative, effort, impact and personal growth;

Whereas, The Prudential Spirit of Community Award program, in partnership with the National Association of Secondary School Principals, began in 1995 and has honored more than 120,000 volunteers at the local, state, and national levels who have demonstrated an extraordinary commitment to serve;

Whereas, Evelyynn was named as one of six Distinguished Finalists for the Prudential Spirit of Community Award as one of the top youth volunteers in Indiana for 2018; and

Whereas, The success of the state of Indiana, the strength of our communities, and the overall possibility of a future cure for cancer depend, in great measure, upon the tireless dedication of young individuals like Evelynn, who uses her considerable talents and resources to serve others: Therefore,

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

SECTION 1. That the Indiana Senate congratulates Evelynn Byrum on being named a Distinguished Finalist for Indiana's Top Youth Volunteers of 2018 and wishes her well in all of her future endeavors.

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

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

Senate Resolution 37

Senate Resolution 37, introduced by Senator Houchin:

A SENATE RESOLUTION congratulating Salem Apothecary on serving the pharmacy needs of Washington County residents on Salem Square for 140 years.

Whereas, Salem Apothecary is the most recent link in a chain of pharmacies that have occupied #3 Lyon Block on Salem Square in Washington County since 1874;

Whereas, The Salem Square location at #3 Lyon Block was originally occupied by Henderson Drug in the late 1870s, followed by Rudder's Drugs in 1889, Apple's Drugs in 1949, Walgreen's Agency in 1967, Apple's Drugs again in 1972, and Salem Apothecary from 1985 to today;

Whereas, Salem Apothecary is a fully licensed pharmacy with services that include prescription filling and compounding, home delivery throughout Washington County, hormone replacement therapy, nutrition support consultation, classes on diabetes education, smoking cessation, and asthma care, among others;

Whereas, The Salem Square location is the professional home of Lula Dess Rudder, who was the first woman to graduate from the Purdue University School of Pharmacy in 1903 and was the first woman to become a licensed pharmacist in the state of Indiana in 1905;

Whereas, Salem Apothecary is currently owned and run by Rebecca Marshall, a Purdue School of Pharmacy graduate who has worked at the pharmacy for over forty-three years; and

Whereas, Salem Apothecary will be proudly celebrating one hundred and forty years of pharmacy assistance to Washington County residents in 2018: Therefore,

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

SECTION 1. That the Indiana Senate congratulates Salem Apothecary on serving the pharmacy needs of Washington County residents for 140 years and for employing the first woman to be a licensed pharmacist in the State of Indiana.

SECTION 2. The Secretary of the Senate is hereby directed to send a copy of this Resolution to Salem Apothecary.

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

SENATE MOTION

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

SR 35 Senator Head
Memorializing the Honorable Julian L. Ridlen.

HCR 46 Senator Bray
Memorializing Gunner James Burnam.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 35

Senate Resolution 35, introduced by Senator Head:

A SENATE RESOLUTION memorializing the Honorable Julian L. Ridlen.

Whereas, Julian L. Ridlen was born on February 4, 1940 in Decatur, Illinois, the son of Charles Fred and Doris Franklin Ridlen;

Whereas, Judge Ridlen graduated from MacArthur High School in 1958, received a Bachelors of Arts in history from Anderson University, and obtained a Juris Doctorate from the George Washington University Law School;

Whereas, Judge Ridlen was elected City Court Judge in 1971 and 1975, followed by State Treasurer in 1978 and 1982, where Judge Ridlen negotiated Indiana's loan to the Chrysler Corporation, created the Indiana Bond Bank, and chaired the Indiana Bond Bank and the Indiana Housing Finance Authority;

Whereas, After completing two terms as State Treasurer, Judge Ridlen was elected to two terms as Cass Circuit Court Judge followed by ten years of service as the Senior Judge, where he developed programs to engage youth in activities in academic and career-advancing pursuits;

Whereas, Judge Ridlen taught Indiana History at Indiana University Kokomo, Anderson University, the University of Indianapolis, and IUPUI;

Whereas, Judge Ridlen wrote contributions for the Encyclopedia of Indianapolis and the 2010 publication of "Justice of the Indiana Supreme Court", authored two articles about the life and influence of President Benjamin Harrison, and contributed to three Cass County histories;

Whereas, Judge Ridlen served as the President of the Cass County Historical Society, local Red Cross Board, and Youth Service Bureau, Chairman of the U.S. Bicentennial Committee, Vice President of the United Fund, Elder and Sunday School teacher at Calvary Presbyterian Church, and member of the Kiwanis Club, Mental Health Association, Salvation Army, and Benjamin Harrison Presidential Site Board;

Whereas, In his lifetime, Judge Ridlen received numerous local and state awards including the prestigious Sagamore of the Wabash from both Governor Bowen and Governor Orr; and

Whereas, Judge Ridlen is survived by his wife of fifty-four years, Susanne Smith, sisters Roberta Weber and Betty Davis, brothers Charles Ridlen and Edward Ridlen, nieces, and nephews: Therefore,

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

SECTION 1. That the Indiana Senate memorializes the distinguished life and legacy of the Honorable Julian L. Ridlen and passes along condolences to his wife, Susanne Smith.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to the family of the Honorable Julian L. Ridlen.

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

House Concurrent Resolution 46

House Concurrent Resolution 46, sponsored by Senator Bray:

A CONCURRENT RESOLUTION memorializing Gunner James Burnam.

Whereas, Gunner James Burnam was born to Tim and Jennifer Burnam on July 14, 2003, and became a big brother with the arrival of his sister Courtney;

Whereas, Gunner Burnam attended Brooklyn Elementary School in the Metropolitan School District of Martinsville;

Whereas, Gunner Burnam joined Cub Scout Pack 209 where he earned his Tiger, Bobcat, Bear, and Webelo badges;

Whereas, Gunner Burnam crossed over into Boy Scout Troop 229 where he continued his path to becoming an Eagle Scout;

Whereas, Gunner Burnam was a student and athlete at John

R. Wooden Middle School where he was known for his loyalty and friendship that transcended all boundaries, social rank, or status;

Whereas, Gunner Burnam was known for his love of the outdoors, sports, heavy equipment, and for his notable southern accent;

Whereas, In December 2016, at the age of 13, Gunner Burnam was diagnosed with diffuse intrinsic pontine glioma (DIPG), a rare pediatric brain cancer that has a five-year survival rate of less than 1 percent and a prognosis of nine to 12 months;

Whereas, Gunner Burnam underwent treatment at Cincinnati Children's Hospital, pursued his education in a modified fashion, and continued his progress in Troop 229 where he achieved the rank of First Class Scout, never complaining or feeling sorry for himself;

Whereas, Gunner Burnam succumbed to DIPG in the early morning hours of September 15, 2017, nearly nine months to the day of his original diagnosis;

Whereas, Gunner had already identified his Eagle Scout project as conducting a food drive, but since he passed away before he could complete his Eagle project, his family and friends continued his scouting legacy by holding the food drive in October 2017 and collecting more than 7,000 food items;

Whereas, Gunner Burnam's family was presented the Boy Scout's Spirit of the Eagle Award, a posthumous award acknowledging Gunner's exemplary contributions to scouting;

Whereas, Gunner Burnam was an extraordinary son, brother, grandson, nephew, cousin, and child of God; and

Whereas, Gunner Burnam will be forever missed by family, friends, classmates, teammates, and acquaintances: 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 the great impact Gunner James Burnam had on all who knew him and how he maintained a positive attitude while facing adversity. Gunner James Burnam serves as an inspiration for those challenged with overcoming the next obstacle on the path to success and as an example of grace to those who face daily struggles.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the family of Gunner James Burnam.

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

House Concurrent Resolution 49

House Concurrent Resolution 49, sponsored by Senator Merritt:

A CONCURRENT RESOLUTION congratulating the Fishers High School "We The People" team.

Whereas, On December 11, 2017, the 2017-2018 Fishers High School team won the "We the People" state championship;

Whereas, The Fishers High School team will represent its community and state in the "We the People" National Invitational in Virginia on April 27 through May 1, 2018;

Whereas, In addition to winning the state championship, Fisher High School also took home unit awards for Units 1, 3, 4, and 5;

Whereas, This victory was the culmination of months of hard work, dedication, and diligence on the part of the 27 students in this year's "We the People" class, including Claire Arick, Berrie Benjamin, Samuel Brunnemer, Kathryn Cooper, Riley Crump, Lily Danielson, Sarah Dunlap, Lauren Ehrlich, William Ernst, William Fleming, Gautam Fotedar, Kurt Hardy, David Ho, Shaad Hussain, Rhiannon Johns, Brian Kang, Gillian McCann, Ethan Odom, Grace Perry, Brooke Rance, Rachel Reiter, Adam Rosenthal, Peyton Sanders, Brendan Scher, Ella Schnefke, Ashley Sharpley, Olivia Strobel, as well as their teachers and advisers, Liz Paternoster, Kelsey Ondish, Robert B. Dyson Jr., Matt Follman, Dr. Chris Edwards, Judge Daniel Henke, Geoff Tease, Taylor Schueth, Matt Bockenfeld, Principal Jason Urban, and Superintendent Allen Bourff;

Whereas, More than 600 students and teams from 14 high schools from across Indiana participated in this year's state championship;

Whereas, During the competition, teams of students answered questions from panels of judges about the Constitution and its application to contemporary issues;

Whereas, The "We the People" program was developed by the Center for Civic Education and is funded by the United States Department of Education under an act of Congress, with the goal of promoting civic responsibility and competence in students; and

Whereas, Involvement with the "We the People" competition allows students to develop a greater understanding of democratic principles and prepares Indiana youth for a future

that will encourage their knowledge of and participation in our democratic system of government: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Fishers High School "We The People" team on its state championship and wishes the students continued success at the National Invitational competition in Virginia.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to team members Claire Arick, Berrie Benjamin, Samuel Brunnemer, Kathryn Cooper, Riley Crump, Lily Danielson, Sarah Dunlap, Lauren Ehrlich, William Ernst, William Fleming, Gautam Fotedar, Kurt Hardy, David Ho, Shaad Hussain, Rhiannon Johns, Brian Kang, Gillian McCann, Ethan Odom, Grace Perry, Brooke Rance, Rachel Reiter, Adam Rosenthal, Peyton Sanders, Brendan Scher, Ella Schnefke, Ashley Sharpley, Olivia Strobel; coach Liz Paternoster; teachers and advisers Kelsey Ondish, Robert B. Dyson Jr., Matt Follman, Dr. Chris Edwards, Judge Daniel Henke, Geoff Tease, Taylor Schueth, Matt Bockenfeld; Principal Jason Urban; and Superintendent Dr. Allen Bourff.

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

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, without amendments, Engrossed Senate Bills 4, 9, 13, 44, 100, 105, 165, 182, 184, 233, 246, 351 and 360 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, with amendments, Engrossed Senate Bills 1, 142, 212 and 265 and the same are herewith returned to the Senate for concurrence.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 16, 38, 41 and 43 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 49 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

**ENGROSSED HOUSE BILLS
ON SECOND READING**

Engrossed House Bill 1031

Senator Head called up Engrossed House Bill 1031 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1047

Senator Freeman called up Engrossed House Bill 1047 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1115

Senator Freeman called up Engrossed House Bill 1115 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1140

Senator Head called up Engrossed House Bill 1140 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1140-2)

Madam President: I move that Engrossed House Bill 1140 be amended to read as follows:

Page 1, line 8, strike "IC 33-35-1-6 with another city" and insert "**IC 33-35-1-6**".

Page 1, line 9, strike "or a town,"

Page 1, line 9, delete "or entered into an interlocal agreement described in".

Page 1, line 10, delete "IC 33-36-2-4 with a county,".

Page 1, delete lines 12 through 17, begin a new paragraph and insert:

"SECTION 2. IC 33-35-1-6, AS ADDED BY P.L.55-2010, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 6. (a) A city or town that has not established a court under this chapter may enter into an interlocal agreement under IC 36-1-7 with a city or town that:

(1) has established a court under this chapter; and

(2) is located in the same judicial circuit as the city or town that has not established a court;

to hear and dispose of ordinance violations that would otherwise come under the jurisdiction of a court established by the city or town under this chapter.

(b) A county may enter into an interlocal agreement under

IC 36-1-7 with a city or town that:

(1) has established a court under this chapter; and

(2) is located within the same county;

to hear and dispose of ordinance violations that would otherwise come under the jurisdiction of another court located in the county.

SECTION 3. IC 33-35-2-8, AS AMENDED BY P.L.55-2010, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 8. (a) A town court has exclusive jurisdiction of all violations of the ordinances of the town.

(b) A town court also has jurisdiction of all misdemeanors and all infractions.

(c) If the town that established the town court has entered into an interlocal agreement described in ~~IC 33-35-1-6 with a city or another town~~, **IC 33-35-1-6**, the town court has jurisdiction of all other ordinance violations described in the interlocal agreement."

Page 2, delete lines 1 through 16, begin a new paragraph and insert:

"SECTION 4. IC 33-36-2-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 5. A county may enter into an interlocal agreement under **IC 36-1-7 with a city or town within the county for:**

(1) use of the city or town's ordinance violations bureau; or

(2) use of the city or town's court if the city or town has established a court under IC 33-35;

to hear and dispose of ordinance violations that would otherwise come under the jurisdiction of an ordinance violations bureau established by a county under this chapter."

Page 2, line 32, delete "IC 33-36-2-4 with a municipal corporation," and insert "**IC 33-36-2-5 with a city or town**,".

Page 2, line 33, after "clerk" insert "**or city or town court**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1140 as printed February 16, 2018.)

HEAD

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1141

Senator Boots called up Engrossed House Bill 1141 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1141-2)

Madam President: I move that Engrossed House Bill 1141 be amended to read as follows:

Page 4, line 42, after "2020," insert "**and**".

Page 5, line 1, delete "and calendar year 2022,".

Page 5, line 41, after "2020," insert "**and**".

Page 5, line 41, delete "2021, and calendar year 2022." and insert "**2021**".

Page 6, line 7, delete "twenty-five percent (25%)" and insert "**thirty-three percent (33%)**".

Page 6, line 19, delete "fifty percent (50%)" and insert "**sixty-six percent (66%)**".

Page 6, delete lines 27 through 38.

Page 6, line 39, delete "(4)" and insert "(3)".

Page 6, line 39, delete "2022," and insert "**2021,**".

Page 6, line 41, delete "2022." and insert "**2021.**".

Page 7, line 3, delete "2023." and insert "**2022.**".

Page 9, line 7, after "2020," insert "**and**".

Page 9, line 7, after "2021," delete "and".

Page 9, line 8, delete "calendar year 2022,".

Page 11, delete lines 19 through 23, begin a new line block indented and insert:

"(3) A copy of the most recent financial audit provided to the division of mental health and addiction under 440 IAC 4.1-2-5, including a balance sheet of assets and liabilities, which shall be prepared by an independent certified public accountant."

Page 11, line 34, after "community" insert "**mental**".

Page 11, line 38, after "community" insert "**mental**".

(Reference is to EHB 1141 as printed February 16, 2018.)

BOOTS

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1174

Senator Ford called up Engrossed House Bill 1174 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1174-4)

Madam President: I move that Engrossed House Bill 1174 be amended to read as follows:

Page 1, line 16, after "Indiana." insert "**The term does not include the following:**

(1) An automotive salvage recycler licensed under IC 9-32-9.

(2) A small business that:

(A) is independently owned and operated;

(B) is not dominant in its field of operation; and

(C) has annual sales and receipts that do not exceed five hundred dollars (\$500)."

(Reference is to EHB 1174 as printed February 16, 2018.)

DELPH

After discussion, Senator Delph withdrew the motion to amend.

SENATE MOTION
(Amendment 1174-5)

Madam President: I move that Engrossed House Bill 1174 be amended to read as follows:

Page 2, line 1, after "vehicle." insert "**The term does not include a tire designed primarily for agricultural use or for off-road industrial use.**"

(Reference is to EHB 1174 as printed February 16, 2018.)

FORD

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1193

Senator Freeman called up Engrossed House Bill 1193 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1193-2)

Madam President: I move that Engrossed House Bill 1193 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning public safety.

Page 1, delete lines 1 through 17.

Delete pages 2 through 3.

Page 4, delete line 1.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1193 as printed February 21, 2018.)

FREEMAN

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1194

Senator Koch called up Engrossed House Bill 1194 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1227

Senator Glick called up Engrossed House Bill 1227 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1253

Senator Walker called up Engrossed House Bill 1253 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1253-1)

Madam President: I move that Engrossed House Bill 1253 be amended to read as follows:

Page 5, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 5. IC 3-11-4-1, AS AMENDED BY P.L.66-2010, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 1. (a) A voter who is otherwise qualified to vote in person is entitled to vote by absentee ballot: ~~Except~~

(1) by mail;

(2) before an absentee voter board as otherwise provided in this article; a voter voting by absentee ballot must vote

(3) in the office of the circuit court clerk (or board of elections and registration in a county subject to IC 3-6-5.2); or

(4) at a satellite office established under IC 3-11-10-26.3.

(b) A county election board, by unanimous vote of its entire membership, may authorize a person who is otherwise qualified to vote in person to vote by absentee ballot if the board determines that the person has been hospitalized or suffered an injury following the final date and hour for applying for an absentee ballot that would prevent the person from voting in person at the polls.

(c) The commission, by unanimous vote of its entire membership, may authorize a person who is otherwise qualified to vote in person to vote by absentee ballot if the commission determines that an emergency prevents the person from voting in person at a polling place.

(d) The absentee ballots used in subsection (b) or (c) must be the same official absentee ballots as described in section 12.5 of this chapter. Taking into consideration the amount of time remaining before the election, the commission shall determine whether the absentee ballots are transmitted to and from the voter by mail or personally delivered. An absentee ballot that is personally delivered shall comply with the requirements in sections 19, 20, and 21 of this chapter.

SECTION 6. IC 3-11-4-2, AS AMENDED BY P.L.169-2015, SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2. (a) A voter who wants to vote by absentee ballot must apply to the county election board for an official absentee ballot. Except as provided in subsection (b), the voter must sign the absentee ballot application.

(b) If a voter with disabilities is unable to sign the absentee ballot application and the voter has not designated an individual to serve as attorney in fact for the voter, the voter may designate an individual eligible to assist the voter under IC 3-11-9-2(a) to sign the application on behalf of the voter and add the individual's name to the application. If an individual applies for an absentee ballot as the properly authorized attorney in fact for a voter, the attorney in fact must attach a copy of the power of attorney to the application and comply with subsection (d).

(c) A person may provide an individual with an application for an absentee ballot with the following information already printed or otherwise set forth on the application when provided to the individual:

- (1) The name of the individual.
- (2) The voter registration address of the individual.
- (3) The mailing address of the individual.
- (4) The date of birth of the individual.

(d) A person may not provide an individual with an application for an absentee ballot with the following information already printed or otherwise set forth on the application when provided to the individual:

- (1) The address to which the absentee ballot would be mailed, if different from the voter registration address of the individual.
- (2) In a primary election, the major political party ballot requested by the individual.
- (3) In a primary or general election, the types of absentee

ballots requested by the individual.

~~(4) The reason why the individual is entitled to vote an absentee ballot:~~

~~(A) by mail; or~~

~~(B) before an absentee voter board (other than an absentee voter board located in the office of the circuit court clerk or a satellite office);~~

~~in accordance with IC 3-11-4-18; IC 3-11-10-24; or IC 3-11-10-25.~~

~~(5) (4) The voter identification number of the individual.~~

(e) If the county election board determines that an absentee ballot application does not comply with subsection (d), the board shall deny the application under section 17.5 of this chapter.

(f) A person who assists an individual in completing any information described in subsection (d) on an absentee ballot application shall state under the penalties for perjury the following information on the application:

- (1) The full name, residence and mailing address, and daytime and evening telephone numbers (if any) of the person providing the assistance.
- (2) The date this assistance was provided.
- (3) That the person providing the assistance has complied with Indiana laws governing the submission of absentee ballot applications.
- (4) That the person has no knowledge or reason to believe that the individual submitting the application:

- (A) is ineligible to vote or to cast an absentee ballot; or
- (B) did not properly complete and sign the application.

When providing assistance to an individual, the person must, in the individual's presence and with the individual's consent, provide the information listed in subsection (d) if the individual is unable to do so.

(g) This subsection does not apply to an employee of the United States Postal Service or a bonded courier company acting in the individual's capacity as an employee of the United States Postal Service or a bonded courier company. A person who receives a completed absentee ballot application from the individual who has applied for the absentee ballot shall indicate on the application the date the person received the application, and file the application with the appropriate county election board not later than:

- (1) noon ten (10) days after the person receives the application; or
- (2) the deadline set by Indiana law for filing the application with the board;

whichever occurs first. The election division, a county election board, or a board of elections and registration shall forward an absentee ballot application to the county election board or board of elections and registration of the county where the individual resides.

(h) This subsection does not apply to an employee of the United States Postal Service or a bonded courier company acting in the individual's capacity as an employee of the United States Postal Service or a bonded courier company, or to the election

division, a county election board, or a board of elections and registration. A person filing an absentee ballot application, other than the person's own absentee ballot application, must sign an affidavit at the time of filing the application. The affidavit must be in a form prescribed by the election division. The form must include the following:

- (1) A statement of the full name, residence and mailing address, and daytime and evening telephone numbers (if any) of the person submitting the application.
- (2) A statement that the person filing the affidavit has complied with Indiana laws governing the submission of absentee ballot applications.
- (3) The date (or dates) that the absentee ballot applications attached to the affidavit were received.
- (4) A statement that the person has no knowledge or reason to believe that the individual whose application is to be filed:
 - (A) is ineligible to vote or to cast an absentee ballot; or
 - (B) did not properly complete and sign the application.
- (5) A statement that the person is executing the affidavit under the penalties of perjury.
- (6) A statement setting forth the penalties for perjury.

(i) The county election board shall record the date and time of the filing of the affidavit.

SECTION 7. IC 3-11-4-18, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2018 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 18. (a) ~~If a voter satisfies any of the qualifications described in IC 3-11-10-24 that entitle a voter to cast an absentee ballot by mail;~~ The county election board shall, at the request of the voter, mail ~~the an~~ official ballot, postage fully prepaid, to the voter at the address stated in the application.

(b) If the county election board mails an absentee ballot to a voter required to file additional documentation with the county voter registration office before voting by absentee ballot under this chapter, the board shall include a notice to the voter in the envelope mailed to the voter under section 20 of this chapter. The notice must inform the voter that the voter must file the additional documentation required under IC 3-7-33-4.5 with the county voter registration office not later than noon on election day for the absentee ballot to be counted as an absentee ballot, and that, if the documentation required under IC 3-7-33-4.5 is filed after noon and before 6 p.m. on election day, the ballot will be processed as a provisional ballot. The election division shall prescribe the form of this notice under IC 3-5-4-8.

(c) Except as provided in this subsection, section 18.5 of this chapter, or IC 3-11-10-26.5, the ballot shall be transmitted:

- (1) on the day of the receipt of the voter's application; or
- (2) not more than five (5) days after the date of delivery of the ballots under section 15 of this chapter;

whichever is later. If the election board determines that the county voter registration office has received an application from the applicant for registration at an address within the precinct

indicated on the application, and the election board determines that this application is pending under IC 3-7-33, the ballot shall be mailed on the date the county voter registration office indicates under ~~IC 3-7-33-5(f)~~ **IC 3-7-33-5(g)** that the applicant is a registered voter.

(d) As required by 52 U.S.C. 21081, an election board shall establish a voter education program (specific to a paper ballot or optical scan ballot card provided as an absentee ballot under this chapter) to notify a voter of the effect of casting multiple votes for a single office.

(e) As provided by 52 U.S.C. 21081, when an absentee ballot is transmitted under this section, the mailing must include:

- (1) information concerning the effect of casting multiple votes for an office; and
- (2) instructions on how to correct the ballot before the ballot is cast and counted, including the issuance of replacement ballots.

SECTION 8. IC 3-11-10-24, AS AMENDED BY P.L.169-2015, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 24. (a) Except as provided in subsection (b), a voter ~~who satisfies any of the following~~ is entitled to vote by mail.

~~(1) The voter has a specific, reasonable expectation of being absent from the county on election day during the entire twelve (12) hours that the polls are open.~~

~~(2) The voter will be absent from the precinct of the voter's residence on election day because of service as:~~

- ~~(A) a precinct election officer under IC 3-6-6;~~
- ~~(B) a watcher under IC 3-6-8, IC 3-6-9, or IC 3-6-10;~~
- ~~(C) a challenger or pollbook holder under IC 3-6-7; or~~
- ~~(D) a person employed by an election board to administer the election for which the absentee ballot is requested.~~

~~(3) The voter will be confined on election day to the voter's residence, to a health care facility, or to a hospital because of an illness or injury during the entire twelve (12) hours that the polls are open.~~

~~(4) The voter is a voter with disabilities.~~

~~(5) The voter is an elderly voter.~~

~~(6) The voter is prevented from voting due to the voter's care of an individual confined to a private residence because of illness or injury during the entire twelve (12) hours that the polls are open.~~

~~(7) The voter is scheduled to work at the person's regular place of employment during the entire twelve (12) hours that the polls are open.~~

~~(8) The voter is eligible to vote under IC 3-10-11 or IC 3-10-12.~~

~~(9) The voter is prevented from voting due to observance of a religious discipline or religious holiday during the entire twelve (12) hours that the polls are open.~~

~~(10) The voter is an address confidentiality program participant (as defined in IC 5-26.5-1-6).~~

~~(11) The voter is a member of the military or public safety officer.~~

~~(12) The voter is a serious sex offender (as defined in IC 35-42-4-14(a)).~~

~~(13) The voter is prevented from voting due to the unavailability of transportation to the polls.~~

(b) A voter with disabilities who:

(1) is unable to make a voting mark on the ballot or sign the absentee ballot secrecy envelope; and

(2) requests that the absentee ballot be delivered to an address within Indiana;

must vote before an absentee voter board under section 25(b) of this chapter.

(c) If a voter receives an absentee ballot by mail, the voter shall personally mark the ballot in secret and seal the marked ballot inside the envelope provided by the county election board for that purpose. The voter shall:

(1) deposit the sealed envelope in the United States mail for delivery to the county election board; or

(2) authorize a member of the voter's household or the individual designated as the voter's attorney in fact to:

(A) deposit the sealed envelope in the United States mail; or

(B) deliver the sealed envelope in person to the county election board.

(d) If a member of the voter's household or the voter's attorney in fact delivers the sealed envelope containing a voter's absentee ballot to the county election board, the individual delivering the ballot shall complete an affidavit in a form prescribed by the election division. The affidavit must contain the following information:

(1) The name and residence address of the voter whose absentee ballot is being delivered.

(2) A statement of the full name, residence and mailing address, and daytime and evening telephone numbers (if any) of the individual delivering the absentee ballot.

(3) A statement indicating whether the individual delivering the absentee ballot is a member of the voter's household or is the attorney in fact for the voter. If the individual is the attorney in fact for the voter, the individual must attach a copy of the power of attorney for the voter, unless a copy of this document has already been filed with the county election board.

(4) The date and location at which the absentee ballot was delivered by the voter to the individual delivering the ballot to the county election board.

(5) A statement that the individual delivering the absentee ballot has complied with Indiana laws governing absentee ballots.

(6) A statement that the individual delivering the absentee ballot is executing the affidavit under the penalties of perjury.

(7) A statement setting forth the penalties for perjury.

(e) The county election board shall record the date and time

that the affidavit under subsection (d) was filed with the board.

(f) After a voter has mailed or delivered an absentee ballot to the office of the circuit court clerk, the voter may not recast a ballot, except as provided in section 1.5 of this chapter."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1253 as printed February 20, 2018.)

MRVAN

Upon request of Senator Mrvan the President ordered the roll of the Senate to be called. Roll Call 221: yeas 15, nays 33.

Motion failed. The bill was ordered engrossed.

Engrossed House Bill 1288

Senator Raatz called up Engrossed House Bill 1288 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1288-1)

Madam President: I move that Engrossed House Bill 1288 be amended to read as follows:

Page 11, line 25, delete "An" and insert "**Notwithstanding subsection (c), an**".

(Reference is to EHB 1288 as printed February 21, 2018.)

RAATZ

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1292

Senator Glick called up Engrossed House Bill 1292 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1323

Senator Holdman called up Engrossed House Bill 1323 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1383

Senator Niemeyer called up Engrossed House Bill 1383 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1384

Senator Messmer called up Engrossed House Bill 1384 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1384-1)

Madam President: I move that Engrossed House Bill 1384 be amended to read as follows:

Page 4, line 39, after "may not" insert "**use**".

(Reference is to EHB 1384 as printed February 20, 2018.)

MESSMER

Motion prevailed. The bill was ordered engrossed.

The President of the Senate yielded the gavel to Senator Long.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1003

Senator Bray called up Engrossed House Bill 1003 for third reading:

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

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

Roll Call 222: yeas 46, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

MOTIONS TO CONCUR IN HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 1.

ALTING

Roll Call 223: yeas 38, nays 10. Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 39

Senate Resolution 39, introduced by Senator Bray:

A SENATE RESOLUTION urging the Indiana federal congressional delegation to support efforts to modify the United States Bankruptcy Code venue requirements.

Whereas, The United States Bankruptcy Code, enacted at 11 U.S.C. § 101, et seq. (the "Code"), currently provides that a company may commence a bankruptcy proceeding in the bankruptcy court in the state of its organization rather than the state in which its headquarters or principal assets are located;

Whereas, Under the current version of the Code, a substantial number of large bankruptcy cases are filed in bankruptcy courts located in states where debtors have no meaningful assets or business, with such favored venues being primarily Delaware and the Southern District of New York;

Whereas, Such forum shopping has led to the appearance of manipulation of the bankruptcy system which undermines public confidence;

Whereas, Concentrating the filing of commercial bankruptcy cases into two federal judicial districts impairs the evolution of bankruptcy law;

Whereas, Such forum shopping effectively precludes debtors, creditors, employees, regulators and other parties from meaningful participation in bankruptcy in their state and in which they have an interest;

Whereas, The filing of bankruptcy cases in jurisdictions other than the location of primary headquarters or principal assets results in economic loss to the home state and drives up the cost of such cases to the detriment of creditors, employees, professionals, debtors and other interested constituents;

Whereas, Since 2006, at least 10 Indiana companies with combined assets exceeding \$6 billion over 94,000 creditors and 12,000 employees filed for bankruptcy protection in Delaware or New York;

Whereas, Local concerns and local state law often dominate bankruptcy cases and those issues should be addressed in venues familiar with the debtors' businesses and applicable state law;

Whereas, There is currently pending S.2282 to address and reform the Code to preclude such venue shopping and require debtors to file in their home jurisdictions; and

Whereas, The Indiana State Bar Bankruptcy Section has determined that the proposed changes to the venue statute would promote and support due process, judicial efficiency, and the integrity of the bankruptcy system and has voted to endorse the pending legislation to reform the Code to address and reform the venue provisions of the Code to preclude such forum shopping; Therefore,

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

SECTION 1. That the Indiana Senate urges the U.S. Senators and Representatives of the State of Indiana to commit to sponsor and support the proposed changes to the federal bankruptcy venue statute substantially in the form attached hereto.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Indiana federal congressional delegation.

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

Senate Resolution 41

Senate Resolution 41, introduced by Senator Grooms:

A SENATE RESOLUTION urging the legislative council to assign to the appropriate committee the topic of loot boxes and video games as gambling.

Whereas, Video games are often played with elements where players can earn loot to spend within the video game;

Whereas, Loot in video games may at times be purchases; and

Whereas, Some people believe loot boxes in video games prey on children and may be considered gambling: Therefore,

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

SECTION 1. That the legislative council is urged to assign to the appropriate committee the topic of loot boxes and video games as gambling.

SECTION 2. That if the topic shall be assigned to the appropriate committee, the attorney general shall:

- (1) conduct a study to determine if loot boxes in video games:
 - (A) are predatory;
 - (B) prey on children; and
 - (C) are gambling under IC 35-45-5;
- (2) make a recommendation whether loot boxes should be regulated as gaming in Indiana.

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

Senate Resolution 42

Senate Resolution 42, introduced by Senator Bassler:

A SENATE RESOLUTION urging the Legislative Council to assign the topic of the Compact for a Balanced Budget Amendment to the appropriate interim study committee.

Whereas, The states of Alaska, Arizona, Georgia, Mississippi, and North Dakota have enacted laws to adopt a "Compact for a Balanced Budget Amendment" ("Compact");

Whereas, The State of Indiana has been urged to adopt the Compact; and

Whereas, There are significant legal questions about the ability of the State of Indiana to enter into the Compact: Therefore,

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

SECTION 1. That the Indiana Senate urges the Legislative Council to assign the topic of the Compact for a Balanced Budget Amendment to the appropriate interim study committee.

SECTION 2. That if the Legislative Council assigns the topic to an interim study committee, the interim study committee consider the following issues:

(1) Whether the General Assembly may apply to Congress for an Article V convention or ratify a proposed amendment to the Constitution of the United States by enacting a statute.

(2) Whether the Indiana version of the Compact must be identical to the text of the Compact adopted by all other states or what aspects can be different without invalidating the Compact. In particular, whether Indiana's existing delegate selection process in IC 2-8.2 may be incorporated into the Compact without invalidating the Compact.

(3) Whether the adoption of the Compact would repeal or require the repeal of any existing Indiana statutes, in particular IC 2-8.2.

(4) Whether the Compact may be entered into without surrendering aspects of sovereignty or violating the Constitution of the State of Indiana.

(5) Whether entering the Compact would improperly bind the authority of future General Assemblies.

(6) Whether, pursuant to the terms of the Compact, a delegate has the discretion to vote against the Balanced Budget Amendment proposed at the convention.

(7) Whether and to what extent there is a cost to the state to join the Compact.

(8) Any other relevant issues related to Indiana's joining the Compact.

The resolution was read in full and referred to the Committee on Tax and Fiscal Policy.

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buchanan, Buck, Charbonneau, Crane, Crider, Delph, Doriot, Eckerty, Ford, Freeman, Glick, Grooms, Head, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Long, Melton, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Ruckelshaus, Sandlin, J. Smith, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young, Zakas and Zay be added as cosponsors of House Concurrent Resolution 49.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author of Senate Resolution 21.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as coauthor of Senate Resolution 21.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as coauthor of Senate Resolution 24.

MELTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as coauthor of Senate Resolution 25.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Bassler and Charbonneau be added as coauthors of Senate Concurrent Resolution 11.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Breaux, Buchanan, Buck, Crane, Crider, Doriot, Eckerty, Ford, Grooms, Houchin, Kruse, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Ruckelshaus, Sandlin, J. Smith, Spartz, Stoops, Tomes, Walker and Zay be added as coauthors of Senate Concurrent Resolution 42.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as cosponsor of Engrossed House Bill 1007.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zakas be added as cosponsor of Engrossed House Bill 1047.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Becker, Charbonneau and Leising be added as cosponsors of Engrossed House Bill 1119.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as cosponsor of Engrossed House Bill 1137.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Freeman be added as second sponsor of Engrossed House Bill 1250.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as cosponsor of Engrossed House Bill 1253.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as cosponsor of Engrossed House Bill 1267.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as cosponsor of Engrossed House Bill 1267.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as cosponsor of Engrossed House Bill 1383.

NIEMEYER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as cosponsor of Engrossed House Bill 1399.

BASSLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as cosponsor of Engrossed House Bill 1420.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as cosponsor of Engrossed House Bill 1426.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senate Concurrent Resolution 11, currently eligible for adoption, be withdrawn from further consideration by the Senate.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, February 26, 2018.

BRAY

Motion prevailed.

The Senate adjourned at 3:03 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate