Journal of the Senate

State of Indiana

120th General Assembly First Regular Session

Thirty-seventh Meeting Day Thursday Afternoon March 30, 2017

The Senate convened at 1:48 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Pastor Paul Rogers, Zanesville United Methodist Church.

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

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

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

Roll Call 321: present 50; excused 0. [*Note: A* ▶ *indicates those who were excused*.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Resolution 30, 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 9, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Resolution 36, 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.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Resolution 42, 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.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1001, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. [EFFECTIVE JULY 1, 2017]

(a) The following definitions apply throughout this act:
(1) "Augmentation allowed" means the governor and the budget agency are authorized to add to an appropriation in this act from revenues accruing to the fund from which the appropriation was made.
(2) "Biennium" means the period beginning July 1, 2017, and ending June 30, 2019. Appropriations appearing in the biennial column for construction or other permanent improvements do not revert under IC 4-13-2-19 and may be allotted.
(3) "Deficiency appropriation" or "special claim" means an appropriation available during the 2016-2017 fiscal year.
(4) "Equipment" includes machinery, implements, tools, furniture, furnishings, vehicles, and other articles that have a calculable period of service that exceeds twelve (12) calendar months.
(5) "Fee replacement" includes payments to universities to be used to pay indebtedness resulting from financing the cost of planning, purchasing, rehabilitation, construction, repair, leasing, lease-purchasing, or otherwise acquiring land, buildings, facilities, and equipment to be used for academic and instructional purposes.
(6) "Federally qualified health center" means a community health center that is designated by the Health Resources Services Administration, Bureau of Primary Health Care, as a Federally Qualified Health Center Look Alike under the FED 330 Consolidated

Health Center Program authorization, including Community Health Center (330e), Migrant Health Center (330g), Health Care for the Homeless (330h), Public Housing Primary Care (330i), and School Based Health Centers (330).

(7) "Other operating expense" includes payments for "services other than personal", "services by contract", "supplies, materials, and parts", "grants, subsidies, refunds, and awards", "in-state travel", "out-of-state travel", and "equipment".

(8) "Pension fund contributions" means the state of Indiana's contributions to a specific retirement fund.

(9) "Personal services" includes payments for salaries and wages to officers and employees of the state (either regular or temporary), payments for compensation awards, and the employer's share of Social Security, health insurance, life insurance, dental insurance, vision insurance, deferred compensation - state match, leave conversion, disability, and retirement fund contributions.

(10) "SSBG" means the Social Services Block Grant. This was formerly referred to as "Title XX".

(11) "State agency" means:

(A) each office, officer, board, commission, department, division, bureau, committee, fund, agency, authority, council, or other instrumentality of the state;

(B) each hospital, penal institution, and other institutional enterprise of the state;

(C) the judicial department of the state; and

(D) the legislative department of the state.

However, this term does not include cities, towns, townships, school cities, school townships, school districts, other municipal corporations or political subdivisions of the state, or universities and colleges supported in whole or in part by state funds.

(12) "State funded community health center" means a public or private not for profit (501(c)(3)) organization that provides comprehensive primary health care services to all age groups.

(13) "Total operating expense" includes payments for both "personal services" and "other operating expense".

(b) The state board of finance may authorize advances to boards or persons having control of the funds of any institution or department of the state of a sum of money out of any appropriation available at such time for the purpose of establishing working capital to provide for payment of expenses in the case of emergency when immediate payment is necessary or expedient. Advance payments shall be made by warrant by the auditor of state, and properly itemized and receipted bills or invoices shall be filed by the board or persons receiving the advance payments.

(c) All money appropriated by this act shall be considered either a direct appropriation or an appropriation from a rotary or revolving fund.

(1) Direct appropriations are subject to withdrawal from the state treasury and for expenditure for such purposes, at such time, and in such manner as may be prescribed by law. Direct appropriations are not subject to return and rewithdrawal from the state treasury, except for the correction of an error which may have occurred in any transaction or for reimbursement of expenditures which have occurred in the same fiscal year.

(2) A rotary or revolving fund is any designated part of a fund that is set apart as working capital in a manner prescribed by law and devoted to a specific purpose or purposes. The fund consists of earnings and income only from certain sources

or combination of sources. The money in the fund shall be used for the purpose designated by law as working capital. The fund at any time consists of the original appropriation to the fund, if any, all receipts accrued to the fund, and all money withdrawn from the fund and invested or to be invested. The fund shall be kept intact by separate entries in the auditor of state's office, and no part of the fund shall be used for any purpose other than the lawful purpose of the fund or revert to any other fund at any time. However, any unencumbered excess above any prescribed amount may be transferred to the state general fund at the close of each fiscal year unless otherwise specified in the Indiana Code.

SECTION 2. [EFFECTIVE JULY 1, 2017]

For the conduct of state government, its offices, funds, boards, commissions, departments, societies, associations, services, agencies, and undertakings, and for other appropriations not otherwise provided by statute, the following sums in SECTIONS 3 through 10 are appropriated for the periods of time designated from the general fund of the state of Indiana or other specifically designated funds.

In this act, whenever there is no specific fund or account designated, the appropriation is from the general fund.

SECTION 3. [EFFECTIVE JULY 1, 2017]

GENERAL GOVERNMENT

A. LEGISLATIVE

FOR THE GENERAL ASSEMBLY

LEGISLATORS' SALARIES - HOUSE		
Total Operating Expense	6,706,080	7,851,879
HOUSE EXPENSES		
Total Operating Expense	11,894,570	12,158,288
LEGISLATORS' SALARIES - SENATE		
Total Operating Expense	2,405,318	2,405,318
SENATE EXPENSES		
Total Operating Expense	9,893,709	11,162,575

Included in the above appropriations for house and senate expenses are funds for a legislative business per diem allowance, meals, and other usual and customary expenses associated with legislative affairs. Except as provided below, this allowance is to be paid to each member of the general assembly for every day, including Sundays, during which the general assembly is convened in regular or special session, commencing with the day the session is officially convened and concluding with the day the session is adjourned sine die. However, after five (5) consecutive days of recess, the legislative business per diem allowance is to be made on an individual voucher basis until the recess concludes.

Each member of the general assembly is entitled, when authorized by the speaker of the house or the president pro tempore of the senate, to the legislative business per diem

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation

allowance for every day the member is engaged in official business.

The legislative business per diem allowance that each member of the general assembly is entitled to receive equals the maximum daily amount allowable to employees of the executive branch of the federal government for subsistence expenses while away from home in travel status in the Indianapolis area. The legislative business per diem changes each time there is a change in that maximum daily amount.

In addition to the legislative business per diem allowance, each member of the general assembly shall receive the mileage allowance in an amount equal to the standard mileage rates for personally owned transportation equipment established by the federal Internal Revenue Service for each mile necessarily traveled from the member's usual place of residence to the state capitol. However, if the member traveled by a means other than by motor vehicle, and the member's usual place of residence is more than one hundred (100) miles from the state capitol, the member is entitled to reimbursement in an amount equal to the lowest air travel cost incurred in traveling from the usual place of residence to the state capitol. During the period the general assembly is convened in regular or special session, the mileage allowance shall be limited to one (1) round trip each week per member.

Any member of the general assembly who is appointed by the governor, speaker of the house, president or president pro tempore of the senate, house or senate minority floor leader, or Indiana legislative council to serve on any research, study, or survey committee or commission, or who attends any meetings authorized or convened under the auspices of the Indiana legislative council, including pre-session conferences and federal-state relations conferences, is entitled, when authorized by the legislative council, to receive the legislative business per diem allowance for each day the member is in actual attendance and is also entitled to a mileage allowance, at the rate specified above, for each mile necessarily traveled from the member's usual place of residence to the state capitol, or other in-state site of the committee, commission, or conference. The per diem allowance and the mileage allowance permitted under this paragraph shall be paid from the legislative council appropriation for legislator and lay member travel unless the member is attending an out-of-state meeting, as authorized by the speaker of the house of representatives or the president pro tempore of the senate, in which case the member is entitled to receive:
(1) the legislative business per diem allowance for each day the member is engaged in approved out-of-state travel; and
(2) reimbursement for traveling expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the legislative council.

Notwithstanding the provisions of this or any other statute, the legislative council may adopt, by resolution, travel policies and procedures that apply only to members of the general assembly or to the staffs of the house of representatives, senate, and legislative services agency, or both members and staffs. The legislative council may apply these travel policies and procedures to lay members serving on research, study, or survey committees or commissions that are under the jurisdiction of the legislative council. Notwithstanding any other law, rule, or policy, the state travel policies and procedures established by the Indiana department of administration and approved

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

by the budget agency do not apply to members of the general assembly, to the staffs of the house of representatives, senate, or legislative services agency, or to lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council (if the legislative council applies its travel policies and procedures to lay members under the authority of this SECTION), except that, until the legislative council adopts travel policies and procedures, the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency apply to members of the general assembly, to the staffs of the house of representatives, senate, and legislative services agency, and to lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council. The executive director of the legislative services agency is responsible for the administration of travel policies and procedures adopted by the legislative council. The auditor of state shall approve and process claims for reimbursement of travel related expenses under this paragraph based upon the written affirmation of the speaker of the house of representatives, the president pro tempore of the senate, or the executive director of the legislative services agency that those claims comply with the travel policies and procedures adopted by the legislative council. If the funds appropriated for the house and senate expenses and legislative salaries are insufficient to pay all the necessary expenses incurred, including the cost of printing the journals of the house and senate, there is appropriated such further sums as may be necessary to pay such expenses.

LEGISLATORS' SUBSISTENCE		
LEGISLATORS' EXPENSES - HOUSE		
Total Operating Expense	**2,872,220**	**2,609,126**
LEGISLATORS' EXPENSES - SENATE		
Total Operating Expense	**1,245,888**	**1,195,888**

Each member of the general assembly is entitled to a subsistence allowance of forty percent (40%) of the maximum daily amount allowable to employees of the executive branch of the federal government for subsistence expenses while away from home in travel status in the Indianapolis area for:
(1) each day that the general assembly is not convened in regular or special session; and
(2) each day after the first session day held in November and before the first session day held in January.

However, the subsistence allowance under subdivision (2) may not be paid with respect to any day after the first session day held in November and before the first session day held in January with respect to which all members of the general assembly are entitled to a legislative business per diem.

The subsistence allowance is payable from the appropriations for legislators' subsistence.

The officers of the senate are entitled to the following amounts annually in addition to the subsistence allowance: president pro tempore, $7,000; assistant president pro tempore, $3,000; majority floor leader, $5,500; assistant majority floor leader(s), $3,500; majority floor leader emeritus, $2,500; majority caucus chair, $5,500; assistant majority caucus chair(s), $1,500; appropriations committee chair, $5,500;

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

tax and fiscal policy committee chair, $5,500; appropriations committee ranking majority member, $2,000; tax and fiscal policy committee ranking majority member, $2,000; majority whip, $4,000; assistant majority whip, $2,000; minority floor leader, $6,000; minority leader emeritus, $1,500; minority caucus chair, $5,000; assistant minority floor leader, $5,000; appropriations committee ranking minority member, $2,000; tax and fiscal policy committee ranking minority member, $2,000; minority whip(s), $2,000; assistant minority whip, $1,000; assistant minority caucus chair(s), $1,000; agriculture committee chair, $1,000; natural resources committee chair, $1,000; public policy committee chair, $1,000; corrections and criminal law committee chair, $1,000; civil law committee chair, $1,000; education and career development chair, $1,000; elections committee chair, $1,000; environmental affairs committee chair, $1,000; family and children services committee chair, $1,000; pensions and labor committee chair, $1,000; health and provider services committee chair, $1,000; homeland security and transportation committee chair, $1,000; veterans affairs and the military committee chair, $1,000; insurance and financial institutions committee chair, $1,000; judiciary committee chair, $1,000; local government committee chair, $1,000; utilities committee chair, $1,000; commerce and technology committee chair, $1,000; appointments and claims committee chair, $1,000; rules and legislative procedure committee chair, $1,000; and ethics committee chair, $1,000. If an officer fills more than one (1) leadership position, the officer shall be paid for the higher paid position.

Officers of the house of representatives are entitled to the following amounts annually in addition to the subsistence allowance: speaker of the house, $7,000; speaker pro tempore, $5,000; deputy speaker pro tempore, $2,000; majority floor leader, $5,500; majority caucus chair, $5,500; majority whip, $4,000; assistant majority floor leader(s), $3,500; assistant majority caucus chair(s), $2,000; assistant majority whip(s), $2,000; ways and means committee chair, $5,500; ways and means committee vice chair, $4,000; ways and means k-12 subcommittee chair, $1,500; ways and means higher education subcommittee chair, $1,500; ways and means budget subcommittee chair, $3,000; minority leader, $5,500; minority floor leader, $4,500; minority caucus chair, $4,500; minority whip, $3,000; assistant minority leader, $1,500; assistant minority floor leader, $1,500; assistant minority caucus chair, $1,500; assistant minority whip, $1,500; ways and means committee ranking minority member, $3,500; agriculture and rural development committee chair, $1,000; commerce, small business, and economic development committee chair, $1,000; courts and criminal code committee chair, $1,000; education committee chair, $1,000; elections and apportionment committee chair, $1,000; employment, labor, and pensions committee chair, $1,000; environmental affairs committee chair, $1,000; statutory committee on legislative ethics committee chair, $1,000; family, children, and human affairs committee chair, $1,000; financial institutions committee chair, $1,000; government and regulatory reform committee chair, $1,000; insurance committee chair, $1,000; statutory committee on interstate and international cooperation committee chair, $1,000; judiciary committee chair, $1,000; local government committee chair, $1,000; natural resources committee chair, $1,000; public health committee chair, $1,000; public policy committee chair, $1,000; roads and transportation committee chair, $1,000; rules and legislative procedures committee chair, $1,000; select committee on government reduction committee chair, $1,000; utilities, energy and telecommunications committee chair, $1,000; and veterans affairs and public safety committee chair,

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

$1,000. If an officer fills more than one (1) leadership position, the officer may be paid for each of the paid positions.

If the senate or house of representatives eliminates a committee or officer referenced in this SECTION and replaces the committee or officer with a new committee or position, the above appropriations for subsistence shall be used to pay for the new committee or officer. However, this does not permit any additional amounts to be paid under this SECTION for a replacement committee or officer than would have been spent for the eliminated committee or officer. If the senate or house of representatives creates a new, additional committee or officer, or assigns additional duties to an existing officer, the above appropriations for subsistence shall be used to pay for the new committee or officer, or to adjust the annual payments made to the existing officer, in amounts determined by the legislative council.

If the funds appropriated for legislators' subsistence are insufficient to pay all the subsistence incurred, there are hereby appropriated such further sums as may be necessary to pay such subsistence.

FOR THE LEGISLATIVE COUNCIL AND THE LEGISLATIVE SERVICES AGENCY		
Total Operating Expense	**18,473,222**	**19,120,021**
LEGISLATOR AND LAY MEMBER TRAVEL		
Total Operating Expense	**847,500**	**847,500**

Included in the above appropriations for the legislative council and legislative services agency expenses are funds for usual and customary expenses associated with legislative services.

If the funds above appropriated for the legislative council and the legislative services agency and for legislator and lay member travel are insufficient to pay all the necessary expenses incurred, there are hereby appropriated such further sums as may be necessary to pay those expenses.

Any person other than a member of the general assembly who is appointed by the governor, speaker of the house, president or president pro tempore of the senate, house or senate minority floor leader, or legislative council to serve on any research, study, or survey committee or commission is entitled, when authorized by the legislative council, to a per diem instead of subsistence of $75 per day during the 2017-2019 biennium. In addition to the per diem, such a person is entitled to mileage reimbursement, at the rate specified for members of the general assembly, for each mile necessarily traveled from the person's usual place of residence to the state capitol or other in-state site of the committee, commission, or conference. However, reimbursement for any out-of-state travel expenses claimed by lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council shall be based on SECTION 14 of this act, until the legislative council applies those travel policies and procedures that govern legislators and their staffs to such lay members as authorized elsewhere in this SECTION. The allowance and reimbursement permitted in this paragraph shall be paid from the legislative council appropriations for legislative and lay member travel unless otherwise provided for by a specific appropriation.

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

Included in the above appropriations for the legislative council and legislative services agency are funds for the printing and distribution of documents published by the legislative council. These documents include journals, bills, resolutions, enrolled documents, the acts of the first and second regular sessions of the 120th general assembly, the supplements to the Indiana Code for fiscal years 2017-2018 and 2018-2019, and the publication of the Indiana Administrative Code and the Indiana Register. Upon completion of the distribution of the Acts and the supplements to the Indiana Code, as provided in IC 2-6-1.5, remaining copies may be sold at a price or prices periodically determined by the legislative council. If the above appropriations for the printing and distribution of documents published by the legislative council are insufficient to pay all of the necessary expenses incurred, there are hereby appropriated such sums as may be necessary to pay such expenses.

STATE VIDEO STREAMING SERVICES		
Build Indiana Fund (IC 4-30-17)		
Total Operating Expense	**375,950**	**387,229**
LEGISLATIVE CLOSED CAPTIONING SERVICES		
Total Operating Expense	**193,500**	**229,500**

If the above appropriations for legislative closed captioning services are insufficient to pay all of the necessary expenses incurred, there are hereby appropriated such sums as may be necessary to pay such expenses.

LEGISLATIVE COUNCIL CONTINGENCY FUND		
Total Operating Expense	**113,062**	**113,062**

Disbursements from the fund may be made only for purposes approved by the chairman and vice chairman of the legislative council.

The legislative services agency shall charge the following fees, unless the legislative council sets these or other fees at different rates:

Annual subscription to the session document service for sessions ending in odd-numbered years: $900

Annual subscription to the session document service for sessions ending in even-numbered years: $500

Per page charge for copies of legislative documents: $0.15

Annual charge for interim calendar: $10

Daily charge for the journal of either house: $2

COUNCIL OF STATE GOVERNMENTS ANNUAL DUES		
Other Operating Expense	**183,061**	**190,383**
NATIONAL CONFERENCE OF STATE LEGISLATURES ANNUAL DUES		
Other Operating Expense	**221,032**	**227,663**

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
NATIONAL BLACK CAUCUS OF STATE LEGISLATORS CONFERENCE			
Other Operating Expense			**250,000**
NATIONAL CONFERENCE OF INSURANCE LEGISLATORS ANNUAL DUES			
Other Operating Expense	**12,000**	**12,000**	
EDUCATION COMMISSION OF THE STATES ANNUAL DUES			
Other Operating Expense	**95,790**	**98,664**	
FOR THE INDIANA LOBBY REGISTRATION COMMISSION			
Total Operating Expense	**337,153**	**347,150**	
FOR THE INDIANA PUBLIC RETIREMENT SYSTEM			
LEGISLATORS' RETIREMENT FUND			
Other Operating Expense	**236,527**	**269,200**	

B. JUDICIAL

FOR THE SUPREME COURT		
Personal Services	**9,939,792**	**9,939,792**
Other Operating Expense	**2,318,198**	**2,318,198**

The above appropriation for the supreme court personal services includes the subsistence allowance as provided by IC 33-38-5-8. The supreme court, through its technology committee, shall review the requests of the court of appeals and the public defender commission for a case management system.

LOCAL JUDGES' SALARIES		
Personal Services	**67,321,679**	**67,650,323**
Other Operating Expense	**1,000**	**1,000**
COUNTY PROSECUTORS' SALARIES		
Personal Services	**31,035,401**	**31,035,401**

The above appropriations for county prosecutors' salaries represent the amounts authorized by IC 33-39-6-5 and that are to be paid from the state general fund.

In addition to the appropriations for local judges' salaries and for county prosecutors' salaries, there are hereby appropriated from the personal services/fringe benefits contingency fund the amounts that the state is required to pay for salary changes or for additional courts created by the 120th general assembly.

TRIAL COURT OPERATIONS		
Total Operating Expense	**746,075**	**746,075**
INDIANA COURT TECHNOLOGY		
Total Operating Expense	**3,000,000**	**3,000,000**
Judicial Technology and Automation Project Fund (IC 33-24-6-12)		
Total Operating Expense	**14,500,000**	**14,500,000**
Augmentation allowed.		

The above appropriation includes funding to develop and implement a statewide electronic filing system for court documents, a case management system, and a public defender

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation

case management system.

INDIANA CONFERENCE FOR LEGAL EDUCATION OPPORTUNITY

Total Operating Expense	778,750	778,750

The above funds are appropriated to the division of state court administration in compliance with the provisions of IC 33-24-13-7.

GUARDIAN AD LITEM

Total Operating Expense	6,570,000	6,570,000

The division of state court administration shall use the above appropriations to administer an office of guardian ad litem and court appointed special advocate services and to provide matching funds to counties that are required to implement, in courts with juvenile jurisdiction, a guardian ad litem and court appointed special advocate program for children who are alleged to be victims of child abuse or neglect under IC 31-33 and to administer the program. A county may use these matching funds to supplement amounts collected as fees under IC 31-40-3 to be used for the operation of guardian ad litem and court appointed special advocate programs. The county fiscal body shall appropriate adequate funds for the county to be eligible for these matching funds. In each fiscal year, the office of guardian ad litem shall set aside at least thirty thousand dollars ($30,000) from the above appropriations to provide older youth foster care.

ADULT GUARDIANSHIP

Total Operating Expense	1,500,000	1,500,000

The above appropriations are for the administration of the office of adult guardianship and to provide matching funds to county courts with probate jurisdiction that implement and administer programs for volunteer advocates for seniors and incapacitated adults who are appointed a guardian under IC 29. Volunteer advocates for seniors and incapacitated adults programs shall provide a match of 50% of the funds appropriated by the division of state court administration of which up to half may be an in-kind match and the remainder must be county funds or other local county resources. Only programs certified by the supreme court are eligible for matching funds. The above appropriations also include funds to develop and maintain an adult guardianship registry to serve as a data repository for adult guardianship cases and guardians appointed by the courts.

CIVIL LEGAL AID

Total Operating Expense	1,500,000	1,500,000

The above appropriations include the appropriation provided in IC 33-24-12-7.

SPECIAL JUDGES - COUNTY COURTS

Total Operating Expense	149,000	149,000

If the funds appropriated above for special judges of county courts are insufficient to pay all of the necessary expenses that the state is required to pay under IC 34-35-1-4, there are hereby appropriated such further sums as may be necessary to pay these

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

expenses.

COMMISSION ON RACE AND GENDER FAIRNESS

Total Operating Expense	**880,996**	**880,996**

JUDICIAL CENTER

Personal Services	**3,150,283**	**3,150,283**
Other Operating Expense	**2,669,197**	**2,669,197**

The above appropriations for the judicial center include funding for the judicial conference and for juvenile justice reform programming.

VETERANS PROBLEM-SOLVING COURTS

Total Operating Expense	**1,000,000**	**1,000,000**

The above appropriations shall be distributed for the establishment, training, and certification of veterans problem-solving courts.

DRUG AND ALCOHOL PROGRAMS FUND

Total Operating Expense	**100,000**	**100,000**

The above funds are appropriated notwithstanding the distribution under IC 33-37-7-9 for the purpose of administering, certifying, and supporting alcohol and drug services programs under IC 12-23-14. However, if additional funds are needed to carry out the purpose of the program, existing revenues in the fund may be allotted.

INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION

Total Operating Expense	**236,180**	**236,180**

PROBATION OFFICERS TRAINING

Total Operating Expense	**750,000**	**750,000**

FOR THE PUBLIC DEFENDER COMMISSION

Total Operating Expense	**19,350,000**	**19,350,000**

The above appropriation is made in addition to the distribution authorized by IC 33-37-7-9(c) for the purpose of reimbursing counties for indigent defense services provided to a defendant. The division of state court administration of the supreme court of Indiana shall administer the public defense fund. The administrative costs may come from the public defense fund. Any balance in the public defense fund is appropriated to the public defender commission. Of the above appropriations, $2,000,000 each year is for the public defense of CHINs.

FOR THE COURT OF APPEALS

Personal Services	**10,705,015**	**10,705,015**
Other Operating Expense	**1,586,352**	**1,593,452**

The above appropriations for the court of appeals personal services include the subsistence allowance provided by IC 33-38-5-8.

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
FOR THE TAX COURT			
Personal Services	730,209	730,209	
Other Operating Expense	156,030	156,030	
FOR THE PUBLIC DEFENDER			
Personal Services	6,322,493	6,322,493	
Other Operating Expense	1,023,837	1,023,837	
FOR THE PUBLIC DEFENDER COUNCIL			
Personal Services	1,117,329	1,117,329	
Other Operating Expense	407,243	407,243	
FOR THE PROSECUTING ATTORNEYS COUNCIL			
Personal Services	706,733	706,733	
Other Operating Expense	508,393	508,393	
DRUG PROSECUTION			
Drug Prosecution Fund (IC 33-39-8-6)			
Total Operating Expense	468,995	468,995	
Augmentation allowed.			
FOR THE INDIANA PUBLIC RETIREMENT SYSTEM			
JUDGES' RETIREMENT FUND			
Other Operating Expense	7,964,306	8,877,616	
PROSECUTORS' RETIREMENT FUND			
Other Operating Expense	2,713,800	2,915,600	
C. EXECUTIVE			
FOR THE GOVERNOR'S OFFICE			
Personal Services	1,812,266	1,812,266	
Other Operating Expense	56,534	56,534	
GOVERNOR'S RESIDENCE			
Total Operating Expense	111,138	111,138	
GOVERNOR'S CONTINGENCY FUND			
Total Operating Expense	5,104	5,104	

Direct disbursements from the above contingency fund are not subject to the provisions of IC 5-22.

GOVERNOR'S FELLOWSHIP PROGRAM			
Total Operating Expense	103,145	103,145	
SUBSTANCE ABUSE PREVENTION, TREATMENT, & ENFORCEMENT			
Addiction Services Fund (IC 12-23-2)			
Total Operating Expense	5,000,000	5,000,000	
FOR THE WASHINGTON LIAISON OFFICE			
Total Operating Expense	53,542	53,542	
FOR THE LIEUTENANT GOVERNOR			

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*
Personal Services	**1,877,783**	**1,877,783**	
Other Operating Expense	**422,217**	**422,217**	
LIEUTENANT GOVERNOR'S CONTINGENCY FUND			
Total Operating Expense	**5,107**	**5,107**	

Direct disbursements from the above contingency fund are not subject to the provisions of IC 5-22.

FOR THE SECRETARY OF STATE

ADMINISTRATION			
Personal Services	**4,300,232**	**4,300,232**	
Other Operating Expense	**1,019,914**	**1,019,914**	
VOTER EDUCATION OUTREACH			
Total Operating Expense	**750,000**	**1,000,000**	

The above appropriations shall be deposited in the voter education outreach fund established by IC 3-6-3.7-4.

FOR THE ATTORNEY GENERAL

ATTORNEY GENERAL

From the General Fund

21,641,910 21,641,910

From the Homeowner Protection Unit Account (IC 4-6-12-9)

500,000 500,000

Augmentation allowed.

From the Consumer Fees and Settlements Fund

1,831,401 1,831,401

Augmentation allowed.

From the Real Estate Appraiser Investigative Fund (IC 25-34.1-8-7.5)

50,000 50,000

Augmentation allowed.

From the Non-Consumer Settlements Fund

600,000 600,000

Augmentation allowed.

From the Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

818,916 818,916

Augmentation allowed.

From the Abandoned Property Fund (IC 32-34-1-33)

820,806 820,806

Augmentation allowed.

The amounts specified from the general fund, homeowner protection unit account, consumer fees and settlements fund, real estate appraiser investigative fund, non-consumer settlements fund, tobacco master settlement agreement fund, and abandoned property fund are for the following purposes:

Personal Services	**24,449,168**	**24,449,168**	
Other Operating Expense	**1,813,865**	**1,813,865**	

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
HOMEOWNER PROTECTION UNIT			
Homeowner Protection Unit Account (IC 4-6-12-9)			
Total Operating Expense	799,572	799,572	
MEDICAID FRAUD UNIT			
Total Operating Expense	1,400,000	1,400,000	

The above appropriations to the Medicaid fraud unit are the state's matching share of funding for the state Medicaid fraud control unit under IC 4-6-10 as prescribed by 42 U.S.C. 1396b(q). Augmentation allowed from collections.

UNCLAIMED PROPERTY			
Abandoned Property Fund (IC 32-34-1-33)			
Personal Services	1,330,555	1,330,555	
Other Operating Expense	2,400,074	2,400,074	
Augmentation allowed.			

D. FINANCIAL MANAGEMENT

FOR THE AUDITOR OF STATE			
Personal Services	4,707,622	4,707,622	
Other Operating Expense	2,225,713	2,225,713	
GOVERNORS' AND GOVERNORS' SURVIVING SPOUSES' PENSIONS			
Total Operating Expense	188,065	188,065	

The above appropriations for governors' and governors' surviving spouses' pensions are made under IC 4-3-3.

FOR THE STATE BOARD OF ACCOUNTS			
Personal Services	14,724,120	14,724,120	
STATE BOARD OF ACCOUNTS DEDICATED FUND			
State Board of Accounts Dedicated Fund			
Total Operating Expense	9,467,094	10,330,632	
FOR THE STATE BUDGET COMMITTEE			
Total Operating Expense	44,000	44,000	

Notwithstanding IC 4-12-1-11(b), the salary per diem of the legislative members of the budget committee is an amount equal to one hundred fifty percent (150%) of the legislative business per diem allowance. If the above appropriations are insufficient to carry out the necessary operations of the budget committee, there are hereby appropriated such further sums as may be necessary.

FOR THE OFFICE OF MANAGEMENT AND BUDGET			
Personal Services	408,538	408,538	
Other Operating Expense	306,200	106,200	

The above appropriation includes $200,000 in fiscal year 2018 for a water data hub.

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

In addiiton, the above appropriation includes $30,000 annually for the local pension report.

DISTRESSED UNIT APPEALS BOARD

Total Operating Expense	**3,000,000**	**3,000,000**	

The Distressed Unit Appeals Board shall evaluate the financial condition of the Muncie Community School Corporation.

MANAGEMENT AND PERFORMANCE HUB

Total Operating Expense	**3,000,000**	**3,000,000**	

The above appropriation includes $500,000 in fiscal year 2018 for Medicaid and unemployment insurance fraud prevention and $300,000 in fiscal year 2018 to reduce recidivism at the department of correction.

FOR THE STATE BUDGET AGENCY

Personal Services	**2,770,905**	**2,770,905**	
Other Operating Expense	**422,812**	**422,812**	

DEPARTMENTAL AND INSTITUTIONAL EMERGENCY CONTINGENCY FUND

Total Operating Expense			**1,940,000**

The above departmental and institutional emergency contingency fund appropriation is subject to allotment to departments, institutions, and all state agencies by the budget agency with the approval of the governor. These allocations may be made upon written request of proper officials, showing that contingencies exist that require additional funds for meeting necessary expenses. The budget committee shall be advised of each transfer request and allotment.

OUTSIDE BILL CONTINGENCY

Total Operating Expense	**1**	**1**	

PERSONAL SERVICES/FRINGE BENEFITS CONTINGENCY

Total Operating Expense			**20,000,000**
Personal Services/Fringe Benefits Contingency Fund			
Total Operating Expense			**60,000,000**

The above personal services/fringe benefits contingency appropriations shall be allotted in the amount requested by the judicial branch, the legislative branch, and statewide elected officials by the budget agency. The above personal services/fringe benefits contingency appropriations may be allotted to departments, institutions, and all state agencies by the budget agency with the approval of the governor.

The above personal services/fringe benefits contingency appropriations may be used only for salary increases, fringe benefit increases, an employee leave conversion program, state retiree health programs, or related expenses.

Of the above appropriation, $5,240,000 shall be paid to the Indiana public retirement system (IC 5-10.5-3-1) in each fiscal year to fund thirteenth checks for retired

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation

members of the public employees' retirement fund, the state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement plan, the state police pre-1987 benefit system, and the state police 1987 benefit system.

RETIREE HEALTH BENEFIT TRUST FUND

Retiree Health Benefit Trust Fund (IC 5-10-8-8.5)		
Total Operating Expense	17,551,576	17,551,576

Augmentation Allowed.

The above appropriation for the retiree health plan:
(1) is to fund employer contributions and benefits provided under IC 5-10-8.5;
(2) does not revert at the end of any state fiscal year but remains available for the purposes of the appropriation in subsequent state fiscal years; and
(3) is not subject to transfer to any other fund or to transfer, assignment, or reassignment for any other use or purpose by the state board of finance notwithstanding IC 4-9.1-1-7 and IC 4-13-2-23 or by the budget agency notwithstanding IC 4-12-1-12 or any other law.

The budget agency may transfer appropriations from federal or dedicated funds to the trust fund to accrue funds to pay benefits to employees that are not paid from the general fund.

DIRECT FLIGHTS

Total Operating Expense	2,000,000	2,000,000

The above appropriations may be used to subsidize only international direct flights.

SCHOOL AND LIBRARY INTERNET CONNECTION

Build Indiana Fund (IC 4-30-17-3)		
Total Operating Expense	3,500,000	3,500,000

Of the above appropriations, $2,415,000 each year shall be used for schools under IC 4-34-3-4, and $1,085,000 each year shall be used for libraries under IC 4-34-3-2, including schools and libraries that are not part of the ENA consortium.

INSPIRE

Other Operating Expense	1,382,250	1,382,250

The above appropriations shall be used for the INSPIRE project under IC 4-34-3-2.

FOR THE INDIANA PUBLIC RETIREMENT SYSTEM

PUBLIC SAFETY PENSION

Total Operating Expense	150,000,000	145,000,000

Augmentation Allowed.

FOR THE TREASURER OF STATE

Personal Services	1,230,712	1,230,712
Other Operating Expense	51,035	51,035

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
ABLE AUTHORITY (IC 12-11-14)			
Total Operating Expense	**255,466**	**235,966**	

E. TAX ADMINISTRATION

FOR THE DEPARTMENT OF REVENUE

COLLECTION AND ADMINISTRATION			
Personal Services	**44,725,070**	**45,074,218**	
Other Operating Expense	**26,165,075**	**26,115,927**	

With the approval of the governor and the budget agency, the department shall annually reimburse the state general fund for expenses incurred in support of the collection of dedicated fund revenue according to the department's cost allocation plan.

With the approval of the governor and the budget agency, the foregoing sums for the department of state revenue may be augmented to an amount not exceeding in total, together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department of state revenue from taxes and fees.

OUTSIDE COLLECTIONS			
Total Operating Expense	**5,044,000**	**5,044,000**	

With the approval of the governor and the budget agency, the foregoing sums for the department of state revenue's outside collections may be augmented to an amount not exceeding in total, together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department from taxes and fees.

MOTOR CARRIER REGULATION			
Motor Carrier Regulation Fund (IC 8-2.1-23)			
Personal Services	**3,293,335**	**3,293,335**	
Other Operating Expense	**4,066,621**	**4,066,621**	

Augmentation allowed from the Motor Carrier Regulation Fund.

FOR THE INDIANA GAMING COMMISSION

From the State Gaming Fund (IC 4-33-13-2)			
	2,918,000	**2,918,000**	
From the Gaming Investigations Fund			
	600,000	**600,000**	

The amounts specified from the state gaming fund and gaming investigations fund are for the following purposes:

Personal Services	**2,890,320**	**2,890,320**	
Other Operating Expense	**627,680**	**627,680**	

The above appropriations to the Indiana gaming commission are made from revenues accruing to the state gaming fund under IC 4-33 before any distribution is made under IC 4-33-13-5.

Augmentation allowed.

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
The above appropriations to the Indiana gaming commission are made instead of the appropriation made in IC 4-33-13-4.			
GAMING SALARY MATRIX ADJUSTMENT			
State Gaming Fund (IC 4-33-13-2)			
Total Operating Expense	**873,743**	**1,747,486**	
ATHLETIC COMMISSION			
State Gaming Fund (IC 4-33-13-3)			
Total Operating Expense	**64,587**	**64,587**	
Augmentation Allowed			
Athletic Fund (IC 4-33-22-9)			
Total Operating Expense	**100,000**	**100,000**	
Augmentation Allowed			
FANTASY SPORTS REGULATION AND ADMINISTRATION			
Fantasy Sports Regulation and Administration Fund (IC 4-33-24-28)			
Total Operating Expense	**441,314**	**441,314**	
Augmentation Allowed			
FOR THE INDIANA HORSE RACING COMMISSION			
Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)			
Personal Services	**1,761,370**	**1,761,370**	
Other Operating Expense	**310,799**	**310,799**	
The above appropriations to the Indiana horse racing commission are made from revenues accruing to the Indiana horse racing commission before any distribution is made under IC 4-31-9.			
Augmentation allowed.			
FINGERPRINT FEES			
Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)			
Total Operating Expense	**10,400**	**10,400**	
Augmentation allowed.			
FOR THE DEPARTMENT OF LOCAL GOVERNMENT FINANCE			
Personal Services	**2,640,021**	**2,640,021**	
Other Operating Expense	**993,119**	**993,119**	
FOR THE INDIANA BOARD OF TAX REVIEW			
Personal Services	**1,466,883**	**1,466,883**	
Other Operating Expense	**70,416**	**70,416**	
F. ADMINISTRATION			
FOR THE DEPARTMENT OF ADMINISTRATION			
Personal Services	**9,566,483**	**9,566,483**	
Other Operating Expense	**16,535,201**	**16,535,201**	
MOTOR POOL ROTARY FUND			
General Fund			
Total Operating Expense	**10,422,921**	**10,730,930**	

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*
Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)			
Total Operating Expense	**29,300**	**0**	
Motor Fuel Inspection Fund (IC 16-44-3-10)			
Total Operating Expense	**143,000**	**44,000**	
Entomology and Plant Pathology Fund (IC 14-24-10-3)			
Total Operating Expense	**72,000**	**0**	
Charity Gaming Enforcement Fund (IC 4-32.2-7-3)			
Total Operating Expense	**98,550**	**100,500**	
Title V Operating Permit Program Trust Fund (IC 13-17-8-1)			
Total Operating Expense	**81,000**	**315,500**	
Integrated Public Safety Communications Fund (IC 5-26-4-1)			
Total Operating Expense	**27,000**	**54,500**	
Land and Water Resources Fund (IC 14-25-10-2)			
Total Operating Expense	**27,000**	**0**	
Enforcement and Administration Fund (IC 7.1-4-10-1)			
Total Operating Expense	**311,725**	**206,725**	
Fire and Building Services Fund (IC 22-12-6-1)			
Total Operating Expense	**100,000**	**110,800**	
Public Utility Fund (IC 8-1-6-1)			
Total Operating Expense	**45,000**	**45,200**	
Law Enforcement Academy Fund (IC 5-2-1-13)			
Total Operating Expense	**15,271**	**0**	
State Parks and Reservoirs Special Revenue Fund (IC 14-19-8-2)			
Total Operating Expense	**1,064,401**	**1,111,100**	
Fish and Wildlife Fund (IC 14-22-3-2)			
Total Operating Expense	**506,343**	**558,000**	
Natural Resources Reclamation Division Fund (IC 14-34-14-2)			
Total Operating Expense	**27,000**	**0**	
State Highway Fund (IC 8-23-9-54)			
Total Operating Expense	**1,492,500**	**1,500,000**	
Administration Services Revolving Fund			
Total Operating Expense	**21,200**	**0**	
Equine Health & Care Programs Fund			
Total Operating Expense	**107,600**	**81,900**	

The budget agency may transfer portions of the above dedicated fund appropriations from the department of administration back to the agency that provided the appropriation if necessary.

In addition to the appropriations above, the budget agency with the approval of the governor may transfer appropriations to the motor pool rotary fund for the purchase of vehicles and related equipment.

FOR THE STATE PERSONNEL DEPARTMENT		
Personal Services	**2,658,561**	**2,658,561**
Other Operating Expense	**179,800**	**179,800**
FOR THE STATE EMPLOYEES' APPEALS COMMISSION		
Personal Services	**115,378**	**115,378**

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
Other Operating Expense	**20,441**	**20,441**	
FOR THE OFFICE OF TECHNOLOGY			
PAY PHONE FUND			
Correctional Facilities Calling System Fund (IC 5-22-23-7)			
Total Operating Expense	**1,280,000**	**1,280,000**	
Augmentation allowed.			

The pay phone fund is established for the procurement of hardware, software, and related equipment and services needed to expand and enhance the state campus backbone and other central information technology initiatives. Such procurements may include, but are not limited to, wiring and rewiring of state offices, Internet services, video conferencing, telecommunications, application software, and related services. Notwithstanding IC 5-22-23-5, the fund consists of the net proceeds received from contracts with companies providing phone services at state institutions and other state properties. The fund shall be administered by the office of technology. Money in the fund may be spent by the office in compliance with a plan approved by the budget agency. Any money remaining in the fund at the end of any fiscal year does not revert to the general fund or any other fund but remains in the pay phone fund.

FOR THE INDIANA ARCHIVES AND RECORDS ADMINISTRATION			
Personal Services	**1,369,094**	**1,369,094**	
Other Operating Expense	**363,459**	**363,459**	
FOR THE OFFICE OF THE PUBLIC ACCESS COUNSELOR			
Personal Services	**181,766**	**181,766**	
Other Operating Expense	**10,618**	**10,618**	
FOR THE OFFICE OF STATE-BASED INITIATIVES			
Total Operating Expense	**104,305**	**104,305**	
G. OTHER			
FOR THE COMMISSION ON UNIFORM STATE LAWS			
Total Operating Expense	**97,811**	**87,498**	
FOR THE OFFICE OF INSPECTOR GENERAL			
Personal Services	**1,092,496**	**1,092,496**	
Other Operating Expense	**54,563**	**54,563**	
STATE ETHICS COMMISSION			
Other Operating Expense	**12,543**	**12,543**	
FOR THE SECRETARY OF STATE			
ELECTION DIVISION			
Personal Services	**929,346**	**929,346**	
Other Operating Expense	**292,039**	**292,039**	
VOTER LIST MAINTENANCE			
Total Operating Expense			**2,500,000**
VOTER REGISTRATION SYSTEM			

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*
Total Operating Expense	**3,211,784**	**3,211,784**	
VOTER SYSTEM TECHNICAL OVERSIGHT PROGRAM			
Total Operating Expense	**595,000**	**595,000**	

SECTION 4. [EFFECTIVE JULY 1, 2017]

PUBLIC SAFETY

A. CORRECTION

FOR THE DEPARTMENT OF CORRECTION			
CENTRAL OFFICE			
Personal Services	**11,353,563**	**11,353,563**	
Other Operating Expense	**28,448,619**	**31,212,122**	
ESCAPEE COUNSEL AND TRIAL EXPENSE			
Other Operating Expense	**284,489**	**284,489**	
COUNTY JAIL MISDEMEANANT HOUSING			
Total Operating Expense	**4,152,639**	**4,152,639**	
ADULT CONTRACT BEDS			
Total Operating Expense	**1,090,304**	**1,090,304**	
STAFF DEVELOPMENT AND TRAINING			
Personal Services	**1,481,938**	**1,481,938**	
Other Operating Expense	**107,308**	**107,308**	
PAROLE BOARD			
Personal Services	**748,660**	**748,660**	
Other Operating Expense	**21,896**	**21,896**	
INFORMATION MANAGEMENT SERVICES			
Personal Services	**880,598**	**880,598**	
Other Operating Expense	**230,944**	**230,944**	
JUVENILE TRANSITION			
Personal Services	**408,347**	**408,347**	
Other Operating Expense	**724,880**	**724,880**	
COMMUNITY CORRECTIONS PROGRAMS			
Total Operating Expense	**72,424,747**	**72,424,747**	

The above appropriations for community corrections programs are not subject to transfer to any other fund or to transfer, assignment, or reassignment for any other use or purpose by the state board of finance notwithstanding IC 4-9.1-1-7 and IC 4-13-2-23 or by the budget agency notwithstanding IC 4-12-1-12 or any other law.

Notwithstanding IC 4-13-2-19 and any other law, the above appropriations for community corrections programs do not revert to the general fund or another fund at the close of a state fiscal year but remain available in subsequent state fiscal years for the purposes of the program.

The appropriations are not subject to having allotment withheld by the state budget agency.

CENTRAL EMERGENCY RESPONSE

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*
Personal Services	**1,008,407**	**1,008,407**	
Other Operating Expense	**190,866**	**190,866**	
MEDICAL SERVICES			
Other Operating Expense	**68,772,099**	**68,772,099**	

The above appropriations for medical services shall be used only for services that are determined to be medically necessary. If a person provides medical services to committed individuals as provided in this paragraph and receives medical services payments in a state fiscal year from the above appropriations for providing those medical services, the person shall report the following to the budget committee not more than one (1) month after the end of that state fiscal year:
(1) The number of individuals to whom the person provided medical services as provided in this paragraph in the state fiscal year.
(2) The amount of medical service payments received from the above appropriations in the state fiscal year for providing such medical services.

DRUG ABUSE PREVENTION			
Drug Abuse Fund (IC 11-8-2-11)			
Total Operating Expense	**150,000**	**150,000**	
Augmentation allowed.			
COUNTY JAIL MAINTENANCE CONTINGENCY FUND			
Other Operating Expense	**17,895,366**	**17,895,366**	

Disbursements from the fund shall be made for the purpose of reimbursing sheriffs for the cost of incarcerating in county jails persons convicted of felonies to the extent that such persons are incarcerated for more than five (5) days after the day of sentencing or the date upon which the department of correction receives the abstract of judgment and sentencing order, whichever occurs later, at a rate to be determined by the department of correction and approved by the state budget agency. The rate shall be based upon programming provided, and shall be $35 per day. All requests for reimbursement shall be in conformity with department of correction policy. In addition to the per diem, the state shall reimburse the sheriffs for expenses determined by the sheriff to be medically necessary medical care to the convicted persons. However, if the sheriff or county receives money with respect to a convicted person (from a source other than the county), the per diem or medical expense reimbursement with respect to the convicted person shall be reduced by the amount received. A sheriff shall not be required to comply with IC 35-38-3-4(a) or transport convicted persons within five (5) days after the day of sentencing if the department of correction does not have the capacity to receive the convicted person.

The above appropriations for the county jail maintenance contingency fund are not subject to transfer to any other fund or to transfer, assignment, or reassignment for any other use or purpose by the state board of finance notwithstanding IC 4-9.1-1-7 and IC 4-13-2-23 or by the budget agency notwithstanding IC 4-12-1-12 or any other law.

Notwithstanding IC 4-13-2-19 and any other law, the above appropriations for the county jail maintenance contingency fund do not revert to the general fund or another fund at the close of a state fiscal year but remain available in subsequent state

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

fiscal years for the purposes of the fund.

The appropriations are not subject to having allotment withheld by the state budget agency.

FOOD SERVICES		
Total Operating Expense	**36,381,682**	**36,381,682**
EDUCATIONAL SERVICES		
Other Operating Expense	**8,782,170**	**8,782,170**
JUVENILE DETENTION ALTERNATIVES INITIATIVE (JDAI)		
Total Operating Expense	**3,000,000**	**3,000,000**
FOR THE PAROLE DIVISION		
PAROLE DIVISION		
Total Operating Expense	**11,738,041**	**11,738,041**

Of the above appropriations, the division shall utilize no less than 500 GPS ankle bracelets for monitoring.

FOR THE FIRST TIME OFFENDERS AT HERITAGE TRAILS		
FIRST TIME OFFENDERS FACILITY AT HERITAGE TRAILS		
Total Operating Expense	**9,542,860**	**9,542,860**
FOR THE SOUTH BEND WORK RELEASE CENTER		
SOUTH BEND WORK RELEASE CENTER		
General Fund		
Total Operating Expense	**2,278,033**	**2,278,033**
Work Release (IC 11-10-8-6.5)		
Total Operating Expense	**350,000**	**350,000**

Augmentation allowed from Work Release - Study Release Special Revenue Fund.

FOR THE STATE BUDGET AGENCY		
MEDICAL SERVICE PAYMENTS		
Total Operating Expense	**25,000,000**	**25,000,000**

These appropriations for medical service payments are made to pay for services determined to be medically necessary for committed individuals, patients and students of institutions under the jurisdiction of the department of correction, the state department of health, the division of mental health and addiction, the school for the blind and visually impaired, the school for the deaf, the division of disability and rehabilitative services, or the division of aging if the services are provided outside these institutions. These appropriations may not be used for payments for medical services that are covered by IC 12-16 unless these services have been approved under IC 12-16. These appropriations shall not be used for payment for medical services which are payable from an appropriation in this act for the state department of health, the division of mental health and addiction, the school for the blind and visually impaired, the school for the deaf, the division of disability and rehabilitative services, the division of aging, or the department of correction, or that are reimbursable from funds for medical assistance under

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
IC 12-15. If these appropriations are insufficient to make these medical service payments, there is hereby appropriated such further sums as may be necessary.			
Direct disbursements from the above contingency fund are not subject to the provisions of IC 4-13-2.			
FOR THE DEPARTMENT OF ADMINISTRATION			
DEPARTMENT OF CORRECTION OMBUDSMAN BUREAU			
Personal Services	**143,063**	**143,063**	
Other Operating Expense	**3,581**	**3,581**	
FOR THE DEPARTMENT OF CORRECTION			
INDIANA STATE PRISON			
Personal Services	**32,977,405**	**32,977,405**	
Other Operating Expense	**4,925,297**	**4,925,297**	
PENDLETON CORRECTIONAL FACILITY			
Personal Services	**29,534,558**	**29,534,558**	
Other Operating Expense	**4,463,373**	**4,463,373**	
CORRECTIONAL INDUSTRIAL FACILITY			
Personal Services	**19,789,190**	**19,789,190**	
Other Operating Expense	**1,207,324**	**1,207,324**	
INDIANA WOMEN'S PRISON			
Personal Services	**10,902,444**	**10,902,444**	
Other Operating Expense	**1,026,562**	**1,026,562**	
PUTNAMVILLE CORRECTIONAL FACILITY			
Personal Services	**28,544,023**	**28,544,023**	
Other Operating Expense	**2,805,487**	**2,805,487**	
WABASH VALLEY CORRECTIONAL FACILITY			
Personal Services	**36,051,360**	**36,051,360**	
Other Operating Expense	**3,967,930**	**3,967,930**	
INDIANAPOLIS RE-ENTRY EDUCATION FACILITY			
Personal Services	**6,285,556**	**6,285,556**	
Other Operating Expense	**916,470**	**916,470**	
BRANCHVILLE CORRECTIONAL FACILITY			
Personal Services	**15,406,508**	**15,406,508**	
Other Operating Expense	**1,936,446**	**1,936,446**	
WESTVILLE CORRECTIONAL FACILITY			
Personal Services	**40,929,301**	**40,929,301**	
Other Operating Expense	**5,055,346**	**5,055,346**	
ROCKVILLE CORRECTIONAL FACILITY FOR WOMEN			
Personal Services	**14,357,303**	**14,357,303**	
Other Operating Expense	**1,724,849**	**1,724,849**	
PLAINFIELD CORRECTIONAL FACILITY			
Personal Services	**20,324,963**	**20,324,963**	
Other Operating Expense	**3,052,817**	**3,052,817**	
RECEPTION AND DIAGNOSTIC CENTER			
Personal Services	**13,058,875**	**13,058,875**	
Other Operating Expense	**892,132**	**892,132**	
MIAMI CORRECTIONAL FACILITY			

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*
Personal Services	**29,422,866**	**29,422,866**	
Other Operating Expense	**4,262,721**	**4,262,721**	
NEW CASTLE CORRECTIONAL FACILITY			
Other Operating Expense	**41,130,553**	**41,130,553**	
CHAIN O' LAKES CORRECTIONAL FACILITY			
Personal Services	**1,479,073**	**1,479,073**	
Other Operating Expense	**187,549**	**187,549**	
MADISON CORRECTIONAL FACILITY			
Personal Services	**7,884,180**	**7,884,180**	
Other Operating Expense	**1,231,805**	**1,231,805**	
EDINBURGH CORRECTIONAL FACILITY			
Personal Services	**3,840,693**	**3,840,693**	
Other Operating Expense	**367,706**	**367,706**	
NORTH CENTRAL JUVENILE CORRECTIONAL FACILITY			
Personal Services	**11,552,899**	**11,552,899**	
Other Operating Expense	**713,364**	**713,364**	
CAMP SUMMIT			
Personal Services	**3,693,495**	**3,693,495**	
Other Operating Expense	**186,739**	**186,739**	
PENDLETON JUVENILE CORRECTIONAL FACILITY			
Personal Services	**16,294,327**	**16,294,327**	
Other Operating Expense	**982,808**	**982,808**	
MADISON JUVENILE CORRECTIONAL FACILITY			
Personal Services	**4,900,868**	**4,900,868**	
Other Operating Expense	**1,256,039**	**1,256,039**	

B. LAW ENFORCEMENT

FOR THE INDIANA STATE POLICE AND MOTOR CARRIER INSPECTION

From the General Fund

119,097,359 119,097,359

From the Motor Carrier Regulation Fund (IC 8-2.1-23)

4,191,833 4,191,833

Augmentation allowed from the motor carrier regulation fund.

The amounts specified from the General Fund and the Motor Carrier Regulation Fund are for the following purposes:

Personal Services	**107,386,481**	**107,386,481**
Other Operating Expense	**15,902,711**	**15,902,711**

The above appropriations for personal services and other operating expense include funds to continue the state police minority recruiting program.

The above appropriations for the Indiana state police and motor carrier inspection include funds for the police security detail to be provided to the Indiana state fair board. However, amounts actually expended to provide security for the Indiana state fair board as determined by the budget agency shall be reimbursed by the Indiana state fair board to the state general fund.

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*
ISP SALARY MATRIX ADJUSTMENT			
Personal Services	**10,411,975**	**20,823,950**	

The above appropriations are for an adjustment to the ISP salary matrix.

MOTOR CARRIER INSPECTOR SALARY MATRIX ADJUSTMENT			
Total Operating Expense	**125,093**	**250,185**	
CAPITOL POLICE SALARY MATRIX ADJUSTMENT			
Total Operating Expense	**174,949**	**349,899**	
ISP OPEB CONTRIBUTION			
Total Operating Expense	**13,350,700**	**12,575,902**	
INDIANA INTELLIGENCE FUSION CENTER			
Total Operating Expense	**1,372,939**	**1,372,939**	
ODOMETER FRAUD INVESTIGATION			
Motor Vehicle Odometer Fund (IC 9-14-14-2)			
Total Operating Expense	**94,200**	**94,200**	
Augmentation allowed.			
STATE POLICE TRAINING			
State Police Training Fund (IC 5-2-8-5)			
Total Operating Expense	**500,000**	**500,000**	
Augmentation allowed.			
FORENSIC AND HEALTH SCIENCES LABORATORIES			
From the General Fund			
11,317,003 11,317,003			
From the Motor Carrier Regulation Fund (IC 8-2.1-23)			
398,320 398,320			
Augmentation allowed from the general fund and the motor carrier regulation fund.			

The amounts specified from the Motor Carrier Regulation Fund are for the following purposes:

Personal Services	**11,435,323**	**11,435,323**
Other Operating Expense	**280,000**	**280,000**
ENFORCEMENT AID		
Total Operating Expense	**72,518**	**72,518**

The above appropriations for enforcement aid are to meet unforeseen emergencies of a confidential nature. They are to be expended under the direction of the superintendent and to be accounted for solely on the superintendent's authority.

PENSION FUND		
Total Operating Expense	**20,650,000**	**24,150,000**

The above appropriations shall be paid into the state police pension fund provided for in IC 10-12-2 in twelve (12) equal installments on or before July 30 and on or before

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

the 30th of each succeeding month thereafter.

BENEFIT FUND

Total Operating Expense	**5,500,000**	**5,600,000**

All benefits to members shall be paid by warrant drawn on the treasurer of state by the auditor of state on the basis of claims filed and approved by the trustees of the state police pension and benefit funds created by IC 10-12-2.

SUPPLEMENTAL PENSION

Total Operating Expense	**3,125,000**	**3,125,000**

If the above appropriations for supplemental pension for any one (1) year are greater than the amount actually required under the provisions of IC 10-12-5, then the excess shall be returned proportionately to the funds from which the appropriations were made. If the amount actually required under IC 10-12-5 is greater than the above appropriations, then, with the approval of the governor and the budget agency, those sums may be augmented from the general fund.

ACCIDENT REPORTING

Accident Report Account (IC 9-26-9-3)

Total Operating Expense	**5,000**	**5,000**

Augmentation allowed.

DRUG INTERDICTION

Drug Interdiction Fund (IC 10-11-7)

Total Operating Expense	**208,550**	**208,550**

Augmentation allowed.

DNA SAMPLE PROCESSING FUND

DNA Sample Processing Fund (IC 10-13-6-9.5)

Total Operating Expense	**1,312,304**	**1,312,304**

Augmentation allowed.

FOR THE INTEGRATED PUBLIC SAFETY COMMISSION

PROJECT SAFE-T

Integrated Public Safety Communications Fund (IC 5-26-4-1)

Total Operating Expense	**11,874,947**	**11,874,947**

Augmentation allowed.

FOR THE ADJUTANT GENERAL

Personal Services	**3,127,119**	**3,127,119**
Other Operating Expense	**4,382,454**	**4,382,454**

CAMP ATTERBURY MUSCATATUCK CENTER FOR COMPLEX OPERATIONS

Personal Services	**554,085**	**554,085**
Other Operating Expense	**23,106**	**23,106**

DISABLED SOLDIERS' PENSION

Total Operating Expense	**1**	**1**

Augmentation allowed.

MUTC - MUSCATATUCK URBAN TRAINING CENTER

Total Operating Expense	**933,306**	**933,306**

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
HOOSIER YOUTH CHALLENGE ACADEMY			
Total Operating Expense	**2,438,850**	**2,438,850**	
GOVERNOR'S CIVIL AND MILITARY CONTINGENCY FUND			
Total Operating Expense	**119,004**	**119,004**	

The above appropriations for the governor's civil and military contingency fund are made under IC 10-16-11-1.

FOR THE CRIMINAL JUSTICE INSTITUTE

ADMIN. MATCH			
Total Operating Expense	**402,002**	**402,002**	
DRUG ENFORCEMENT MATCH			
Total Operating Expense	**869,347**	**869,347**	

To facilitate the duties of the Indiana criminal justice institute as outlined in IC 5-2-6-3, the above appropriation is not subject to the provisions of IC 4-9.1-1-7 when used to support other state agencies through the awarding of state match dollars.

VICTIM AND WITNESS ASSISTANCE FUND			
Victim and Witness Assistance Fund (IC 5-2-6-14)			
Total Operating Expense	**723,609**	**723,609**	
Augmentation allowed.			
ENHANCED ENFORCEMENT DRUG MITIGATION AREA PILOT PROGRAM			
Total Operating Expense	**250,000**	**250,000**	
ALCOHOL AND DRUG COUNTERMEASURES			
Alcohol and Drug Countermeasures Fund (IC 9-27-2-11)			
Total Operating Expense	**337,765**	**337,765**	
Augmentation allowed.			
STATE DRUG FREE COMMUNITIES FUND			
State Drug Free Communities Fund (IC 5-2-10-2)			
Total Operating Expense	**560,662**	**560,662**	
Augmentation allowed.			
INDIANA SAFE SCHOOLS			
General Fund			
Total Operating Expense	**1,095,340**	**1,095,340**	
Indiana Safe Schools Fund (IC 5-2-10.1-2)			
Total Operating Expense	**400,053**	**400,053**	
Augmentation allowed from Indiana Safe Schools Fund.			

The above appropriations for the Indiana safe schools program are for the purpose of providing grants to school corporations and charter schools for school safe haven programs, emergency preparedness programs, and school safety programs. The criminal justice institute shall transfer $750,000 each fiscal year to the department of education to provide training to school safety specialists.

CHILD RESTRAINT SYSTEM FUND			
Child Restraint System Account (IC 9-19-11-9)			
Total Operating Expense	**145,500**	**145,500**	
HIGHWAY PASSENGER & COMMERCIAL VEHICLE GRANT			

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*
Office of Traffic Safety			
Total Operating Expense	**507,633**	**507,633**	

The above appropriation for the office of traffic safety may be used to cover the state match requirement for this program according to the current highway safety plan approved by the governor and the budget agency.

SEXUAL ASSAULT VICTIMS' ASSISTANCE			
Total Operating Expense	**1,500,000**	**1,500,000**	
Sexual Assault Victims Assistance Fund (IC 5-2-6-23(j))			
Total Operating Expense	**25,000**	**25,000**	
Augmentation allowed.			
VICTIMS OF VIOLENT CRIME ADMINISTRATION			
Social Services Block Grant			
Total Operating Expense	**636,763**	**636,763**	
Violent Crime Victims Compensation Fund (IC 5-2-6.1-40)			
Personal Services	**146,050**	**146,050**	
Other Operating Expense	**2,415,950**	**2,415,950**	
Augmentation allowed.			
DOMESTIC VIOLENCE PREVENTION AND TREATMENT			
General Fund			
Total Operating Expense	**5,000,000**	**5,000,000**	
Domestic Violence Prevention and Treatment Fund (IC 5-2-6.7-4)			
Total Operating Expense	**1,064,334**	**1,064,334**	
Augmentation allowed.			

The above appropriations are for programs and treatment for the prevention of domestic violence. The appropriations may not be used to construct or rehabilitate a shelter.

FOR THE DEPARTMENT OF TOXICOLOGY			
General Fund			
Total Operating Expense	**2,344,728**	**2,344,728**	
Breath Test Training and Certification Fund (IC 10-20-2-9)			
Total Operating Expense	**355,000**	**355,000**	
Augmentation allowed.			
FOR THE CORONERS TRAINING BOARD			
Coroners Training and Continuing Education Fund (IC 4-23-6.5-8)			
Total Operating Expense	**388,000**	**388,000**	
Augmentation allowed.			
FOR THE LAW ENFORCEMENT TRAINING ACADEMY			
From the General Fund			
1,927,671	**1,927,671**		
From the Law Enforcement Academy Fund (IC 5-2-1-13)			
2,125,467	**2,125,467**		
Augmentation allowed from the Law Enforcement Academy Fund.			

The amounts specified from the General Fund and the Law Enforcement Academy Fund

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
are for the following purposes:			
Personal Services	3,472,021	3,472,021	
Other Operating Expense	581,117	581,117	
C. REGULATORY AND LICENSING			
FOR THE BUREAU OF MOTOR VEHICLES			
Personal Services	15,957,952	15,957,952	
Other Operating Expense	11,988,932	11,988,932	
LICENSE PLATES			
Bureau of Motor Vehicles Commission Fund (IC 9-14-14-1)			
Total Operating Expense	8,605,503	14,205,503	
Augmentation allowed.			
FINANCIAL RESPONSIBILITY COMPLIANCE VERIFICATION			
Financial Responsibility Compliance Verification Fund (IC 9-25-9-7)			
Total Operating Expense	6,183,531	6,183,531	
Augmentation allowed.			
STATE MOTOR VEHICLE TECHNOLOGY			
State Motor Vehicle Technology Fund (IC 9-14-14-3)			
Total Operating Expense	4,950,726	4,950,726	
Augmentation allowed.			
MOTORCYCLE OPERATOR SAFETY			
Motorcycle Operator Safety Education Fund (IC 9-27-7-7)			
Total Operating Expense	1,080,251	1,080,251	
Augmentation allowed.			
FOR THE DEPARTMENT OF LABOR			
Personal Services	722,402	722,402	
Other Operating Expense	70,074	70,074	
BUREAU OF MINES AND MINING			
Personal Services	179,564	179,564	
Other Operating Expense	23,804	23,804	
QUALITY, METRICS, AND STATISTICS (MIS)			
Other Operating Expense	120,794	120,794	
OCCUPATIONAL SAFETY AND HEALTH			
Other Operating Expense	2,210,830	2,210,830	

The above appropriations for occupational safety and health and M.I.S. research and statistics reflect only the general fund portion of the total program costs of the Indiana occupational safety and health plan as approved by the U.S. Department of Labor. It is the intention of the general assembly that the Indiana department of labor make application to the federal government for the federal share of the total program costs.

EMPLOYMENT OF YOUTH			
Employment of Youth Fund (IC 20-33-3-42)			
Total Operating Expense	162,791	162,791	
Augmentation allowed.			

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*
INSAFE			
Special Fund for Safety and Health Consultation Services (IC 22-8-1.1-48)			
Other Operating Expense	**384,260**	**384,260**	
Augmentation allowed.			
FOR THE DEPARTMENT OF INSURANCE			
Department of Insurance Fund (IC 27-1-3-28)			
Personal Services	**5,436,852**	**5,436,852**	
Other Operating Expense	**1,120,029**	**1,120,029**	
Augmentation allowed.			
BAIL BOND DIVISION			
Bail Bond Enforcement and Administration Fund (IC 27-10-5-1)			
Personal Services	**126,700**	**126,700**	
Other Operating Expense	**4,907**	**4,907**	
Augmentation allowed.			
PATIENT'S COMPENSATION AUTHORITY			
Patient's Compensation Fund (IC 34-18-6-1)			
Personal Services	**688,240**	**688,240**	
Other Operating Expense	**814,800**	**814,800**	
Augmentation allowed.			
POLITICAL SUBDIVISION RISK MANAGEMENT			
Political Subdivision Risk Management Fund (IC 27-1-29-10)			
Other Operating Expense	**119,932**	**119,932**	
Augmentation allowed.			
MINE SUBSIDENCE INSURANCE			
Mine Subsidence Insurance Fund (IC 27-7-9-7)			
Total Operating Expense	**637,758**	**637,758**	
Augmentation allowed.			
TITLE INSURANCE ENFORCEMENT OPERATING			
Title Insurance Enforcement Fund (IC 27-7-3.6-1)			
Personal Services	**295,858**	**295,858**	
Other Operating Expense	**600,894**	**600,894**	
Augmentation allowed.			
FOR THE ALCOHOL AND TOBACCO COMMISSION			
Enforcement and Administration Fund (IC 7.1-4-10-1)			
Personal Services	**10,283,193**	**10,283,193**	
Other Operating Expense	**1,501,502**	**1,501,502**	
Augmentation allowed.			

Five hundred thousand dollars ($500,000) of the above appropriations is for fraud enforcement of EBT cards in the Temporary Assistance for Needy Families (TANF) and SNAP programs.

ATC SALARY MATRIX ADJUSTMENT			
Enforcement and Administration Fund (IC 7.1-4-10-1)			
Personal Services	**363,791**	**727,582**	

The above appropriations are for an adjustment to the ATC salary matrix.

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
ATC OPEB CONTRIBUTION			
Enforcement and Administration Fund (IC 7.1-4-10-1)			
Total Operating Expense	**438,593**	**410,537**	
Augmentation allowed.			
YOUTH TOBACCO EDUCATION AND ENFORCEMENT			
Youth Tobacco Education and Enforcement Fund (IC 7.1-6-2-6)			
Total Operating Expense	**85,704**	**85,704**	
Augmentation allowed.			
FOR THE DEPARTMENT OF FINANCIAL INSTITUTIONS			
Financial Institutions Fund (IC 28-11-2-9)			
Personal Services	**6,216,689**	**6,396,485**	
Other Operating Expense	**1,922,368**	**1,783,119**	
Augmentation allowed.			
FOR THE PROFESSIONAL LICENSING AGENCY			
Personal Services	**4,337,172**	**4,337,172**	
Other Operating Expense	**447,981**	**447,981**	
CONTROLLED SUBSTANCES DATA FUND (INSPECT)			
Controlled Substances Data Fund (IC 35-48-7-13.1)			
Total Operating Expense	**684,273**	**684,273**	
Augmentation allowed.			
PRENEED CONSUMER PROTECTION			
Preneed Consumer Protection Fund (IC 30-2-13-28)			
Total Operating Expense	**48,500**	**48,500**	
Augmentation allowed.			
BOARD OF FUNERAL AND CEMETERY SERVICE			
Funeral Service Education Fund (IC 25-15-9-13)			
Total Operating Expense	**250**	**250**	
Augmentation allowed.			
DENTAL PROFESSION INVESTIGATION			
Dental Compliance Fund (IC 25-14-1-3.7)			
Total Operating Expense	**107,419**	**107,419**	
Augmentation allowed.			
PHYSICIAN INVESTIGATION			
Physician Compliance Fund (IC 25-22.5-2-8)			
Total Operating Expense	**8,000**	**8,000**	
Augmentation allowed.			
FOR THE CIVIL RIGHTS COMMISSION			
Personal Services	**1,772,203**	**1,772,203**	
Other Operating Expense	**4,662**	**4,662**	

The above appropriation for the Indiana civil rights commission reflects only the general fund portion of the total program costs for the processing of employment and housing discrimination complaints. It is the intention of the general assembly that the commission make application to the federal government for funding based upon the processing of employment and housing discrimination complaints.

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
WOMEN'S COMMISSION			
Total Operating Expense	98,115	98,115	
COMMISSION ON THE SOCIAL STATUS OF BLACK MALES			
Total Operating Expense	135,431	135,431	
NATIVE AMERICAN INDIAN AFFAIRS COMMISSION			
Total Operating Expense	74,379	74,379	
COMMISSION ON HISPANIC/LATINO AFFAIRS			
Total Operating Expense	102,432	102,432	
MARTIN LUTHER KING JR. HOLIDAY COMMISSION			
Total Operating Expense	19,400	19,400	
FOR THE UTILITY CONSUMER COUNSELOR			
Public Utility Fund (IC 8-1-6-1)			
Personal Services	5,740,952	5,740,952	
Other Operating Expense	771,825	771,825	
Augmentation allowed.			
EXPERT WITNESS FEES AND AUDIT			
Public Utility Fund (IC 8-1-6-1)			
Total Operating Expense	839,678	839,678	
Augmentation allowed.			
FOR THE UTILITY REGULATORY COMMISSION			
Public Utility Fund (IC 8-1-6-1)			
Personal Services	6,629,648	6,629,648	
Other Operating Expense	2,777,171	2,777,171	
Augmentation allowed.			
211 SERVICES (IC 8-1-19.5)			
Total Operating Expense	1,000,000	1,000,000	
FOR THE WORKER'S COMPENSATION BOARD			
Personal Services	1,831,715	1,831,715	
Other Operating Expense	85,471	85,471	
FOR THE STATE BOARD OF ANIMAL HEALTH			
Personal Services	4,487,710	4,558,754	
Other Operating Expense	583,463	583,463	
INDEMNITY FUND			
Total Operating Expense	1	1	
Augmentation allowed.			
MEAT & POULTRY INSPECTION			
Total Operating Expense	1,602,306	1,602,306	
PUBLIC HEALTH DATA COMM. INFRASTRUCTURE SYSTEM			
Total Operating Expense	9,039	9,039	
INTERSTATE SHIPMENT COOPERATIVE AGREEMENT WITH THE USDA			
Total Operating Expense	49,647	49,647	
CAPTIVE CERVIDAE PROGRAMS			
Captive Cervidae Programs Fund (IC 15-17-14.7-16)			

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
Total Operating Expense	**30,000**	**30,000**	
FOR THE DEPARTMENT OF HOMELAND SECURITY			
FIRE AND BUILDING SERVICES			
Fire and Building Services Fund (IC 22-12-6-1)			
Personal Services	**13,600,344**	**13,600,344**	
Other Operating Expense	**207,176**	**207,176**	
Augmentation allowed.			
REGIONAL PUBLIC SAFETY TRAINING			
Regional Public Safety Training Fund (IC 10-15-3-12)			
Total Operating Expense	**1,940,000**	**1,940,000**	
Augmentation allowed.			
RADIOLOGICAL HEALTH			
Total Operating Expense	**74,955**	**74,955**	
EMERGENCY MANAGEMENT CONTINGENCY FUND			
Total Operating Expense	**114,456**	**114,456**	

The above appropriations for the emergency management contingency fund are made under IC 10-14-3-28.

PUBLIC ASSISTANCE			
Total Operating Expense	**1**	**1**	
Augmentation allowed.			
INDIANA EMERGENCY RESPONSE COMMISSION			
Local Emergency Planning and Right to Know Fund (IC 13-25-2-10.5)			
Total Operating Expense	**71,407**	**71,407**	
Augmentation allowed.			
STATE DISASTER RELIEF FUND			
State Disaster Relief Fund (IC 10-14-4-5)			
Total Operating Expense	**485,000**	**485,000**	
Augmentation allowed, not to exceed revenues collected from the public safety fee imposed by IC 22-11-14-12.			
Augmentation allowed from the general fund to match federal disaster relief funds.			
REDUCED IGNITION PROPENSITY STANDARDS FOR CIGARETTES FUND			
Reduced Ignition Propensity Stds.-Cig. Fund (IC 22-14-7-22(a))			
Total Operating Expense	**31,026**	**31,026**	
Augmentation allowed.			
STATEWIDE FIRE AND BUILDING SAFETY EDUCATION FUND			
Statewide Fire & Building Safety Educ. Fund (IC 22-12-6-3)			
Total Operating Expense	**98,089**	**98,089**	
Augmentation allowed.			
INDIANA SECURED SCHOOL FUND			
Total Operating Expense	**8,500,000**	**8,500,000**	

From the above appropriations, up to $1,000,000 is for DOE to partner with the Indiana Cybersecurity Center to provide assistance to the department and schools.

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

SECTION 5. [EFFECTIVE JULY 1, 2017]

CONSERVATION AND ENVIRONMENT

A. NATURAL RESOURCES

FOR THE DEPARTMENT OF NATURAL RESOURCES - ADMINISTRATION		
Personal Services	7,755,083	7,755,083
Other Operating Expense	1,926,025	1,926,025
DNR OPEB CONTRIBUTION		
Total Operating Expense	2,335,421	2,309,007
ENTOMOLOGY AND PLANT PATHOLOGY DIVISION		
Personal Services	392,338	392,338
Other Operating Expense	83,645	83,645
ENTOMOLOGY AND PLANT PATHOLOGY FUND		
Entomology and Plant Pathology Fund (IC 14-24-10-3)		
Total Operating Expense	374,734	374,734
Augmentation allowed.		
DNR ENGINEERING DIVISION		
Personal Services	1,677,224	1,677,224
Other Operating Expense	70,711	70,711
HISTORIC PRESERVATION DIVISION		
Personal Services	428,466	428,466
Other Operating Expense	266,196	266,196
DIVISION OF HISTORIC PRESERVATION AND ARCHAEOLOGY DEDICATED		
Total Operating Expense	26,040	26,040
WABASH RIVER HERITAGE CORRIDOR		
Wabash River Heritage Corridor Fund (IC 14-13-6-23)		
Total Operating Expense	187,210	187,210
OUTDOOR RECREATION DIVISION		
Personal Services	478,123	478,123
Other Operating Expense	56,078	56,078
NATURE PRESERVES DIVISION		
Personal Services	797,800	797,800
Other Operating Expense	196,880	196,880
WATER DIVISION		
Personal Services	4,032,382	4,032,382
Other Operating Expense	775,000	775,000

All revenues accruing from state and local units of government and from private utilities and industrial concerns as a result of water resources study projects, and as a result of topographic and other mapping projects, shall be deposited into the state general fund, and such receipts are hereby appropriated, in addition to the above appropriations, for water resources studies. The above appropriations include $200,000 each fiscal year for the monitoring of water resources.

DEER RESEARCH AND MANAGEMENT		
Deer Research and Management Fund (IC 14-22-5-2)		
Total Operating Expense	151,813	151,813

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
Augmentation allowed.			
OIL AND GAS DIVISION			
Oil and Gas Fund (IC 6-8-1-27)			
Personal Services	1,263,884	1,263,884	
Other Operating Expense	332,192	332,192	
Augmentation allowed.			
STATE PARKS AND RESERVOIRS			
From the General Fund			
8,921,508 8,921,508			
From the State Parks and Reservoirs Special Revenue Fund (IC 14-19-8-2)			
29,359,893 29,359,893			
Augmentation allowed from the State Parks and Reservoirs Special Revenue Fund.			
The amounts specified from the General Fund and the State Parks and Reservoirs Special Revenue Fund are for the following purposes:			
Personal Services	28,532,879	28,532,879	
Other Operating Expense	9,748,522	9,748,522	
SNOWMOBILE FUND			
Off-Road Vehicle and Snowmobile Fund (IC 14-16-1-30)			
Total Operating Expense	154,928	154,928	
Augmentation allowed.			
DNR LAW ENFORCEMENT DIVISION			
From the General Fund			
9,956,425 9,956,425			
From the Fish and Wildlife Fund (IC 14-22-3-2)			
10,831,730 10,831,730			
Augmentation allowed from the Fish and Wildlife Fund.			
The amounts specified from the General Fund and the Fish and Wildlife Fund are for the following purposes:			
Personal Services	18,019,655	18,019,655	
Other Operating Expense	2,768,500	2,768,500	
DNR SALARY MATRIX ADJUSTMENT			
Personal Services	894,553	1,789,106	
The above appropriations are for an adjustment to the DNR salary matrix.			
SPORTSMEN'S BENEVOLENCE			
Total Operating Expense	145,500	145,500	
FISH AND WILDLIFE DIVISION			
Fish and Wildlife Fund (IC 14-22-3-2)			
Personal Services	4,126,639	4,126,639	
Other Operating Expense	5,356,565	5,356,565	
Augmentation allowed.			
FORESTRY DIVISION			

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

From the General Fund
4,309,473 4,309,473
From the State Forestry Fund (IC 14-23-3-2)
6,002,212 6,002,212
Augmentation allowed from the State Forestry Fund.

The amounts specified from the General Fund and the State Forestry Fund are for the following purposes:

Personal Services	**7,928,960**	**7,928,960**
Other Operating Expense	**2,382,725**	**2,382,725**

In addition to any of the above appropriations for the department of natural resources, any federal funds received by the state of Indiana for support of approved outdoor recreation projects for planning, acquisition, and development under the provisions of the federal Land and Water Conservation Fund Act, P.L.88-578, are appropriated for the uses and purposes for which the funds were paid to the state, and shall be distributed by the department of natural resources to state agencies and other governmental units in accordance with the provisions under which the funds were received.

DEPT. OF NATURAL RESOURCES - US DEPT. OF COMMERCE
Cigarette Tax Fund (IC 6-7-1-28.1)
Total Operating Expense 117,313 117,313
Augmentation allowed.
LAKE AND RIVER ENHANCEMENT
Lake and River Enhancement Fund (IC 6-6-11-12.5)
Total Operating Expense 2,078,288 2,078,288
Augmentation allowed.
HERITAGE TRUST
General Fund
Total Operating Expense 94,090 94,090
Benjamin Harrison Conservation Trust Fund (IC 14-12-2-25)
Total Operating Expense 1,164,000 1,164,000
Augmentation allowed.
DEPT. OF NATURAL RESOURCES - USDOT
Off-Road Vehicle and Snowmobile Fund (IC 14-16-1-30)
Total Operating Expense 55,000 55,000
Augmentation allowed.
INSTITUTIONAL ROAD CONSTRUCTION
State Highway Fund (IC 8-23-9-54)
Total Operating Expense 2,425,000 2,425,000

The above appropriation for institutional road construction may be used for road and bridge construction, relocation, and other related improvement projects at state owned properties managed by the department of natural resources.

B. OTHER NATURAL RESOURCES

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
FOR THE INDIANA STATE MUSEUM AND HISTORIC SITES CORPORATION			
General Fund			
Total Operating Expense	8,369,488	8,369,488	
Indiana State Museum and Historic Sites Corp.			
Total Operating Expense	2,632,555	2,632,555	

In lieu of billing the University of Southern Indiana annually for the maintenance of properties in New Harmony, the above appropriation includes an additional $25,000 annually for that purpose.

FOR THE WORLD WAR MEMORIAL COMMISSION			
Personal Services	813,482	813,482	
Other Operating Expense	367,000	367,000	

All revenues received as rent for space in the buildings located at 777 North Meridian Street and 700 North Pennsylvania Street, in the city of Indianapolis, that exceed the costs of operation and maintenance of the space rented, shall be paid into the general fund.

FOR THE WHITE RIVER STATE PARK DEVELOPMENT COMMISSION			
Total Operating Expense	766,312	766,312	
FOR THE MAUMEE RIVER BASIN COMMISSION			
Total Operating Expense	105,000	105,000	
FOR THE ST. JOSEPH RIVER BASIN COMMISSION			
Total Operating Expense	54,110	54,110	
FOR THE KANKAKEE RIVER BASIN COMMISSION			
Total Operating Expense	54,110	54,110	

C. ENVIRONMENTAL MANAGEMENT

FOR THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT			
OPERATING			
From the General Fund			
13,646,133	13,646,133		
From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)			
1,152,795	1,152,795		
Augmentation allowed.			

The amounts specified from the General Fund and the underground petroleum storage tank excess liability trust fund are for the following purposes:

Personal Services	10,938,248	10,938,248	
Other Operating Expense	3,860,680	3,860,680	
IDEM LABORATORY CONTRACTS			
Environmental Management Special Fund (IC 13-14-12-1)			
Total Operating Expense	1,056,994	1,056,994	

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
Augmentation allowed.			
OHIO RIVER VALLEY WATER SANITATION COMMISSION			
Environmental Management Special Fund (IC 13-14-12-1)			
Total Operating Expense	282,600	282,600	
Augmentation allowed.			
OFFICE OF ENVIRONMENTAL RESPONSE			
Personal Services	2,398,491	2,398,491	
Other Operating Expense	263,310	263,310	
POLLUTION PREVENTION AND TECHNICAL ASSISTANCE			
Personal Services	787,567	787,567	
Other Operating Expense	94,741	94,741	
PPG PCB INSPECTION			
Environmental Management Permit Operation Fund (IC 13-15-11-1)			
Total Operating Expense	19,822	19,822	
Augmentation allowed.			
U.S. GEOLOGICAL SURVEY CONTRACTS			
Environmental Management Special Fund (IC 13-14-12-1)			
Total Operating Expense	51,503	51,503	
Augmentation allowed.			
STATE SOLID WASTE GRANTS MANAGEMENT			
State Solid Waste Management Fund (IC 13-20-22-2)			
Personal Services	93,715	93,715	
Other Operating Expense	313,354	313,354	
Augmentation allowed.			
RECYCLING OPERATING			
Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)			
Personal Services	487,616	487,616	
Other Operating Expense	227,350	227,350	
Augmentation allowed.			
RECYCLING PROMOTION AND ASSISTANCE PROGRAM			
Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)			
Total Operating Expense	1,000,000	1,000,000	
Augmentation allowed.			
VOLUNTARY CLEAN-UP PROGRAM			
Voluntary Remediation Fund (IC 13-25-5-21)			
Personal Services	1,028,162	1,028,162	
Other Operating Expense	58,880	58,880	
Augmentation allowed.			
TITLE V AIR PERMIT PROGRAM			
Title V Operating Permit Program Trust Fund (IC 13-17-8-1)			
Personal Services	11,524,403	11,524,403	
Other Operating Expense	1,328,419	1,328,419	
Augmentation allowed.			
WATER MANAGEMENT PERMITTING			
Environmental Management Permit Operation Fund (IC 13-15-11-1)			
Personal Services	6,462,158	6,462,158	
Other Operating Expense	379,297	379,297	
Augmentation allowed.			
SOLID WASTE MANAGEMENT PERMITTING			

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
Environmental Management Permit Operation Fund (IC 13-15-11-1)			
Personal Services	**4,908,924**	**4,908,924**	
Other Operating Expense	**393,266**	**393,266**	
Augmentation allowed.			
CFO/CAFO INSPECTIONS			
Total Operating Expense	**318,424**	**318,424**	
HAZARDOUS WASTE MANAGEMENT PERMITTING - FEDERAL			
Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)			
Total Operating Expense	**1,247,383**	**1,247,383**	
HAZARDOUS WASTE MANAGEMENT PERMITTING			
Environmental Management Permit Operation Fund (IC 13-15-11-1)			
Personal Services	**2,987,999**	**2,987,999**	
Other Operating Expense	**314,491**	**314,491**	
Augmentation allowed.			
ELECTRONIC WASTE			
Electronic Waste Fund (IC 13-20.5-2-3)			
Total Operating Expense	**123,537**	**123,537**	
SAFE DRINKING WATER PROGRAM			
State Solid Waste Management Fund (IC 13-20-22-2)			
Total Operating Expense	**2,942,579**	**2,942,579**	
CLEAN VESSEL PUMPOUT			
Environmental Management Special Fund (IC 13-14-12-1)			
Total Operating Expense	**31,549**	**31,549**	
Augmentation allowed.			
GROUNDWATER PROGRAM			
Environmental Management Special Fund (IC 13-14-12-1)			
Total Operating Expense	**432,091**	**432,091**	
Augmentation allowed.			
UNDERGROUND STORAGE TANK PROGRAM			
Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)			
Total Operating Expense	**178,198**	**178,198**	
Augmentation allowed.			
AIR MANAGEMENT OPERATING			
Environmental Management Special Fund (IC 13-14-12-1)			
Total Operating Expense	**976,272**	**976,272**	
Augmentation allowed.			
WATER MANAGEMENT NONPERMITTING			
Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)			
Total Operating Expense	**1,549,417**	**1,549,417**	
LEAKING UNDERGROUND STORAGE TANKS			
Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)			
Total Operating Expense	**161,334**	**161,334**	
Augmentation allowed.			
AUTO EMISSIONS TESTING PROGRAM			
Personal Services	**75,287**	**75,287**	
Other Operating Expense	**5,297,619**	**5,297,619**	

The above appropriations for auto emissions testing are the maximum amounts available for this purpose. If it becomes necessary to conduct additional tests in other locations,

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
the above appropriations shall be prorated among all locations.			
HAZARDOUS WASTE SITES - STATE CLEAN-UP			
Hazardous Substances Response Trust Fund (IC 13-25-4-1)			
Personal Services	**2,435,371**	**2,435,371**	
Other Operating Expense	**1,139,885**	**1,139,885**	
Augmentation allowed.			
HAZARDOUS WASTE - NATURAL RESOURCE DAMAGES			
Hazardous Substances Response Trust Fund (IC 13-25-4-1)			
Personal Services	**165,567**	**165,567**	
Other Operating Expense	**119,482**	**119,482**	
Augmentation allowed.			
SUPERFUND MATCH			
Hazardous Substances Response Trust Fund (IC 13-25-4-1)			
Total Operating Expense	**1,657,551**	**1,757,551**	
Augmentation allowed.			
The above appropriation includes $700,000 for fiscal year 2018 and $800,000 for fiscal year 2019 for the department of environmental management to match federal funds for lead clean up in East Chicago.			
ASBESTOS TRUST - OPERATING			
Asbestos Trust Fund (IC 13-17-6-3)			
Personal Services	**388,047**	**388,047**	
Other Operating Expense	**45,498**	**45,498**	
Augmentation allowed.			
UNDERGROUND PETROLEUM STORAGE TANK - OPERATING			
Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)			
Personal Services	**4,850,137**	**4,850,137**	
Other Operating Expense	**39,101,300**	**39,101,300**	
Augmentation allowed.			
WASTE TIRE MANAGEMENT			
Waste Tire Management Fund (IC 13-20-13-8)			
Total Operating Expense	**548,783**	**548,783**	
Augmentation allowed.			
VOLUNTARY COMPLIANCE			
Environmental Management Special Fund (IC 13-14-12-1)			
Personal Services	**690,198**	**690,198**	
Other Operating Expense	**40,548**	**40,548**	
Augmentation allowed.			
ENVIRONMENTAL MANAGEMENT SPECIAL FUND - OPERATING			
Environmental Management Special Fund (IC 13-14-12-1)			
Total Operating Expense	**608,626**	**608,626**	
Augmentation allowed.			
CORE SUPERFUND			
Environmental Management Special Fund (IC 13-14-12-1)			
Total Operating Expense	**12,500**	**12,500**	
Augmentation allowed.			
WETLANDS PROTECTION			

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
Environmental Management Special Fund (IC 13-14-12-1)			
Total Operating Expense	**20,419**	**20,419**	
Augmentation allowed.			
PETROLEUM TRUST - OPERATING			
Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)			
Other Operating Expense	**1,000,000**	**1,000,000**	
Augmentation allowed.			

Notwithstanding any other law, with the approval of the governor and the budget agency, the above appropriations for hazardous waste management permitting, wetlands protection, groundwater program, underground storage tank program, air management operating, asbestos trust operating, water management nonpermitting, safe drinking water program, and any other appropriation eligible to be included in a performance partnership grant may be used to fund activities incorporated into a performance partnership grant between the United States Environmental Protection Agency and the department of environmental management.

FOR THE OFFICE OF ENVIRONMENTAL ADJUDICATION			
Personal Services	**281,537**	**281,537**	
Other Operating Expense	**22,906**	**22,906**	

SECTION 6. [EFFECTIVE JULY 1, 2017]

ECONOMIC DEVELOPMENT

A. AGRICULTURE

FOR THE DEPARTMENT OF AGRICULTURE			
Personal Services	**1,327,382**	**1,327,382**	
Other Operating Expense	**905,767**	**905,767**	

Up to $5,000 annually of the above appropriations may be used for Hoosier Homestead plaques for recipients of the Hoosier Homestead award.

DISTRIBUTIONS TO FOOD BANKS			
Total Operating Expense	**300,000**	**300,000**	
CLEAN WATER INDIANA			
General Fund			
Total Operating Expense	**1,000,000**	**1,000,000**	
Cigarette Tax Fund (IC 6-7-1-28.1)			
Total Operating Expense	**2,923,775**	**2,923,775**	
SOIL CONSERVATION DIVISION			
Cigarette Tax Fund (IC 6-7-1-28.1)			
Total Operating Expense	**1,378,144**	**1,378,144**	
Augmentation allowed.			
GRAIN BUYERS AND WAREHOUSE LICENSING			
Grain Buyers and Warehouse Licensing Agency License Fee Fund (IC 26-3-7-6.3)			
Total Operating Expense	**364,755**	**364,755**	
Augmentation allowed.			

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

B. COMMERCE

FOR THE LIEUTENANT GOVERNOR

OFFICE OF TOURISM DEVELOPMENT		
Total Operating Expense	**4,175,000**	**4,175,000**

The above appropriation includes $500,000 annually to assist the department of natural resources with marketing efforts.

Of the above appropriations, the office of tourism development shall distribute $550,000 each year to the Indiana sports corporation to promote the hosting of amateur sporting events in Indiana cities. Funds may be released after review by the budget committee.

The office may retain any advertising revenue generated by the office. Any revenue received is in addition to the above appropriation and is appropriated for the purposes of the office.

The above appropriation includes $75,000 each state fiscal year for the Grissom Air Museum and $50,000 for the Studebaker Museum. The Studebaker Museum distribution requires a $50,000 match.

LOCAL MARKETING TOURISM PROGRAM		
Total Operating Expense	**1,000,000**	**1,000,000**

The above appropriation shall be used for local marketing tourism efforts in conjunction with the office of tourism development.

MARKETING DEVELOPMENT GRANTS		
Total Operating Expense	**1,000,000**	**1,000,000**

Of the above appropriation, up to $500,000 each year shall be used to match other funds from the Association of Indiana Convention and Visitors Bureaus or any other organizations for purposes of statewide tourism marketing, and up to $500,000 each year may be used to pay costs associated with hosting the national convention for FFA.

INDIANA TOURISM TASK FORCE (IC 5-29-5)		
Total Operating Expense	**100,000**	**0**
OFFICE OF DEFENSE DEVELOPMENT		
Total Operating Expense	**628,060**	**628,060**
OFFICE OF COMMUNITY AND RURAL AFFAIRS		
Total Operating Expense	**1,470,000**	**1,470,000**
HISTORIC PRESERVATION GRANTS		
Total Operating Expense	**650,000**	**650,000**
RURAL ECONOMIC DEVELOPMENT FUND		
Total Operating Expense	**600,000**	**600,000**
LINCOLN PRODUCTION		
Total Operating Expense	**200,000**	**200,000**

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
FOR THE OFFICE OF ENERGY DEVELOPMENT			
Total Operating Expense	177,510	177,510	
FOR THE INDIANA ECONOMIC DEVELOPMENT CORPORATION			
ADMINISTRATIVE AND FINANCIAL SERVICES			
General Fund			
Total Operating Expense	7,716,926	7,716,926	
Training 2000 Fund (IC 5-28-7-5)			
Total Operating Expense	180,061	180,061	
Industrial Development Grant Fund (IC 5-28-25-4)			
Total Operating Expense	50,570	50,570	
REGIONAL CITIES			
Total Operating Expense	1,000,000	1,000,000	

The above appropriations shall be used for planning grants for the Regional Cities program.

IN 21ST CENTURY RESEARCH & TECHNOLOGY FUND			
Department of Insurance Fund (IC 27-1-3-28)			
Total Operating Expense	10,000,000	10,000,000	
Indiana Twenty-First Century Research and Technology Fund (IC 5-28-16-2)			
Total Operating Expense	10,000,000	10,000,000	
Augmentation allowed from the Indiana Twenty-First Century Research and Technology Fund.			
OFFICE OF SMALL BUSINESS AND ENTREPRENEURSHIP			
Total Operating Expense	1,458,000	1,458,000	

One million dollars ($1,000,000) of the above appropriations is for the Launch IN Initiative and the Ball State University Entrepreneur College. Ball State University will provide support and expertise for the program to be implemented for a fee. The office of small business and entrepreneurship shall provide funding to initiatives throughout Indiana. The Indiana Economic Development Corporation shall submit annual reports to the state budget committee on the uses of the above appropriations.

INDIANA BIOSCIENCES RESEARCH INSTITUTE			
Total Operating Expense	0	20,000,000	

The Indiana Economic Development Corporation Board must approve each award made from the above appropriation. No awards may be disbursed until a comprehensive plan for expending the funds has been reviewed by the state budget committee and approved by the director of the Office of Management and Budget. The Indiana Economic Development Corporation shall submit semi-annual reports to the state budget committee on award amounts and activities of the Indiana Biosciences Research Institute. The above appropriation may not be spent on fetal tissue research.

ENTERPRISE ZONE PROGRAM			
Enterprise Zone Fund (IC 5-28-15-6)			
Total Operating Expense	79,977	79,977	

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
Augmentation allowed.			
SKILLS ENHANCEMENT FUND			
Total Operating Expense	12,500,000	12,500,000	
BUSINESS PROMOTION PROGRAM			
Total Operating Expense	4,455,000	4,455,000	
INDUSTRIAL DEVELOPMENT GRANT PROGRAM			
Total Operating Expense	5,000,000	5,000,000	
ECONOMIC DEVELOPMENT GRANT AND LOAN PROGRAM			
Total Operating Expense	1,148,992	1,148,992	
FOR THE HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY			
HOUSING FIRST PROGRAM			
Total Operating Expense	1,000,000	1,000,000	
INDIANA INDIVIDUAL DEVELOPMENT ACCOUNTS			
Total Operating Expense	970,000	970,000	

The housing and community development authority shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR Part 265.

The family and social services administration, division of family resources shall apply all qualifying expenditures for individual development account deposits toward Indiana's maintenance of effort under the federal Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).

DOMESTIC VIOLENCE PILOT INITIATIVE			
Total Operating Expense	250,000	250,000	

The above appropriations are available as a $1 for $1 match to provide assistance to families.

FOR THE INDIANA FINANCE AUTHORITY			
ENVIRONMENTAL REMEDIATION REVOLVING LOAN PROGRAM			
Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)			
Total Operating Expense	1,500,000	1,500,000	

C. EMPLOYMENT SERVICES

FOR THE DEPARTMENT OF WORKFORCE DEVELOPMENT			
ADMINISTRATION			
Total Operating Expense	1,339,665	1,339,665	
WORK INDIANA PROGRAM			
Total Operating Expense	5,000,000	5,000,000	
HOOSIER INITIATIVE FOR RE-ENTRY (HIRE)			
Total Operating Expense	648,742	648,742	
PROPRIETARY EDUCATIONAL INSTITUTIONS			
Total Operating Expense	62,639	62,639	
CAREER AND TECHNICAL EDUCATION INNOVATION AND ADVANCEMENT			
Total Operating Expense	24,365,000	24,365,000	

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

The above appropriations shall be used for investments in career and technical education pathways or statewide career and technical education and workforce development initiatives focused on high-wage and high-demand jobs. Three million dollars ($3,000,000) of the above appropriations is annually available for the Vincennes University CTE Early College Initiative. Up to $5,000,000 of the above appropriation shall be used annually to fund Career and Technical Education performance grants.

INDIANA WORKS COUNCILS		
Total Operating Expense	**200,000**	**0**
INDIANA CONSTRUCTION ROUNDTABLE FOUNDATION		
Total Operating Expense	**1,000,000**	**1,000,000**
SERVE INDIANA ADMINISTRATION		
Total Operating Expense	**239,560**	**239,560**
SPECIAL VOCATIONAL EDUCATION - ADULT BASIC EDUCATION		
Total Operating Expense	**14,452,990**	**14,452,990**

It is the intent of the 2017 general assembly that the above appropriations for adult education shall be the total allowable state expenditure for such program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for a state fiscal year, the department of workforce development shall reduce the distributions proportionately.

DROPOUT PREVENTION		
Total Operating Expense	**10,820,000**	**10,820,000**

D. OTHER ECONOMIC DEVELOPMENT

FOR THE INDIANA STATE FAIR BOARD

STATE FAIR		
Total Operating Expense	**2,582,000**	**2,582,000**

SECTION 7. [EFFECTIVE JULY 1, 2017]

TRANSPORTATION

FOR THE DEPARTMENT OF TRANSPORTATION

RAILROAD GRADE CROSSING IMPROVEMENT		
Motor Vehicle Highway Account (IC 8-14-1)		
Total Operating Expense	**750,000**	**750,000**
HIGH SPEED RAIL		
Industrial Rail Service Fund (IC 8-3-1.7-2)		
Matching Funds	**20,000**	**20,000**
Augmentation allowed.		
HOOSIER STATE RAIL LINE		
Total Operating Expense	**3,000,000**	**3,000,000**
PUBLIC MASS TRANSPORTATION		
Total Operating Expense	**44,000,000**	**45,000,000**

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

The appropriations are to be used solely for the promotion and development of public transportation.

The department of transportation may distribute public mass transportation funds to an eligible grantee that provides public transportation in Indiana.

The state funds can be used to match federal funds available under the Federal Transit Act (49 U.S.C. 5301 et seq.) or local funds from a requesting grantee.

Before funds may be disbursed to a grantee, the grantee must submit its request for financial assistance to the department of transportation for approval. Allocations must be approved by the governor and the budget agency after review by the budget committee and shall be made on a reimbursement basis. Only applications for capital and operating assistance may be approved. Only those grantees that have met the reporting requirements under IC 8-23-3 are eligible for assistance under this appropriation.

HIGHWAY OPERATING		
State Highway Fund (IC 8-23-9-54)		
Personal Services	**245,131,480**	**245,131,480**
Other Operating Expense	**45,205,525**	**45,205,525**
HIGHWAY VEHICLE AND ROAD MAINTENANCE EQUIPMENT		
State Highway Fund (IC 8-23-9-54)		
Other Operating Expense	**20,300,000**	**20,300,000**

The above appropriations for highway operating and highway vehicle and road maintenance equipment may be used for personal services, equipment, and other operating expense, including the cost of transportation for the governor.

HIGHWAY MAINTENANCE WORK PROGRAM		
State Highway Fund (IC 8-23-9-54)		
Other Operating Expense	**87,186,474**	**89,020,203**

The above appropriations for the highway maintenance work program may be used for:
(1) materials for patching roadways and shoulders;
(2) repairing and painting bridges;
(3) installing signs and signals and painting roadways for traffic control;
(4) mowing, herbicide application, and brush control;
(5) drainage control;
(6) maintenance of rest areas, public roads on properties of the department of natural resources, and driveways on the premises of all state facilities;
(7) materials for snow and ice removal;
(8) utility costs for roadway lighting; and
(9) other special maintenance and support activities consistent with the highway maintenance work program.

HIGHWAY CAPITAL IMPROVEMENTS
State Highway Fund (IC 8-23-9-54)

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*
Right-of-Way Expense	**10,599,879**	**10,848,967**	
Formal Contracts Expense	**657,359,330**	**706,532,476**	
Consulting Services Expense	**74,660,092**	**77,438,912**	
Institutional Road Construction	**2,500,000**	**2,500,000**	

Augmentation allowed for the highway capital improvements program.

The above appropriations for the capital improvements program may be used for:
(1) bridge rehabilitation and replacement;
(2) road construction, reconstruction, or replacement;
(3) construction, reconstruction, or replacement of travel lanes, intersections, grade separations, rest parks, and weigh stations;
(4) relocation and modernization of existing roads;
(5) resurfacing;
(6) erosion and slide control;
(7) construction and improvement of railroad grade crossings, including the use of the appropriations to match federal funds for projects;
(8) small structure replacements;
(9) safety and spot improvements; and
(10) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

The above appropriation for institutional road construction may be used for road, bridge, and parking lot construction, maintenance, and improvement projects at any state-owned property.

No appropriation from the state highway fund may be used to fund any toll road or toll bridge project except as specifically provided for under IC 8-15-2-20.

HIGHWAY PLANNING AND RESEARCH PROGRAM

State Highway Fund (IC 8-23-9-54)		
Total Operating Expense	**4,400,000**	**4,444,000**

STATE HIGHWAY ROAD CONSTRUCTION AND IMPROVEMENT PROGRAM

State Highway Road Construction and Improvement Fund (IC 8-14-10-5)		
Lease Rental Payments Expense	**70,000,000**	**70,000,000**

Augmentation allowed.

The above appropriations for the state highway road construction and improvement program shall be first used for payment of rentals and leases relating to projects under IC 8-14.5. If any funds remain, the funds may be used for the following purposes:
(1) road and bridge construction, reconstruction, or replacement;
(2) construction, reconstruction, or replacement of travel lanes, intersections, and grade separations;
(3) relocation and modernization of existing roads; and
(4) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

CROSSROADS 2000 PROGRAM
State Highway Fund (IC 8-23-9-54)

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*
Lease Rental Payment Expense	**6,497,743**	**28,188**	
Augmentation allowed.			
Crossroads 2000 Fund (IC 8-14-10-9)			
Lease Rental Payment Expense	**36,000,000**	**36,100,000**	
Augmentation allowed.			

The above appropriations for the crossroads 2000 program shall be first used for payment of rentals and leases relating to projects under IC 8-14-10-9. If any funds remain, the funds may be used for the following purposes:
(1) road and bridge construction, reconstruction, or replacement;
(2) construction, reconstruction, or replacement of travel lanes, intersections, and grade separations;
(3) relocation and modernization of existing roads; and
(4) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

JOINT MAJOR MOVES CONSTRUCTION		
State Highway Fund (IC 8-23-9-54)		
Formal Contracts Expense	**75,000,000**	**25,000,000**
Augmentation allowed.		
FEDERAL APPORTIONMENT		
Right-of-Way Expense	**21,648,000**	**20,500,000**
Formal Contracts Expense	**628,534,000**	**655,694,000**
Consulting Engineers Expense	**73,718,000**	**63,550,000**
Highway Planning and Research	**17,600,000**	**17,776,000**
Local Government Revolving Acct.	**246,900,000**	**252,500,000**

The department may establish an account to be known as the "local government revolving account". The account is to be used to administer the federal-local highway construction program. All contracts issued and all funds received for federal-local projects under this program shall be entered into this account.

If the federal apportionments for the fiscal years covered by this act exceed the above estimated appropriations for the department or for local governments, the excess federal apportionment is hereby appropriated for use by the department with the approval of the governor and the budget agency.

The department shall bill, in a timely manner, the federal government for all department payments that are eligible for total or partial reimbursement.

The department may let contracts and enter into agreements for construction and preliminary engineering during each year of the 2017-2019 biennium that obligate not more than one-third (1/3) of the amount of state funds estimated by the department to be available for appropriation in the following year for formal contracts and consulting engineers for the capital improvements program.

Under IC 8-23-5-7(a), the department, with the approval of the governor, may construct and maintain roadside parks and highways where highways will connect any state highway now existing, or hereafter constructed, with any state park, state forest preserve, state

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

game preserve, or the grounds of any state institution. There is appropriated to the department of transportation an amount sufficient to carry out the provisions of this paragraph. Under IC 8-23-5-7(d), such appropriations shall be made from the motor vehicle highway account before distribution to local units of government.

LOCAL TECHNICAL ASSISTANCE AND RESEARCH

Under IC 8-14-1-3(6), there is appropriated to the department of transportation an amount sufficient for:
(1) the program of technical assistance under IC 8-23-2-5(a)(6); and
(2) the research and highway extension program conducted for local government under IC 8-17-7-4.

The department shall develop an annual program of work for research and extension in cooperation with those units being served, listing the types of research and educational programs to be undertaken. The commissioner of the department of transportation may make a grant under this appropriation to the institution or agency selected to conduct the annual work program. Under IC 8-14-1-3(6), appropriations for the program of technical assistance and for the program of research and extension shall be taken from the local share of the motor vehicle highway account.

Under IC 8-14-1-3(7), there is hereby appropriated such sums as are necessary to maintain a sufficient working balance in accounts established to match federal and local money for highway projects. These funds are appropriated from the following sources in the proportion specified:
(1) one-half (1/2) from the forty-seven percent (47%) set aside of the motor vehicle highway account under IC 8-14-1-3(7); and
(2) for counties and for those cities and towns with a population greater than five thousand (5,000), one-half (1/2) from the distressed road fund under IC 8-14-8-2.

OHIO RIVER BRIDGE		
State Highway Fund (IC 8-23-9-54)		
Total Operating Expense	**25,740,000**	**34,000,000**
I-69		
State Highway Fund (IC 8-23-9-54)		
Total Operating Expense	**2,556,000**	**3,942,000**

SECTION 8. [EFFECTIVE JULY 1, 2017]

FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS

A. FAMILY AND SOCIAL SERVICES

FOR THE FAMILY AND SOCIAL SERVICES ADMINISTRATION

INDIANA PRESCRIPTION DRUG PROGRAM		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	**617,830**	**617,830**
CHILDREN'S HEALTH INSURANCE PROGRAM		

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	**693,500**	**693,500**	
Augmentation allowed.			
CHILDREN'S HEALTH INSURANCE PROGRAM - ADMINISTRATION			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	**1,557,784**	**1,557,784**	
FAMILY AND SOCIAL SERVICES ADMINISTRATION - CENTRAL OFFICE			
Total Operating Expense	**16,377,158**	**16,377,158**	
SOCIAL SERVICES DATA WAREHOUSE			
Total Operating Expense	**200,000**	**200,000**	
OFFICE OF MEDICAID POLICY AND PLANNING - ADMINISTRATION			
Total Operating Expense	**750,000**	**750,000**	
MEDICAID ADMINISTRATION			
Total Operating Expense	**44,643,897**	**44,643,897**	
MEDICAID - CURRENT OBLIGATIONS			
General Fund			
Total Operating Expense	**1,946,100,000**	**2,239,700,000**	

In addition to the above appropriation for state fiscal year 2018, the office of Medicaid policy and planning shall carry forward $168,600,000 of unexpended Medicaid appropriations remaining in the Medicaid account from prior state fiscal years. Such amount is hereby appropriated for expenditure in state fiscal year 2018 for the purposes of the Medicaid program and is in addition to the amount appropriated above.

The above appropriations for Medicaid current obligations and for Medicaid administration are for the purpose of enabling the office of Medicaid policy and planning to carry out all services as provided in IC 12-8-6.5. In addition to the above appropriations, all money received from the federal government and paid into the state treasury as a grant or allowance is appropriated and shall be expended by the office of Medicaid policy and planning for the respective purposes for which the money was allocated and paid to the state. Subject to the provisions of IC 12-8-1.5-11, if the sums herein appropriated for Medicaid current obligations and for Medicaid administration are insufficient to enable the office of Medicaid policy and planning to meet its obligations, then there is appropriated from the general fund such further sums as may be necessary for that purpose, subject to the approval of the governor and the budget agency.

HEALTHY IN PLAN			
Healthy IN Plan Trust Fund (IC 12-15-44.2-17)			
Total Operating Expense	**112,654,073**	**112,654,073**	
Augmentation allowed.			
HOSPITAL CARE FOR THE INDIGENT FUND			
Total Operating Expense	**29,500,000**	**29,500,000**	
MEDICAL ASSISTANCE TO WARDS (MAW)			
Total Operating Expense	**13,100,000**	**13,100,000**	
MARION COUNTY HEALTH AND HOSPITAL CORPORATION			
Total Operating Expense	**38,000,000**	**38,000,000**	
MENTAL HEALTH ADMINISTRATION			

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
Total Operating Expense	**2,883,186**	**2,883,186**	

Two hundred seventy-five thousand dollars ($275,000) of the above appropriation shall be distributed annually to neighborhood based community service programs.

MENTAL HEALTH AND ADDICTION FORENSIC TREATMENT SERVICES GRANT

Total Operating Expense	**20,000,000**	**20,000,000**	

The above appropriations for the mental health and addiction forensic treatment services grant program are not subject to transfer to any other fund or to transfer, assignment, or reassignment for any other use or purpose by the state board of finance notwithstanding IC 4-9.1-1-7 and IC 4-13-2-23 or by the budget agency notwithstanding IC 4-12-1-12 or any other law.

Notwithstanding IC 4-13-2-19 and any other law, the above appropriations for the mental health and addiction forensic treatment services grant program do not revert to the general fund or another fund at the close of a state fiscal year but remain available in subsequent state fiscal years for the purposes of the grant program.

The appropriations are not subject to having allotment withheld by the state budget agency.

CHILD PSYCHIATRIC SERVICES FUND

Total Operating Expense	**17,404,722**	**18,404,722**	

The above appropriation includes $2,500,000 annually for the Family and Social Services Administration to maintain an evidence-based program model that partners with elementary and high schools to provide social services to children, parents, caregivers, teachers, and the community to prevent substance abuse, promote healthy behaviors, and maximize student success.

CHILD ASSESSMENT NEEDS SURVEY			
Total Operating Expense	**260,000**	**260,000**	
SERIOUSLY EMOTIONALLY DISTURBED			
Total Operating Expense	**14,571,352**	**14,571,352**	
SERIOUSLY MENTALLY ILL			
General Fund			
Total Operating Expense	**92,602,551**	**92,602,551**	
Mental Health Centers Fund (IC 6-7-1-32.1)			
Total Operating Expense	**2,600,000**	**2,600,000**	
Augmentation allowed.			
COMMUNITY MENTAL HEALTH CENTERS			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	**7,200,000**	**7,200,000**	

The above appropriation from the Tobacco Master Settlement Agreement Fund is in addition to other funds. The above appropriations for comprehensive community mental health services include the intragovernmental transfers necessary to provide the

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

nonfederal share of reimbursement under the Medicaid rehabilitation option.

The comprehensive community mental health centers shall submit their proposed annual budgets (including income and operating statements) to the budget agency on or before August 1 of each year. All federal funds shall be applied in augmentation of the above appropriations rather than in place of any part of the funds. The office of the secretary, with the approval of the budget agency, shall determine an equitable allocation of the appropriation among the mental health centers.

GAMBLERS' ASSISTANCE		
Addiction Services Fund (IC 12-23-2)		
Total Operating Expense	**3,041,728**	**3,041,728**
SUBSTANCE ABUSE TREATMENT		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	**5,355,820**	**5,355,820**
QUALITY ASSURANCE/RESEARCH		
Total Operating Expense	**475,954**	**475,954**
PREVENTION		
Addiction Services Fund (IC 12-23-2)		
Total Operating Expense	**2,572,675**	**2,572,675**
Augmentation allowed.		
METHADONE DIVERSION CONTROL AND OVERSIGHT (MDCO) PROGRAM		
Opioid Treatment Program Fund (IC 12-23-18-4)		
Total Operating Expense	**380,566**	**380,566**
Augmentation allowed.		
DMHA YOUTH TOBACCO REDUCTION SUPPORT PROGRAM		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	**250,000**	**250,000**
Augmentation allowed.		
EVANSVILLE PSYCHIATRIC CHILDREN'S CENTER		
From the General Fund		
775,517	**775,517**	
From the Mental Health Fund (IC 12-24-14-4)		
2,933,345	**2,933,345**	
Augmentation allowed.		

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	**3,236,797**	**3,236,797**
Other Operating Expense	**472,065**	**472,065**

EVANSVILLE STATE HOSPITAL		
From the General Fund		
22,018,659	**22,018,659**	
From the Mental Health Fund (IC 12-24-14-4)		
5,180,386	**5,180,386**	
Augmentation allowed.		

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	**19,732,264**	**19,732,264**
Other Operating Expense	**7,466,781**	**7,466,781**

LARUE CARTER MEMORIAL HOSPITAL
From the General Fund
18,500,766 6,716,120
From the Mental Health Fund (IC 12-24-14-4)
9,008,594 3,269,602
Augmentation allowed.

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	**19,573,678**	**6,763,808**
Other Operating Expense	**7,935,682**	**3,221,914**

LOGANSPORT STATE HOSPITAL
From the General Fund
28,662,340 28,662,340
From the Mental Health Fund (IC 12-24-14-4)
3,668,784 3,668,784
Augmentation allowed.

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	**26,080,124**	**26,080,124**
Other Operating Expense	**6,251,000**	**6,251,000**

MADISON STATE HOSPITAL
From the General Fund
23,239,646 23,239,646
From the Mental Health Fund (IC 12-24-14-4)
4,505,252 4,505,252
Augmentation allowed.

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	**22,788,533**	**22,788,533**
Other Operating Expense	**4,956,365**	**4,956,365**

RICHMOND STATE HOSPITAL
From the General Fund
29,158,483 29,158,483
From the Mental Health Fund (IC 12-24-14-4)

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
5,539,492	5,539,492		
Augmentation allowed.			

The amounts specified from the general fund and the mental health fund are for the following purposes:

Personal Services	26,363,226	26,363,226
Other Operating Expense	8,334,749	8,334,749
NEURO DIAGNOSTIC INSTITUTE		
General Fund		
Total Operating Expense	0	15,561,478
Mental Health Fund (IC 12-24-14-4)		
Total Operating Expense	0	8,276,570
Augmentation allowed.		
PATIENT PAYROLL		
Total Operating Expense	257,206	257,206

The federal share of revenue accruing to the state mental health institutions under IC 12-15, based on the applicable Federal Medical Assistance Percentage (FMAP), shall be deposited in the mental health fund established by IC 12-24-14, and the remainder shall be deposited in the general fund.

DIVISION OF FAMILY RESOURCES ADMINISTRATION		
Personal Services	493,813	493,813
Other Operating Expense	2,428,219	2,428,219
EBT ADMINISTRATION		
Total Operating Expense	1,070,984	1,070,984
DFR - COUNTY ADMINISTRATION		
Total Operating Expense	90,130,109	90,130,109
INDIANA ELIGIBILITY SYSTEM		
Total Operating Expense	8,500,078	8,500,078
IMPACT PROGRAM		
Total Operating Expense	3,016,154	3,016,154
TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)		
Total Operating Expense	21,086,301	21,086,301
SNAP ADMINISTRATION		
Total Operating Expense	4,339,572	4,339,572

The above appropriations for information systems/technology, education and training, and Temporary Assistance for Needy Families (TANF) are for the purpose of enabling the division of family resources to carry out all services as provided in IC 12-14. In addition to the above appropriations, all money received from the federal government and paid into the state treasury as a grant or allowance is appropriated and shall be expended by the division of family resources for the respective purposes for which such money was allocated and paid to the state.

BURIAL EXPENSES

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	**5,665,041**	**5,665,041**	
DIVISION OF AGING ADMINISTRATION			
Other Operating Expense	**738,378**	**738,378**	

The above appropriations for the division of aging administration are for administrative expenses. Any federal fund reimbursements received for such purposes are to be deposited in the general fund.

ROOM AND BOARD ASSISTANCE (R-CAP)			
Total Operating Expense	**8,481,788**	**8,481,788**	
C.H.O.I.C.E. IN-HOME SERVICES			
Total Operating Expense	**48,765,643**	**48,765,643**	

The above appropriations for C.H.O.I.C.E. In-Home Services include intragovernmental transfers to provide the nonfederal share of the Medicaid aged and disabled waiver.

The intragovernmental transfers for use in the Medicaid aged and disabled waiver may not exceed $18,000,000 annually.

The division of aging shall conduct an annual evaluation of the cost effectiveness of providing home and community-based services. Before January of each year, the division shall submit a report to the budget committee, the budget agency, and the legislative council (in an electronic format under IC 5-14-6) that covers all aspects of the division's evaluation and such other information pertaining thereto as may be requested by the budget committee, the budget agency, or the legislative council, including the following:
(1) the number and demographic characteristics of the recipients of home and community-based services during the preceding fiscal year, including a separate count of individuals who received no services other than case management services (as defined in 455 IAC 2-4-10) during the preceding fiscal year;
(2) the total cost and per recipient cost of providing home and community-based services during the preceding fiscal year.

The division shall obtain from providers of services data on their costs and expenditures regarding implementation of the program and report the findings to the budget committee, the budget agency, and the legislative council. The report to the legislative council must be in an electronic format under IC 5-14-6.

STATE SUPPLEMENT TO SSBG - AGING			
Total Operating Expense	**687,396**	**687,396**	
OLDER HOOSIERS ACT			
Total Operating Expense	**1,573,446**	**1,573,446**	
ADULT PROTECTIVE SERVICES			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	**5,451,948**	**5,451,948**	
Augmentation allowed.			

The above appropriations may be used for emergency adult protective services placement.

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

Funds shall be used to the extent that such services are not available to an individual through a policy of accident and sickness insurance, a health maintenance organization contract, the Medicaid program, the federal Medicare program, or any other federal program.

ADULT GUARDIANSHIP SERVICES		
Total Operating Expense	**405,565**	**405,565**
TITLE III ADMINISTRATION GRANT		
Total Operating Expense	**253,437**	**253,437**
OMBUDSMAN		
Total Operating Expense	**310,124**	**310,124**
DIVISION OF DISABILITY AND REHABILITATIVE SERVICES ADMINISTRATION		
Total Operating Expense	**360,764**	**360,764**
BUREAU OF REHABILITATIVE SERVICES		
- VOCATIONAL REHABILITATION OPERATING		
Total Operating Expense	**15,866,049**	**15,866,049**
AID TO INDEPENDENT LIVING		
Total Operating Expense	**46,927**	**46,927**
accessABILITY CENTER FOR INDEPENDENT LIVING		
Total Operating Expense	**87,665**	**87,665**
SOUTHERN INDIANA CENTER FOR INDEPENDENT LIVING		
Total Operating Expense	**87,665**	**87,665**
ATTIC, INCORPORATED		
Total Operating Expense	**87,665**	**87,665**
LEAGUE FOR THE BLIND AND DISABLED		
Total Operating Expense	**87,665**	**87,665**
FUTURE CHOICES, INC.		
Total Operating Expense	**158,113**	**158,113**
THE WABASH INDEPENDENT LIVING AND LEARNING CENTER, INC.		
Total Operating Expense	**158,113**	**158,113**
INDEPENDENT LIVING CENTER OF EASTERN INDIANA		
Total Operating Expense	**158,113**	**158,113**
BUREAU OF REHABILITATIVE SERVICES - DEAF AND HARD OF HEARING SERVICES		
Personal Services	**124,232**	**124,232**
Other Operating Expense	**142,542**	**142,542**
BUREAU OF REHABILITATIVE SERVICES - BLIND VENDING OPERATIONS		
Total Operating Expense	**129,905**	**129,905**
BUREAU OF REHABILITATIVE SERVICES - INDEPENDENT LIVING - BLIND ELDERLY		
Total Operating Expense	**69,357**	**69,357**
BUREAU OF REHABILITATIVE SERVICES - SUPPORTED EMPLOYMENT		
Total Operating Expense	**26,156**	**26,156**
BUREAU OF QUALITY IMPROVEMENT SERVICES		
Total Operating Expense	**2,533,633**	**2,533,633**
BUREAU OF DEVELOPMENTAL DISABILITIES SERVICES - DAY SERVICES		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Other Operating Expense	**3,418,884**	**3,418,884**
FIRST STEPS		
Total Operating Expense	**8,149,513**	**8,149,513**
BUREAU OF DEVELOPMENTAL DISABILITIES SERVICES - DIAGNOSIS AND EVALUATION		

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
Total Operating Expense	400,125	400,125	
BUREAU OF DEVELOPMENTAL DISABILITIES SERVICES - CAREGIVER SUPPORT			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Other Operating Expense	250,000	250,000	
BUREAU OF DEVELOPMENTAL DISABILITIES SERVICES - OPERATING			
Total Operating Expense	6,595,632	6,595,632	
BUREAU OF DEVELOPMENTAL DISABILITIES SERVICES - RESIDENTIAL SERVICES			
General Fund			
Total Operating Expense	85,067,952	85,067,952	
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	11,027,819	11,027,819	

The above appropriations for residential services include the intragovernmental transfers necessary to provide the nonfederal share of reimbursement under the Medicaid program for day services provided to residents of group homes and nursing facilities.

In the development of new community residential settings for persons with developmental disabilities, the division of disability and rehabilitative services must give priority to the appropriate placement of such persons who are eligible for Medicaid and currently residing in intermediate care or skilled nursing facilities and, to the extent permitted by law, such persons who reside with aged parents or guardians or families in crisis.

PRE-K EDUCATION PILOT			
Total Operating Expense	16,000,000	16,000,000	
SCHOOL AGE CHILD CARE PROJECT FUND			
Total Operating Expense	812,413	812,413	
CHILD CARE & DEVELOPMENT FUND			
Total Operating Expense	34,316,109	34,316,109	
HEADSTART			
Total Operating Expense	43,750	43,750	
CHILD CARE LICENSING FUND			
Child Care Fund (IC 12-17.2-2-3)			
Total Operating Expense	30,000	30,000	
Augmentation allowed.			

FOR THE DEPARTMENT OF CHILD SERVICES			
CHILD SERVICES ADMINISTRATION			
Total Operating Expense	186,056,906	186,056,906	
DHHS CHILD WELFARE PROGRAM			
Total Operating Expense	46,554,199	46,554,199	
CHILD WELFARE SERVICES STATE GRANTS			
Total Operating Expense	11,416,415	11,416,415	
TITLE IV-D CHILD SUPPORT			
Total Operating Expense	13,379,008	13,379,008	

The above appropriations for the department of child services Title IV-D of the federal Social Security Act are made under, and not in addition to, IC 31-25-4-28.

FAMILY AND CHILDREN FUND

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
Total Operating Expense	**284,500,048**	**284,500,048**	
Augmentation allowed.			
YOUTH SERVICE BUREAU			
Total Operating Expense	**1,303,699**	**1,303,699**	
PROJECT SAFEPLACE			
Total Operating Expense	**112,000**	**112,000**	
HEALTHY FAMILIES INDIANA			
Total Operating Expense	**3,093,145**	**3,093,145**	
ADOPTION SERVICES			
Total Operating Expense	**26,362,735**	**26,362,735**	
TITLE IV-E ADOPTION SERVICES			
Total Operating Expense	**31,489,886**	**31,489,886**	

FOR THE DEPARTMENT OF ADMINISTRATION
DEPARTMENT OF CHILD SERVICES OMBUDSMAN BUREAU

Total Operating Expense	**304,295**	**304,295**

B. PUBLIC HEALTH

FOR THE STATE DEPARTMENT OF HEALTH

General Fund

22,899,765 22,899,765

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

2,169,261 1,700,875

Augmentation Allowed.

The amounts specified from the General Fund and the tobacco master settlement agreement fund are for the following purposes:

Personal Services	**20,171,018**	**20,171,018**
Other Operating Expense	**4,898,008**	**4,429,622**

All receipts to the state department of health from licenses or permit fees shall be deposited in the state general fund.

AREA HEALTH EDUCATION CENTERS

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	**2,300,000**	**2,300,000**

CANCER REGISTRY

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	**488,375**	**488,375**

MINORITY HEALTH INITIATIVE

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	**2,473,500**	**2,473,500**

The above appropriations shall be allocated to the Indiana Minority Health Coalition to work with the state department on the implementation of IC 16-46-11.

SICKLE CELL

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	**490,000**	**490,000**	
MEDICARE-MEDICAID CERTIFICATION			
Total Operating Expense	**5,014,068**	**5,014,068**	

Personal services augmentation allowed in amounts not to exceed revenue from health facilities license fees or from health care providers (as defined in IC 16-18-2-163) fee increases or those adopted by the Executive Board of the Indiana State Department of Health under IC 16-19-3.

AIDS EDUCATION			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Personal Services	**218,070**	**218,070**	
Other Operating Expense	**435,533**	**435,533**	
HIV/AIDS SERVICES			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	**1,992,517**	**1,992,517**	
AIDS CARE COORDINATION			
Total Operating Expense	**278,981**	**278,981**	
INFECTIOUS DISEASE			
Total Operating Expense	**1,390,325**	**1,390,325**	
TUBERCULOSIS TREATMENT			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	**100,000**	**100,000**	
STATE CHRONIC DISEASES			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Personal Services	**103,188**	**103,188**	
Other Operating Expense	**759,300**	**759,300**	

At least $82,560 of the above appropriations shall be for grants to community groups and organizations as provided in IC 16-46-7-8. The state department of health may consider grants to the Kidney Foundation up to $50,000.

STATEWIDE CHILD FATALITY COORDINATOR			
Total Operating Expense	**55,226**	**55,226**	
FOOD ASSISTANCE			
Total Operating Expense	**104,978**	**104,978**	
WOMEN, INFANTS, AND CHILDREN SUPPLEMENT			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	**184,300**	**184,300**	
MATERNAL AND CHILD HEALTH SUPPLEMENT			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	**184,300**	**184,300**	
CANCER EDUCATION AND DIAGNOSIS - BREAST CANCER			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	**69,172**	**69,172**	
BREAST AND CERVICAL CANCER PROGRAM			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	**106,575**	**106,575**	

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
ADOPTION HISTORY			
Adoption History Fund (IC 31-19-18-6)			
Total Operating Expense	192,266	192,266	
Augmentation allowed.			
CHILDREN WITH SPECIAL HEALTH CARE NEEDS			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	10,393,134	10,393,134	
Augmentation allowed.			
NEWBORN SCREENING PROGRAM			
Newborn Screening Fund (IC 16-41-17-11)			
Personal Services	816,274	816,274	
Other Operating Expense	1,688,066	1,688,066	
Augmentation allowed.			

The above appropriation includes funding for pulse oximetry screening of infants.

CENTER FOR DEAF AND HARD OF HEARING EDUCATION			
Total Operating Expense	2,018,097	2,018,097	
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	739,747	739,747	
RADON GAS TRUST FUND			
Radon Gas Trust Fund (IC 16-41-38-8)			
Total Operating Expense	10,670	10,670	
Augmentation allowed.			
SAFETY PIN PROGRAM			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	5,500,000	5,500,000	
BIRTH PROBLEMS REGISTRY			
Birth Problems Registry Fund (IC 16-38-4-17)			
Personal Services	63,824	63,824	
Other Operating Expense	9,693	9,693	
Augmentation allowed.			
MOTOR FUEL INSPECTION PROGRAM			
Motor Fuel Inspection Fund (IC 16-44-3-10)			
Total Operating Expense	160,000	160,000	
Augmentation allowed.			
DONATED DENTAL SERVICES			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	34,335	34,335	

The above appropriation shall be used by the Indiana foundation for dentistry for individuals who are handicapped.

OFFICE OF WOMEN'S HEALTH			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	96,970	96,970	
SPINAL CORD AND BRAIN INJURY			
Spinal Cord and Brain Injury Fund (IC 16-41-42.2-3)			
Total Operating Expense	1,600,000	1,600,000	

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
Augmentation allowed.			
HEALTHY IN PLAN - IMMUNIZATIONS			
Healthy IN Plan Trust Fund (IC 12-15-44.2-17)			
Total Operating Expense	11,000,000	11,000,000	
WEIGHTS AND MEASURES FUND			
Weights and Measures Fund (IC 16-19-5-4)			
Total Operating Expense	7,000	7,000	
Augmentation allowed.			
MINORITY EPIDEMIOLOGY			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	618,375	618,375	
COMMUNITY HEALTH CENTERS			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	14,453,000	14,453,000	
PRENATAL SUBSTANCE USE & PREVENTION			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	119,965	119,965	
OPIOID OVERDOSE INTERVENTION			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	250,000	250,000	
NURSE FAMILY PARTNERSHIP			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	5,000,000	5,000,000	
HEARING AND BLIND SERVICES			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	500,000	500,000	

Of the above appropriations for hearing and blind services, three hundred seventy-five thousand dollars ($375,000) shall be annually deposited in the Hearing Aid Fund established under IC 16-35-8-3.

LOCAL HEALTH MAINTENANCE FUND			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	3,915,209	3,915,209	
Augmentation allowed.			

The amount appropriated from the tobacco master settlement agreement fund is in lieu of the appropriation provided for this purpose in IC 6-7-1-30.5 or any other law. Of the above appropriations for the local health maintenance fund, $60,000 each year shall be used to provide additional funding to adjust funding through the formula in IC 16-46-10 to reflect population increases in various counties. Money appropriated to the local health maintenance fund must be allocated under the following schedule each year to each local board of health whose application for funding is approved by the state department of health:

COUNTY POPULATION	AMOUNT OF GRANT
over 499,999	94,112
100,000 - 499,999	72,672
50,000 - 99,999	48,859

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
under 50,000 33,139			
LOCAL HEALTH DEPARTMENT ACCOUNT			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	3,000,000	3,000,000	

The above appropriations for the local health department account are statutory distributions under IC 4-12-7.

TOBACCO USE PREVENTION AND CESSATION PROGRAM			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	7,500,000	7,500,000	

A minimum of 90% of the above appropriations shall be used for grants to local agencies and other entities with programs designed to reduce smoking.

FOR THE INDIANA SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED			
Personal Services	9,396,221	9,396,221	
Other Operating Expense	1,558,575	1,558,575	
FOR THE INDIANA SCHOOL FOR THE DEAF			
Personal Services	13,659,882	13,659,882	
Other Operating Expense	2,256,439	2,256,439	

C. VETERANS' AFFAIRS

FOR THE INDIANA DEPARTMENT OF VETERANS' AFFAIRS			
Personal Services	1,614,054	1,614,054	
Other Operating Expense	1,134,234	1,134,234	

The above personal services appropriations include funding for a women's veteran services officer.

VETERAN SERVICE ORGANIZATIONS			
Total Operating Expense	1,210,000	1,210,000	

The above appropriations shall be used to assist veterans in securing available benefits and shall be allocated to the following organizations:

American Legion: $200,000
Disabled Veterans: $200,000
Veterans of Foreign Wars: $200,000
AMVETS: $100,000
Vietnam Veterans: $100,000

The allocations shall be administered by and accountable to the Indiana Department of Veterans' Affairs.

OPERATION OF VETERANS' CEMETERY			
Total Operating Expense	279,577	279,577	

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
MILITARY FAMILY RELIEF FUND			
Military Family Relief Fund (IC 10-17-12-8)			
Total Operating Expense	1,678,100	1,678,100	

INDIANA VETERANS' HOME

From the General Fund

2,927,180 2,927,180

From the Veterans' Home Comfort and Welfare Program

10,669,626 10,669,626

From the IVH Medicaid Reimbursement Fund

9,432,296 9,432,296

Augmentation allowed from the Comfort and Welfare Fund, and the IVH Medicaid Reimbursement Fund.

The amounts specified from the General Fund, the Veterans' Home Comfort and Welfare Program, and the IVH Medicaid Reimbursement Fund are for the following purposes:

Personal Services	12,559,102	12,559,102
Other Operating Expense	10,470,000	10,470,000

SECTION 9. [EFFECTIVE JULY 1, 2017]

EDUCATION

A. HIGHER EDUCATION

FOR INDIANA UNIVERSITY		
BLOOMINGTON CAMPUS		
Total Operating Expense	198,932,858	201,160,381
Fee Replacement	20,255,389	23,775,573
FOR INDIANA UNIVERSITY REGIONAL CAMPUSES		
EAST		
Total Operating Expense	11,582,851	11,712,584
Fee Replacement	1,028,645	555,970
KOKOMO		
Total Operating Expense	13,876,602	14,031,986
Fee Replacement	1,181,466	1,683,433
NORTHWEST		
Total Operating Expense	17,463,366	17,658,919
Fee Replacement	5,824,692	5,157,768
SOUTH BEND		
Total Operating Expense	23,748,637	24,014,598
Fee Replacement	3,226,763	4,086,620
SOUTHEAST		
Total Operating Expense	19,953,286	20,176,723
Fee Replacement	2,770,653	3,329,290
FORT WAYNE HEALTH SCIENCES PROGRAM		
Total Operating Expense	0	4,850,000

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

TOTAL APPROPRIATION - INDIANA UNIVERSITY REGIONAL CAMPUSES
100,656,961 107,257,891

FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY
AT INDIANAPOLIS (IUPUI)

I. U. SCHOOLS OF MEDICINE AND DENTISTRY		
Total Operating Expense	**102,128,250**	**103,271,684**
Fee Replacement	**12,670,612**	**10,475,279**
FOR INDIANA UNIVERSITY SCHOOL OF MEDICINE		
INDIANA UNIVERSITY SCHOOL OF MEDICINE - EVANSVILLE		
Total Operating Expense	**2,137,606**	**2,161,539**
INDIANA UNIVERSITY SCHOOL OF MEDICINE - FORT WAYNE		
Total Operating Expense	**1,998,002**	**2,020,372**
INDIANA UNIVERSITY SCHOOL OF MEDICINE - NORTHWEST - GARY		
Total Operating Expense	**2,672,727**	**2,702,651**
INDIANA UNIVERSITY SCHOOL OF MEDICINE - LAFAYETTE		
Total Operating Expense	**2,428,080**	**2,455,265**
INDIANA UNIVERSITY SCHOOL OF MEDICINE - MUNCIE		
Total Operating Expense	**2,222,965**	**2,247,853**
INDIANA UNIVERSITY SCHOOL OF MEDICINE - SOUTH BEND		
Total Operating Expense	**2,090,142**	**2,113,543**
INDIANA UNIVERSITY SCHOOL OF MEDICINE - TERRE HAUTE		
Total Operating Expense	**2,416,178**	**2,443,230**

The Indiana University School of Medicine - Indianapolis shall submit to the Indiana commission for higher education before May 15 of each year an accountability report containing data on the number of medical school graduates who entered primary care physician residencies in Indiana from the school's most recent graduating class.

FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY AT INDIANAPOLIS (IUPUI)

GENERAL ACADEMIC DIVISIONS		
Total Operating Expense	**104,836,193**	**106,010,155**
Fee Replacement	**6,422,595**	**6,097,304**

TOTAL APPROPRIATIONS - IUPUI
242,023,350 241,998,875

Transfers of allocations between campuses to correct for errors in allocation among the campuses of Indiana University can be made by the institution with the approval of the commission for higher education and the budget agency. Indiana University shall maintain current operations at all statewide medical education sites.

FOR INDIANA UNIVERSITY		
DUAL CREDIT		
Total Operating Expense	**1,834,210**	**1,834,210**
IU McKINNEY SCHOOL OF LAW - AG LAW		
Total Operating Expense	**200,000**	**200,000**

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*
CLINICAL AND TRANSLATIONAL SCIENCES INSTITUTE			
Total Operating Expense	**2,500,000**	**2,500,000**	
ABILENE NETWORK OPERATIONS CENTER			
Total Operating Expense	**721,861**	**721,861**	
SPINAL CORD AND HEAD INJURY RESEARCH CENTER			
Total Operating Expense	**553,429**	**553,429**	
INSTITUTE FOR THE STUDY OF DEVELOPMENTAL DISABILITIES			
Total Operating Expense	**2,105,824**	**2,105,824**	
GEOLOGICAL SURVEY			
Total Operating Expense	**2,783,782**	**2,783,782**	
LOCAL GOVERNMENT ADVISORY COMMISSION			
Total Operating Expense	**150,000**	**150,000**	
I-LIGHT NETWORK OPERATIONS			
Build Indiana Fund (IC 4-30-17)			
Total Operating Expense	**1,508,628**	**1,508,628**	
FOR PURDUE UNIVERSITY			
WEST LAFAYETTE			
Total Operating Expense	**234,698,172**	**237,325,823**	
Fee Replacement	**19,907,318**	**24,549,177**	
NORTHWEST			
Total Operating Expense	**43,723,125**	**44,212,742**	
Fee Replacement	**1,636,805**	**1,587,473**	
FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY			
AT FORT WAYNE (IPFW)			
Total Operating Expense	**42,206,513**	**42,679,133**	
Fee Replacement	**3,582,947**	**3,386,658**	

Transfers of allocations between campuses to correct for errors in allocation among the campuses of Purdue University can be made by the institution with the approval of the commission for higher education and the budget agency.

FOR PURDUE UNIVERSITY			
NEXT GENERATION MANUFACTURING COMPETITIVENESS CENTER			
Total Operating Expense	**2,500,000**	**2,500,000**	
THINK SUMMER			
Total Operating Expense	**4,500,000**	**4,500,000**	
DUAL CREDIT			
Total Operating Expense	**1,688,820**	**1,688,820**	
ANIMAL DISEASE DIAGNOSTIC LABORATORY SYSTEM			
Total Operating Expense	**5,741,561**	**3,711,561**	

The above appropriations shall be used to fund the animal disease diagnostic laboratory system (ADDL), which consists of the main ADDL at West Lafayette, the bangs disease testing service at West Lafayette, and the southern branch of ADDL Southern Indiana Purdue Agricultural Center (SIPAC) in Dubois County. The above appropriations are in addition to any user charges that may be established and collected under IC 21-46-3-5.

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*
Notwithstanding IC 21-46-3-4, the trustees of Purdue University may approve reasonable charges for testing for pseudorabies.			
PURDUE MOVES			
Total Operating Expense	**2,000,000**	**2,000,000**	
STATEWIDE TECHNOLOGY			
Total Operating Expense	**6,695,258**	**6,695,258**	
COUNTY AGRICULTURAL EXTENSION EDUCATORS			
Total Operating Expense	**7,487,816**	**7,487,816**	
AGRICULTURAL RESEARCH AND EXTENSION - CROSSROADS			
Total Operating Expense	**8,492,325**	**8,492,325**	
CENTER FOR PARALYSIS RESEARCH			
Total Operating Expense	**522,558**	**522,558**	
UNIVERSITY-BASED BUSINESS ASSISTANCE			
Total Operating Expense	**1,930,212**	**1,930,212**	
FOR INDIANA STATE UNIVERSITY			
Total Operating Expense	**64,933,548**	**65,660,508**	
Fee Replacement	**11,984,228**	**11,998,773**	
DUAL CREDIT			
Total Operating Expense	**126,525**	**126,525**	
NURSING PROGRAM			
Total Operating Expense	**204,000**	**204,000**	
PRINCIPAL LEADERSHIP ACADEMY			
Total Operating Expense	**600,000**	**600,000**	
STUDENT SUCCESS INITIATIVE			
Total Operating Expense	**2,350,000**	**2,350,000**	
FOR UNIVERSITY OF SOUTHERN INDIANA			
Total Operating Expense	**44,837,199**	**45,339,235**	
Fee Replacement	**9,011,024**	**12,232,928**	
DUAL CREDIT			
Total Operating Expense	**211,785**	**211,785**	
CAMPUS SECURITY ENHANCEMENTS			
Total Operating Expense	**750,000**	**750,000**	
HISTORIC NEW HARMONY			
Total Operating Expense	**486,878**	**486,878**	
FOR BALL STATE UNIVERSITY			
Total Operating Expense	**131,228,661**	**132,698,130**	
Fee Replacement	**16,009,403**	**22,105,279**	
DUAL CREDIT			
Total Operating Expense	**173,285**	**173,285**	
ENTREPRENEURIAL COLLEGE			
Total Operating Expense	**2,500,000**	**2,500,000**	
ACADEMY FOR SCIENCE, MATHEMATICS, AND HUMANITIES			
Total Operating Expense	**4,384,956**	**4,384,956**	

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*
FOR VINCENNES UNIVERSITY			
Total Operating Expense	**40,716,413**	**41,172,256**	
Fee Replacement	**6,209,542**	**6,204,492**	
DUAL CREDIT			
Total Operating Expense	**2,753,660**	**2,753,660**	
FOR IVY TECH COMMUNITY COLLEGE			
Total Operating Expense	**225,705,691**	**228,232,189**	
Fee Replacement	**30,827,379**	**34,630,914**	
DUAL CREDIT			
Total Operating Expense	**9,092,405**	**9,092,405**	
STATEWIDE NURSING PARTNERSHIP			
Total Operating Expense	**85,411**	**85,411**	
FT. WAYNE PUBLIC SAFETY TRAINING CENTER			
Total Operating Expense	**1,000,000**	**1,000,000**	

The above appropriations do not include funds for the course development grant program.

The sums herein appropriated to Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community College are in addition to all income of said institutions, respectively, from all permanent fees and endowments and from all land grants, fees, earnings, and receipts, including gifts, grants, bequests, and devises, and receipts from any miscellaneous sales from whatever source derived.

All such income and all such fees, earnings, and receipts on hand June 30, 2017, and all such income and fees, earnings, and receipts accruing thereafter are hereby appropriated to the boards of trustees or directors of the aforementioned institutions and may be expended for any necessary expenses of the respective institutions, including university hospitals, schools of medicine, nurses' training schools, schools of dentistry, and agricultural extension and experimental stations. However, such income, fees, earnings, and receipts may be used for land and structures only if approved by the governor and the budget agency.

The above appropriations to Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community College include the employers' share of Social Security payments for university employees under the public employees' retirement fund, or institutions covered by the Indiana state teachers' retirement fund. The funds appropriated also include funding for the employers' share of payments to the public employees' retirement fund and to the Indiana state teachers' retirement fund at a rate to be established by the retirement funds for both fiscal years for each institution's employees covered by these retirement plans.

The treasurers of Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community College shall, at the end of each three (3) month period, prepare and file with the auditor of state a financial statement that shall show in total all

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

revenues received from any source, together with a consolidated statement of disbursements for the same period. The budget director shall establish the requirements for the form and substance of the reports.

The reports of the treasurer also shall contain in such form and in such detail as the governor and the budget agency may specify, complete information concerning receipts from all sources, together with any contracts, agreements, or arrangements with any federal agency, private foundation, corporation, or other entity from which such receipts accrue.

All such treasurers' reports are matters of public record and shall include without limitation a record of the purposes of any and all gifts and trusts with the sole exception of the names of those donors who request to remain anonymous.

Notwithstanding IC 4-10-11, the auditor of state shall draw warrants to the treasurers of Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community College on the basis of vouchers stating the total amount claimed against each fund or account, or both, but not to exceed the legally made appropriations.

For universities and colleges supported in whole or in part by state funds, grant applications and lists of applications need only be submitted upon request to the budget agency for review and approval or disapproval and, unless disapproved by the budget agency, federal grant funds may be requested and spent without approval by the budget agency. Each institution shall retain the applications for a reasonable period of time and submit a list of all grant applications, at least monthly, to the commission for higher education for informational purposes.

For all university special appropriations, an itemized list of intended expenditures, in such form as the governor and the budget agency may specify, shall be submitted to support the allotment request. All budget requests for university special appropriations shall be furnished in a like manner and as a part of the operating budgets of the state universities.

The trustees of Indiana University, the trustees of Purdue University, the trustees of Indiana State University, the trustees of University of Southern Indiana, the trustees of Ball State University, the trustees of Vincennes University, and the trustees of Ivy Tech Community College are hereby authorized to accept federal grants, subject to IC 4-12-1.

Fee replacement funds are to be distributed as requested by each institution, on payment due dates, subject to available appropriations.

FOR THE MEDICAL EDUCATION BOARD		
FAMILY PRACTICE RESIDENCY FUND		
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	**1,852,698**	**1,852,698**

Of the above appropriations for the medical education board-family practice residency

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

fund, $1,000,000 each year shall be used for grants for the purpose of improving family practice residency programs serving medically underserved areas.

FOR THE GRADUATE MEDICAL EDUCATION BOARD
MEDICAL RESIDENCY EDUCATION GRANTS
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	**3,000,000**	**3,000,000**

The above appropriations for medical residency education grants are to be distributed in accordance with IC 21-13-6.5.

FOR THE COMMISSION FOR HIGHER EDUCATION

Total Operating Expense	**3,061,771**	**3,061,771**

FREEDOM OF CHOICE GRANTS

Total Operating Expense	**52,388,418**	**52,388,418**

HIGHER EDUCATION AWARD PROGRAM

Total Operating Expense	**93,351,582**	**93,351,582**

For the higher education awards and freedom of choice grants made for the 2017-2019 biennium, the following guidelines shall be used, notwithstanding current administrative rule or practice:
(1) The commission shall maintain the proportionality of award maximums for public, private, and proprietary institutions when setting forth amounts under IC 21-12-1.7.
(2) Minimum Award: No actual award shall be less than $600.
(3) The commission shall reduce award amounts as necessary to stay within the appropriation.

TUITION AND FEE EXEMPTION FOR CHILDREN OF VETERANS AND PUBLIC SAFETY OFFICERS (IC 21-14)

Total Operating Expense	**28,701,041**	**28,701,041**

ADULT STUDENT GRANT DISTRIBUTION

Total Operating Expense	**7,579,858**	**7,579,858**

Priority for awards made from the above appropriation shall be given first to eligible students meeting TANF income eligibility guidelines as determined by the family and social services administration and second to eligible students who received awards from the adult grant fund during the school year associated with the biennial budget year. Funds remaining shall be distributed according to procedures established by the commission. The maximum grant that an applicant may receive for a particular academic term shall be established by the commission but shall in no case be greater than a grant for which an applicant would be eligible under IC 21-12-3 if the applicant were a full-time student. The commission shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR Part 265.

The family and social services administration, division of family resources, shall apply all qualifying expenditures for the part-time grant program toward Indiana's maintenance of effort under the federal Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*
STEM TEACHER RECRUITMENT FUND			
Total Operating Expense	**5,000,000**	**5,000,000**	

The above appropriation may be used to provide grants to nonprofit organizations that place new science, technology, engineering, and math teachers in elementary and high schools located in underserved areas.

MINORITY TEACHER SCHOLARSHIPS			
Total Operating Expense	**400,000**	**400,000**	
HIGH NEED STUDENT TEACHING STIPEND FUND			
Total Operating Expense	**450,000**	**450,000**	
MINORITY STUDENT TEACHING STIPEND FUND			
Total Operating Expense	**50,000**	**50,000**	
EARN INDIANA WORK STUDY PROGRAM			
Total Operating Expense	**606,099**	**606,099**	
21ST CENTURY ADMINISTRATION			
Total Operating Expense	**1,842,862**	**1,842,862**	
21ST CENTURY SCHOLAR AWARDS			
Total Operating Expense	**159,676,117**	**144,501,004**	

The commission shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR 265.

Family and social services administration, division of family resources, shall apply all qualifying expenditures for the 21st century scholars program toward Indiana's maintenance of effort under the federal Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).

INDIANA INTERNnet			
Total Operating Expense	**250,000**	**250,000**	
POSTSECONDARY CREDIT BEARING PROPRIETARY EDUCATIONAL INSTITUTION ACC			
Postsecondary Credit Bearing Proprietary Educational Institution Authorization Fund (IC 21-18.5-6-26(b))			
Total Operating Expense	**232,682**	**232,682**	
Augmentation allowed.			
NEXT GENERATION HOOSIER EDUCATORS			
Next Generation Hoosier Educators Scholarship Fund (IC 21-12-16-3)			
Total Operating Expense	**1,582,400**	**3,082,400**	
Augmentation allowed.			
NATIONAL GUARD SCHOLARSHIP			
Total Operating Expense	**3,676,240**	**3,676,240**	

The above appropriations for national guard scholarship and any program reserves shall be the total allowable state expenditure for the program in the 2017-2019 biennium. If the dollar amounts of eligible awards exceed appropriations and program reserves, the commission shall develop a plan to ensure that the total dollar amount does not exceed the above appropriations and any program reserves.

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
PRIMARY CARE SHORTAGE AREA SCHOLARSHIP			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
Total Operating Expense	**2,000,000**	**2,000,000**	

The above appropriations for primary care shortage area scholarship are for scholarships under IC 21-13-9.

LEARN MORE INDIANA			
Total Operating Expense	**703,250**	**703,250**	
STATEWIDE TRANSFER AND TECHNOLOGY			
Total Operating Expense	**1,051,787**	**1,051,787**	
WORKFORCE READY GRANTS			
Total Operating Expense	**2,000,000**	**2,000,000**	

The above appropriations may be used to provide workforce ready grants to adults who pursue high value certificates. The commission may also use the above appropriations to provide outreach to adults who may be eligible to receive workforce ready grants.

FOR THE DEPARTMENT OF ADMINISTRATION			
COLUMBUS LEARNING CENTER LEASE PAYMENT			
Total Operating Expense	**5,312,000**	**5,421,000**	
FOR THE STATE BUDGET AGENCY			
GIGAPOP PROJECT			
Build Indiana Fund (IC 4-30-17)			
Total Operating Expense	**672,562**	**672,562**	
SOUTHERN INDIANA EDUCATIONAL ALLIANCE			
Build Indiana Fund (IC 4-30-17)			
Total Operating Expense	**1,057,738**	**1,057,738**	
DEGREE LINK			
Build Indiana Fund (IC 4-30-17)			
Total Operating Expense	**446,438**	**446,438**	

The above appropriations shall be used for the delivery of Indiana State University baccalaureate degree programs at Ivy Tech Community College and Vincennes University locations through Degree Link.

WORKFORCE CENTERS			
Build Indiana Fund (IC 4-30-17)			
Total Operating Expense	**710,810**	**710,810**	
MIDWEST HIGHER EDUCATION COMPACT			
Build Indiana Fund (IC 4-30-17)			
Total Operating Expense	**115,000**	**115,000**	

B. ELEMENTARY AND SECONDARY EDUCATION

FOR THE STATE BOARD OF EDUCATION			
Total Operating Expense	**2,500,000**	**2,500,000**	

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

The above appropriations for the Indiana state board of education are for the academic standards project to distribute copies of the academic standards and provide teachers with curriculum frameworks; for special evaluation and research projects, including national and international assessments; and for state board administrative expenses.

CHARTER AND INNOVATION NETWORK SCHOOL GRANT PROGRAM (IC 20-24-13)		
Total Operating Expense	**12,500,000**	**12,500,000**
FOR THE INDIANA CHARTER SCHOOL BOARD		
Total Operating Expense	**750,000**	**750,000**
FOR THE DEPARTMENT OF EDUCATION		
SUPERINTENDENT'S OFFICE		
From the General Fund		
13,495,125	**13,495,125**	
From the Professional Standards Fund (IC 20-28-2-10)		
395,000	**395,000**	
Augmentation allowed from the Professional Standards Fund.		

The amounts specified from the General Fund and the Professional Standards Fund are for the following purposes:

Personal Services	**9,681,652**	**9,681,652**
Other Operating Expense	**4,208,473**	**4,208,473**

The above appropriation includes funds to provide state support to educational service centers.

PUBLIC TELEVISION DISTRIBUTION		
Total Operating Expense	**3,675,000**	**3,675,000**

The above appropriations are for grants for public television. The Indiana Public Broadcasting Stations, Inc., shall submit a distribution plan for the eight Indiana public education television stations that shall be approved by the budget agency after review by the budget committee. Of the above appropriations, $525,000 each year shall be distributed equally among all of the public radio stations.

STEM PROGRAM ALIGNMENT		
Total Operating Expense	**1,000,000**	**1,000,000**

The above appropriations shall be used to fund research, surveys, and related staff support activities to develop recommendations to improve elementary and secondary student achievement and participation in science, technology, engineering, and math (STEM) subjects throughout Indiana and to improve coordination among the various STEM initiatives. The department of education shall collaborate with the commission for higher education, the department of workforce development, the Indiana economic development corporation, the office of the governor, and the business community regarding programs, procedures, funding, and related policy matters to ensure equal

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
and daily access to a quality, standards-based kindergarten through grade 12 STEM education. Up to $90,000 of the above appropriations is for the Summer Institute for Curriculum Development at Ball State University.			
INDIANA BAR FOUNDATION - WE THE PEOPLE			
Total Operating Expense	300,000	300,000	
DUAL IMMERSION PILOT PROGRAM			
Total Operating Expense	500,000	500,000	
RILEY HOSPITAL			
Total Operating Expense	250,000	250,000	
BEST BUDDIES			
Total Operating Expense	206,125	206,125	
PERKINS STATE MATCH			
Total Operating Expense	494,000	494,000	
SCHOOL TRAFFIC SAFETY			
Personal Services	250,788	250,788	
Other Operating Expense	1,695	1,695	
Augmentation allowed.			
EDUCATION LICENSE PLATE FEES			
Education License Plate Fees Fund (IC 9-18.5-15)			
Total Operating Expense	32,819	32,819	
ACCREDITATION SYSTEM			
Personal Services	497,857	497,857	
Other Operating Expense	205,007	205,007	
SPECIAL EDUCATION (S-5)			
Total Operating Expense	24,070,000	24,070,000	
The above appropriations for special education are made under IC 20-35-6-2.			
SPECIAL EDUCATION EXCISE			
Alcoholic Beverage Excise Tax Funds (IC 20-35-4-4)			
Personal Services	145,406	145,406	
Other Operating Expense	241,121	241,121	
Augmentation allowed.			
CAREER AND TECHNICAL EDUCATION			
Personal Services	1,144,829	1,144,829	
Other Operating Expense	68,074	68,074	
TEACHERS' SOCIAL SECURITY AND RETIREMENT DISTRIBUTION			
Total Operating Expense	2,403,792	2,403,792	
The above appropriations shall be distributed by the department of education on a monthly basis and in approximately equal payments to special education cooperatives, area career and technical education schools, and other governmental entities that received state teachers' Social Security distributions for certified education personnel (excluding the certified education personnel funded through federal grants) during the fiscal year beginning July 1, 1992, and ending June 30, 1993, and for the units under the Indiana state teachers' retirement fund, the amount they received during the 2002-2003 state fiscal year for teachers' retirement. If the total amount to be distributed			

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

is greater than the total appropriation, the department of education shall reduce each entity's distribution proportionately.

DISTRIBUTION FOR TUITION SUPPORT

Total Operating Expense	**6,894,750,000**	**7,007,000,000**

The above appropriations for distribution for tuition support are to be distributed for tuition support, complexity grants, special education programs, career and technical education programs, honor grants, Mitch Daniels early graduation scholarships, and choice scholarships in accordance with a statute enacted for this purpose during the 2017 session of the general assembly.

If the above appropriations for distribution for tuition support are more than are required under this SECTION, any excess shall revert to the general fund.

The above appropriations for tuition support shall be made each fiscal year under a schedule set by the budget agency and approved by the governor. However, the schedule shall provide for at least twelve (12) payments, that one (1) payment shall be made at least every forty (40) days, and the aggregate of the payments in each fiscal year shall equal the amount required under the statute enacted for the purpose referred to above.

CHOICE SCHOLARSHIPS

Total Operating Expense	**156,500,000**	**167,169,000**

Augmentation allowed.

TEACHER APPRECIATION GRANTS

Total Operating Expense	**40,000,000**	**40,000,000**

It is the intent of the 2017 general assembly that the above appropriations for teacher appreciation grants shall be the total allowable state expenditure for the program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for that state fiscal year, then the department of education shall reduce the distributions proportionately.

DISTRIBUTION FOR SUMMER SCHOOL

Other Operating Expense	**18,360,000**	**18,360,000**

It is the intent of the 2017 general assembly that the above appropriations for summer school shall be the total allowable state expenditure for the program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for that state fiscal year, then the department of education shall reduce the distributions proportionately.

ADULT LEARNERS

Total Operating Expense	**36,927,000**	**36,927,000**

EARLY INTERVENTION PROGRAM AND READING DIAGNOSTIC ASSESSMENT

Total Operating Expense	**4,012,000**	**4,012,000**

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

The above appropriations for the early intervention program may be used for grants to local school corporations for grant proposals for early intervention programs.

The above appropriations may be used by the department of education for the reading diagnostic assessment and subsequent remedial programs or activities. The reading diagnostic assessment program, as approved by the board, is to be made available on a voluntary basis to all Indiana public and accredited nonpublic school first and second grade students upon the approval of the governing body of the school corporations or the accredited nonpublic school. The board shall determine how the funds will be distributed for the assessment and related remediation. The department or its representative shall provide progress reports on the assessment as requested by the board.

NATIONAL SCHOOL LUNCH PROGRAM		
Total Operating Expense	**5,125,000**	**5,125,000**
CURRICULAR MATERIAL REIMBURSEMENT		
Total Operating Expense	**39,000,000**	**39,000,000**

Before a school corporation or an accredited nonpublic school may receive a distribution under the textbook reimbursement program, the school corporation or accredited nonpublic school shall provide to the department the requirements established in IC 20-33-5-2. The department shall provide to the family and social services administration (FSSA) all data required for FSSA to meet the data collection reporting requirement in 45 CFR 265. The family and social services administration, division of family resources, shall apply all qualifying expenditures for the textbook reimbursement program toward Indiana's maintenance of effort under the federal Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).

TESTING		
Total Operating Expense	**26,300,000**	**26,300,000**

The above appropriations are for summative assessments (including special education alternate assessments) in English, language arts, mathematics (grades 3 through 8 and 10), social studies (grades 5 and 7), and science (grades 4, 6, and 10), the IREAD-3 test (grade 3), and the end-of-course tests (GQE) for algebra I and English 10.

REMEDIATION TESTING		
Total Operating Expense	**12,310,000**	**12,310,000**

The above appropriations for remediation testing are for grants to public and accredited nonpublic schools through the department of education. Public and accredited nonpublic schools shall use the grants to fund formative tests to identify students who require remediation. Prior to distribution to public and accredited nonpublic schools, the grant amounts and formula shall be submitted to the state board of education and the budget agency for review and approval, and the department of education shall provide a report to the budget committee.

The above appropriations for remediation testing includes $310,000 each fiscal year

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

for the department of education to pay for college and career readiness examinations.

ADVANCED PLACEMENT PROGRAM

Other Operating Expense	**5,200,000**	**5,200,000**

The above appropriations for the Advanced Placement Program are to provide funding for students of accredited public and nonpublic schools to take the College Board Advanced Placement math, English, and science exams and to supplement any federal funds awarded for non-math-and-science and English Advanced Placement exams taken by students qualified for the Free or Reduced Price Lunch program. Any remaining funds available after exam fees have been paid shall be prioritized for use by teachers of math and science Advanced Placement courses to attend professional development training for those courses.

PSAT PROGRAM

Other Operating Expense	**1,900,000**	**2,200,000**

The above appropriations for the PSAT program are to provide funding for students of accredited public and nonpublic schools in grade 10 and 11 to take the PSAT exam.

NON-ENGLISH SPEAKING PROGRAM

Personal Services	**77,559**	**77,559**
Other Operating Expense	**14,922,441**	**17,422,441**

The above appropriations for the Non-English Speaking Program are for students who have a primary language other than English and limited English proficiency, as determined by using a standard proficiency examination that has been approved by the department of education.

The grant amount is $200 per limited English proficiency student in FY 2018 and $250 per limited English proficiency student in FY 2019. In addition, school corporations with an English language learner population greater than or equal to 5% shall receive an additional grant amount of $157 per student in FY 2018 and $163 per student in FY 2019. It is the intent of the 2017 general assembly that the above appropriations for the Non-English Speaking Program shall be the total allowable state expenditure for the program. If the expected distributions are anticipated to exceed the total appropriations for the state fiscal year, the department of education shall reduce each school corporation's and charter school's distribution proportionately. Virtual charter schools are ineligible to receive funding.

GIFTED AND TALENTED EDUCATION PROGRAM

Personal Services	**81,420**	**81,420**
Other Operating Expense	**12,466,676**	**12,966,676**

PRIMETIME

Personal Services	**73,428**	**73,428**
Other Operating Expense	**81,102**	**81,102**

DRUG FREE SCHOOLS

Total Operating Expense	**36,656**	**36,656**

ALTERNATIVE EDUCATION

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*
Total Operating Expense	**6,142,909**	**6,142,909**	

The above appropriations include funding to provide $7,500 for each child attending a charter school operated by an accredited hospital specializing in the treatment of alcohol or drug abuse. This funding is in addition to tuition support for the charter school.

SENATOR DAVID C. FORD EDUCATIONAL TECHNOLOGY PROGRAM (IC 20-20-13)

Build Indiana Fund (IC 4-30-17)			
Total Operating Expense	**3,086,072**	**3,086,072**	

The department shall use the funds to make grants to school corporations to promote student learning through the use of technology. Notwithstanding distribution guidelines in IC 20-20-13, the department shall develop guidelines for distribution of the grants. Up to $250,000 may be used each year to support the operation of the office of the special assistant to the superintendent of public instruction for technology.

SCHOOL BUSINESS OFFICIALS LEADERSHIP ACADEMY

Total Operating Expense	**150,000**	**150,000**	

The department shall make available the above appropriations to the Indiana Association of School Business Officials to assist in the creation of an academy designed to strengthen the management and leadership skills of practicing Indiana school business officials.

PROFESSIONAL STANDARDS DIVISION

From the General Fund

2,009,257 2,009,257

From the Professional Standards Fund (IC 20-28-2-10)

842,940 842,940

Augmentation allowed from the professional standards fund.

The amounts specified from the General Fund and the Professional Standards Fund are for the following purposes:

Personal Services	**1,137,050**	**1,137,050**	
Other Operating Expense	**1,715,147**	**1,715,147**	

The above appropriations for the Professional Standards Division do not include funds to pay stipends for mentor teachers.

FOR THE INDIANA PUBLIC RETIREMENT SYSTEM

TEACHERS' RETIREMENT FUND DISTRIBUTION

Other Operating Expense	**887,900,000**	**913,900,000**	

Augmentation allowed.

The above appropriations include $21,700,000 in each fiscal year to fund a thirteenth check. If the amount actually required under the pre-1996 account of the teachers' retirement fund for actual benefits for the Post Retirement Pension Increases that

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

are funded on a "pay as you go" basis plus the base benefits under the pre-1996 account of the teachers' retirement fund is:

(1) greater than the above appropriations for a year, after notice to the governor and the budget agency of the deficiency, the above appropriation for the year shall be augmented from the state general fund. Any augmentation shall be included in the required pension stabilization calculation under IC 5-10.4; or

(2) less than the above appropriations for a year, the excess shall be retained in the state general fund. The portion of the benefit funded by the annuity account and the actuarially funded Post Retirement Pension Increases shall not be part of this calculation.

C. OTHER EDUCATION

FOR THE EDUCATION EMPLOYMENT RELATIONS BOARD		
Personal Services	**709,180**	**709,180**
Other Operating Expense	**257,305**	**257,305**
FOR THE STATE LIBRARY		
Personal Services	**2,397,624**	**2,397,624**
Other Operating Expense	**203,611**	**203,611**
STATEWIDE LIBRARY SERVICES		
Total Operating Expense	**1,274,428**	**1,274,428**

The above appropriations for statewide library services will be used to provide services to libraries across the state. These services may include, but will not be limited to, programs, including Wheels, I*Ask, and professional development. The state library shall identify statewide library services that are to be provided by a vendor. Those services identified by the library shall be procured through a competitive process using one (1) or more requests for proposals covering the service.

LIBRARY SERVICES FOR THE BLIND - ELECTRONIC NEWSLINES		
Other Operating Expense	**150,000**	**150,000**
ACADEMY OF SCIENCE		
Total Operating Expense	**7,046**	**7,046**
FOR THE ARTS COMMISSION		
Personal Services	**510,223**	**510,223**
Other Operating Expense	**2,866,169**	**2,866,169**

The above appropriations to the arts commission includes $650,000 each year to provide grants under IC 4-23-2.5 to:

(1) the arts organizations that have most recently qualified for general operating support as major arts organizations as determined by the arts commission; and

(2) the significant regional organizations that have most recently qualified for general operating support as mid-major arts organizations, as determined by the arts commission and its regional re-granting partners.

FOR THE HISTORICAL BUREAU

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*
Personal Services	**322,346**	**322,346**	
Other Operating Expense	**1,674**	**1,674**	
HISTORICAL MARKER PROGRAM			
Total Operating Expense	**10,175**	**10,175**	

SECTION 10. [EFFECTIVE JULY 1, 2017]

DISTRIBUTIONS

FOR THE AUDITOR OF STATE

GAMING TAX		
Total Operating Expense	**66,328,183**	**66,328,183**

SECTION 11. [EFFECTIVE JULY 1, 2017]

The following allocations of federal funds are available for career and technical education under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq. for Career and Technical Education). These funds shall be received by the state board of education, and may be allocated by the budget agency after consultation with the board of education and any other state agencies, commissions, or organizations required by state law. Funds shall be allocated to these agencies in accordance with the allocations specified below:

STATE PROGRAMS AND LEADERSHIP		
	1,878,242	**1,878,242**
SECONDARY VOCATIONAL PROGRAMS		
	15,796,838	**15,796,838**
POSTSECONDARY VOCATIONAL PROGRAMS		
	7,500,345	**7,500,345**

SECTION 12. [EFFECTIVE JULY 1, 2017]

In accordance with IC 20-20-38, the budget agency, with the advice of the board of education and the budget committee, may proportionately augment or reduce an allocation of federal funds made under SECTION 11 of this act.

SECTION 13. [EFFECTIVE JULY 1, 2017]

Utility bills for the month of June, travel claims covering the period June 16 to June 30, payroll for the period of the last half of June, any interdepartmental bills for supplies or services for the month of June, and any other miscellaneous expenses incurred during the period June 16 to June 30 shall be charged to the appropriation for the succeeding year. No interdepartmental bill shall be recorded as a refund of expenditure to any current year allotment account for supplies or services rendered or delivered at any time during the preceding June period.

SECTION 14. [EFFECTIVE JULY 1, 2017]

The budget agency, under IC 4-10-11, IC 4-12-1-13, and IC 4-13-1, in cooperation

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

with the Indiana department of administration, may fix the amount of reimbursement for traveling expenses (other than transportation) for travel within the limits of Indiana. This amount may not exceed actual lodging and miscellaneous expenses incurred. A person in travel status, as defined by the state travel policies and procedures established by the Indiana department of administration and the budget agency, is entitled to a meal allowance not to exceed during any twenty-four (24) hour period the standard meal allowances established by the federal Internal Revenue Service.

All appropriations provided by this act or any other statute, for traveling and hotel expenses for any department, officer, agent, employee, person, trustee, or commissioner, are to be used only for travel within the state of Indiana, unless those expenses are incurred in traveling outside the state of Indiana on trips that previously have received approval as required by the state travel policies and procedures established by the Indiana department of administration and the budget agency. With the required approval, a reimbursement for out-of-state travel expenses may be granted in an amount not to exceed actual lodging and miscellaneous expenses incurred. A person in travel status is entitled to a meal allowance not to exceed during any twenty-four (24) hour period the standard meal allowances established by the federal Internal Revenue Service for properly approved travel within the continental United States and a minimum of $50 during any twenty-four (24) hour period for properly approved travel outside the continental United States. However, while traveling in Japan, the minimum meal allowance shall not be less than $90 for any twenty-four (24) hour period. While traveling in Korea and Taiwan, the minimum meal allowance shall not be less than $85 for any twenty-four (24) hour period. While traveling in Singapore, China, Great Britain, Germany, the Netherlands, and France, the minimum meal allowance shall not be less than $65 for any twenty-four (24) hour period.

In the case of the state supported institutions of postsecondary education, approval for out-of-state travel may be given by the chief executive officer of the institution, or the chief executive officer's authorized designee, for the chief executive officer's respective personnel.

Before reimbursing overnight travel expenses, the auditor of state shall require documentation as prescribed in the state travel policies and procedures established by the Indiana department of administration and the budget agency. No appropriation from any fund may be construed as authorizing the payment of any sum in excess of the standard mileage rates for personally owned transportation equipment established by the federal Internal Revenue Service when used in the discharge of state business. The Indiana department of administration and the budget agency may adopt policies and procedures relative to the reimbursement of travel and moving expenses of new state employees and the reimbursement of travel expenses of prospective employees who are invited to interview with the state.

SECTION 15. [EFFECTIVE JULY 1, 2017]

Notwithstanding IC 4-10-11-2.1, the salary per diem of members of boards, commissions, and councils who are entitled to a salary per diem is equal to $100 per day. However, members of boards, commissions, or councils who receive an annual or a monthly salary

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation

paid by the state are not entitled to the salary per diem provided in IC 4-10-11-2.1.

SECTION 16. [EFFECTIVE JULY 1, 2017]

No payment for personal services shall be made by the auditor of state unless the payment has been approved by the budget agency or the designee of the budget agency.

SECTION 17. [EFFECTIVE JULY 1, 2017]

No warrant for operating expenses, capital outlay, or fixed charges shall be issued to any department or an institution unless the receipts of the department or institution have been deposited into the state treasury for the month. However, if a department or an institution has more than $10,000 in daily receipts, the receipts shall be deposited into the state treasury daily.

SECTION 18. [EFFECTIVE JULY 1, 2017]

In case of loss by fire or any other cause involving any state institution or department, the proceeds derived from the settlement of any claim for the loss shall be deposited in the state treasury, and the amount deposited is hereby reappropriated to the institution or department for the purpose of replacing the loss. If it is determined that the loss shall not be replaced, any funds received from the settlement of a claim shall be deposited into the state general fund.

SECTION 19. [EFFECTIVE JULY 1, 2017]

If an agency has computer equipment in excess of the needs of that agency, then the excess computer equipment may be sold under the provisions of surplus property sales, and the proceeds of the sale or sales shall be deposited in the state treasury. The amount so deposited is hereby reappropriated to that agency for other operating expenses of the then current year, if approved by the director of the budget agency.

SECTION 20. [EFFECTIVE JULY 1, 2017]

This act does not authorize any rehabilitation and repairs to any state buildings, nor does it allow that any obligations be incurred for lands and structures, without the prior approval of the budget director or the director's designee. This SECTION does not apply to contracts for the state universities supported in whole or in part by state funds.

SECTION 21. [EFFECTIVE JULY 1, 2017]

If an agency has an annual appropriation fixed by law, and if the agency also receives an appropriation in this act for the same function or program, the appropriation in this act supersedes any other appropriations and is the total appropriation for the agency for that program or function.

SECTION 22. [EFFECTIVE JULY 1, 2017]

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

The balance of any appropriation or funds heretofore placed or remaining to the credit of any division of the state of Indiana, and any appropriation or funds provided in this act placed to the credit of any division of the state of Indiana, the powers, duties, and functions whereof are assigned and transferred to any department for salaries, maintenance, operation, construction, or other expenses in the exercise of such powers, duties, and functions, shall be transferred to the credit of the department to which such assignment and transfer is made, and the same shall be available for the objects and purposes for which appropriated originally.

SECTION 23. [EFFECTIVE JULY 1, 2017]

The director of the division of procurement of the Indiana department of administration, or any other person or agency authorized to make purchases of equipment, shall not honor any requisition for the purchase of an automobile that is to be paid for from any appropriation made by this act or any other act, unless the following facts are shown to the satisfaction of the commissioner of the Indiana department of administration or the commissioner's designee:
(1) In the case of an elected state officer, it shall be shown that the duties of the office require driving about the state of Indiana in the performance of official duty.
(2) In the case of department or commission heads, it shall be shown that the statutory duties imposed in the discharge of the office require traveling a greater distance than one thousand (1,000) miles each month or that they are subject to official duty call at all times.
(3) In the case of employees, it shall be shown that the major portion of the duties assigned to the employee require travel on state business in excess of one thousand (1,000) miles each month, or that the vehicle is identified by the agency as an integral part of the job assignment.

In computing the number of miles required to be driven by a department head or an employee, the distance between the individual's home and office or designated official station is not to be considered as a part of the total. Department heads shall annually submit justification for the continued assignment of each vehicle in their department, which shall be reviewed by the commissioner of the Indiana department of administration, or the commissioner's designee. There shall be an insignia permanently affixed on each side of all state owned cars, designating the cars as being state owned. However, this requirement does not apply to state owned cars driven by elected state officials or to cases where the commissioner of the Indiana department of administration or the commissioner's designee determines that affixing insignia on state owned cars would hinder or handicap the persons driving the cars in the performance of their official duties.

SECTION 24. [EFFECTIVE JULY 1, 2017]

When budget agency approval or review is required under this act, the budget agency may refer to the budget committee any budgetary or fiscal matter for an advisory recommendation. The budget committee may hold hearings and take any actions authorized by IC 4-12-1-11, and may make an advisory recommendation to the budget agency.

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*

SECTION 25. [EFFECTIVE JULY 1, 2017]

The governor of the state of Indiana is solely authorized to accept on behalf of the state any and all federal funds available to the state of Indiana. Federal funds received under this SECTION are appropriated for purposes specified by the federal government, subject to allotment by the budget agency. The provisions of this SECTION and all other SECTIONS concerning the acceptance, disbursement, review, and approval of any grant, loan, or gift made by the federal government or any other source to the state or its agencies and political subdivisions shall apply, notwithstanding any other law.

SECTION 26. [EFFECTIVE JULY 1, 2017]

Federal funds received as revenue by a state agency or department are not available to the agency or department for expenditure until allotment has been made by the budget agency under IC 4-12-1-12(d).

SECTION 27. [EFFECTIVE JULY 1, 2017]

A contract or an agreement for personal services or other services may not be entered into by any agency or department of state government without the approval of the budget agency or the designee of the budget director.

SECTION 28. [EFFECTIVE JULY 1, 2017]

Except in those cases where a specific appropriation has been made to cover the payments for any of the following, the auditor of state shall transfer, from the personal services appropriations for each of the various agencies and departments, necessary payments for Social Security, public employees' retirement, health insurance, life insurance, and any other similar payments directed by the budget agency.

SECTION 29. [EFFECTIVE JULY 1, 2017]

Subject to SECTION 24 of this act as it relates to the budget committee, the budget agency with the approval of the governor may withhold allotments of any or all appropriations contained in this act for the 2017-2019 biennium, if it is considered necessary to do so in order to prevent a deficit financial situation.

SECTION 30. [EFFECTIVE JULY 1, 2017]

CONSTRUCTION

For the 2017-2019 biennium, the following amounts, from the funds listed as follows, are appropriated to provide for the construction, reconstruction, rehabilitation, repair, purchase, rental, and sale of state properties, capital lease rentals, and the purchase and sale of land, including equipment for these properties and other projects as specified.

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*
State General Fund - Lease Rentals			
328,760,031			
State General Fund - Construction			
339,004,954			
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
24,863,180			
State Police Building Account (IC 9-14-14-4)			
3,327,000			
Law Enforcement Academy Fund (IC 5-2-1-13)			
1,495,000			
Cigarette Tax Fund (IC 6-7-1-28.1)			
3,600,000			
Veterans' Home Building Fund (IC 10-17-9-7)			
2,120,000			
Postwar Construction Fund (IC 7.1-4-8-1)			
39,614,795			
Build Indiana Fund (IC 4-30-17)			
5,600,000			
State Highway Fund (IC 8-23-9-54)			
25,000,000			
TOTAL 773,384,960			

The allocations provided under this SECTION are made from the state general fund, unless specifically authorized from other designated funds by this act. The budget agency, with the approval of the governor, in approving the allocation of funds pursuant to this SECTION, shall consider, as funds are available, allocations for the following specific uses, purposes, and projects:

A. GENERAL GOVERNMENT

FOR THE STATE BUDGET AGENCY			
Airport Facilities Leases			**29,548,602**
Stadium Lease Rental			**131,032,945**
Convention Center Lease Rental			**48,918,732**
State Fair Lease Rental			**8,536,075**
Indiana Motorsports Commission			**14,000,000**
Northwest Indiana Reg. Dev. Authority	**6,000,000**	**12,000,000**	
White River State Park Commission			**12,000,000**
DEPARTMENT OF REVENUE			
Integrated Tax System	**16,500,000**	**56,100,000**	
DEPARTMENT OF ADMINISTRATION			
Preventive Maintenance			**9,784,334**
Repair and Rehabilitation			**17,009,520**
DEPARTMENT OF ADMINISTRATION - LEASES			
General Fund			
Wabash Valley Correctional Facility Capital Lease			**41,782,754**
New Castle Correctional Facility Capital Lease			**24,940,923**
Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
Evansville State Hospital Capital Lease			7,841,050
Southeast Regional Treatment Center Capital Lease			10,856,282
Logansport State Hospital Capital Lease			6,165,848
STATE LIBRARY			
Repair and Rehabilitation			1,404,000
INDIANA STATE FAIR			
Repair and Rehabilitation			4,000,000
B. PUBLIC SAFETY			
(1) LAW ENFORCEMENT			
INDIANA STATE POLICE			
General Fund			
State Police Lab			30,000,000
Preventive Maintenance			1,266,998
State Police Building Account (IC 9-14-14-4)			
Repair and Rehabilitation			3,327,000
FORENSIC LAB			
Repair and Rehabilitation			3,092,760
LAW ENFORCEMENT TRAINING BOARD			
Law Enforcement Academy Fund (IC 5-2-1-13)			
Preventive Maintenance			400,000
Repair and Rehabilitation			1,095,000
ADJUTANT GENERAL			
Preventive Maintenance			1,660,500
Repair and Rehabilitation			4,259,150
(2) CORRECTIONS			
DEPARTMENT OF CORRECTION			
Preventive Maintenance			100,000
Postwar Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation			1,150,000
STATE PRISON			
Preventive Maintenance			1,100,000
Postwar Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation			4,150,000
PENDLETON CORRECTIONAL FACILITY			
Preventive Maintenance			1,300,000
Postwar Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation			500,000
WOMEN'S PRISON			
Preventive Maintenance			360,000
NEW CASTLE CORRECTIONAL FACILITY			
Preventive Maintenance			150,000
PUTNAMVILLE CORRECTIONAL FACILITY			
Preventive Maintenance			800,000
Postwar Construction Fund (IC 7.1-4-8-1)			

		FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
1	Repair and Rehabilitation			3,830,000
2	INDIANAPOLIS RE-ENTRY EDUCATION FACILITY			
3	Preventive Maintenance			360,000
4	Postwar Construction Fund (IC 7.1-4-8-1)			
5	Repair and Rehabilitation			160,000
6	BRANCHVILLE CORRECTIONAL FACILITY			
7	Preventive Maintenance			360,000
8	WESTVILLE CORRECTIONAL FACILITY			
9	Preventive Maintenance			1,040,000
10	Postwar Construction Fund (IC 7.1-4-8-1)			
11	Repair and Rehabilitation			850,000
12	ROCKVILLE CORRECTIONAL FACILITY			
13	Preventive Maintenance			500,000
14	Postwar Construction Fund (IC 7.1-4-8-1)			
15	Repair and Rehabilitation			2,227,440
16	PLAINFIELD CORRECTIONAL FACILITY			
17	Preventive Maintenance			950,000
18	Postwar Construction Fund (IC 7.1-4-8-1)			
19	Repair and Rehabilitation			3,840,000
20	RECEPTION AND DIAGNOSTIC CENTER			
21	Preventive Maintenance			210,000
22	Postwar Construction Fund (IC 7.1-4-8-1)			
23	Repair and Rehabilitation			250,000
24	CORRECTIONAL INDUSTRIAL FACILITY			
25	Preventive Maintenance			600,000
26	Postwar Construction Fund (IC 7.1-4-8-1)			
27	Repair and Rehabilitation			1,750,000
28	WABASH VALLEY CORRECTIONAL FACILITY			
29	Preventive Maintenance			527,354
30	CHAIN O' LAKES CORRECTIONAL FACILITY			
31	Preventive Maintenance			90,000
32	MADISON CORRECTIONAL FACILITY			
33	Preventive Maintenance			315,000
34	Postwar Construction Fund (IC 7.1-4-8-1)			
35	Repair and Rehabilitation			450,000
36	MIAMI CORRECTIONAL FACILITY			
37	Preventive Maintenance			900,000
38	CAMP SUMMIT CORRECTIONAL FACILITY			
39	Preventive Maintenance			80,000
40	Postwar Construction Fund (IC 7.1-4-8-1)			
41	Repair and Rehabilitation			350,000
42	EDINBURGH CORRECTIONAL FACILITY			
43	Preventive Maintenance			80,000
44	PENDLETON JUVENILE CORRECTIONAL FACILITY			
45	Preventive Maintenance			300,000
46	Postwar Construction Fund (IC 7.1-4-8-1)			
47	Repair and Rehabilitation			2,192,256
48	NORTH CENTRAL JUVENILE CORRECTIONAL FACILITY			
49	Preventive Maintenance			120,000

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
MADISON JUVENILE CORRECTIONAL FACILITY			
Preventive Maintenance			**435,000**
C. CONSERVATION AND ENVIRONMENT			
DEPARTMENT OF NATURAL RESOURCES - GENERAL ADMINISTRATION			
Preventive Maintenance			**100,000**
Repair and Rehabilitation			**592,290**
FISH AND WILDLIFE			
Preventive Maintenance			**3,100,000**
Repair and Rehabilitation			**923,625**
FORESTRY			
Preventive Maintenance			**3,050,000**
Repair and Rehabilitation			**1,800,000**
NATURE PRESERVES			
Preventive Maintenance			**1,173,228**
Repair and Rehabilitation			**607,769**
OUTDOOR RECREATION			
Preventive Maintenance			**70,000**
Repair and Rehabilitation			**350,000**
STATE PARKS AND RESERVOIR MANAGEMENT			
Preventive Maintenance			**4,343,358**
Repair and Rehabilitation			**14,461,524**
Deferred Maintenance			**4,000,000**
Cigarette Tax Fund (IC 6-7-1-28.1)			
Preventive Maintenance			**3,600,000**
DIVISION OF WATER			
Preventive Maintenance			**167,000**
Repair and Rehabilitation			**2,814,836**
ENFORCEMENT			
Preventive Maintenance			**540,000**
Repair and Rehabilitation			**206,050**
ENTOMOLOGY			
Preventive Maintenance			**275,000**
INDIANA STATE MUSEUM AND HISTORIC SITES CORPORATION			
Preventive Maintenance			**2,273,767**
Repair and Rehabilitation			**3,332,760**
WAR MEMORIALS COMMISSION			
Preventive Maintenance			**1,234,000**
Repair and Rehabilitation			**4,992,625**
KANKAKEE RIVER BASIN COMMISSION			
Build Indiana Fund (IC 4-30-17)			
Repair and Rehabilitation			**600,000**
MAUMEE RIVER BASIN COMMISSION			
Build Indiana Fund (IC 4-30-17)			
Repair and Rehabilitation			**1,000,000**
D. TRANSPORTATION			

	FY 2017-2018 Appropriation	*FY 2018-2019 Appropriation*	*Biennial Appropriation*
DEPARTMENT OF TRANSPORTATION - BUILDINGS AND GROUNDS			
State Highway Fund (IC 8-23-9-54)			
Preventive Maintenance			**7,500,000**
Architectural/Engineering Fee Crawfordsville Sub and Salt Building			**490,000**
Brookville Unit and Crawfordsville Sub land purchases			**500,000**
Construction of the Oakland City Unit Building			**2,750,000**
Construction of the Oakland City Unit Salt Building			**1,450,000**
Construction of Logansport Unit Building			**2,750,000**
Materials and Test Phase 1			**2,760,000**
Land Purchases Kokomo Unit Building			**300,000**
Construction of the Crawfordsville Sub Building			**6,500,000**
AIRPORT DEVELOPMENT			
Build Indiana Fund (IC 4-30-17)			
Airport Development			**4,000,000**

The above appropriations for the Indiana department of transportation are for airport development and shall be used for the purpose of assisting local airport authorities and local units of government in matching available federal funds under the airport improvement program and for matching federal grants for airport planning and for the other airport studies. Matching grants of aid shall be made in accordance with the approved annual capital improvements program of the Indiana department of transportation and with the approval of the governor and the budget agency.

E. FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS

(1) FAMILY AND SOCIAL SERVICES ADMINISTRATION

EVANSVILLE PSYCHIATRIC CHILDREN'S CENTER			
Preventive Maintenance			**66,000**
Postwar Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation			**268,680**
EVANSVILLE STATE HOSPITAL			
Preventive Maintenance			**783,924**
MADISON STATE HOSPITAL			
Preventive Maintenance			**928,208**
Postwar Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation			**1,944,438**
LOGANSPORT STATE HOSPITAL			
Preventive Maintenance			**863,144**
Postwar Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation			**5,895,500**
RICHMOND STATE HOSPITAL			
Preventive Maintenance			**1,100,000**
Postwar Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation			**677,300**
LARUE CARTER MEMORIAL HOSPITAL			
Preventive Maintenance			**1,833,118**
NEURO DIAGNOSTIC INSTITUTE			

	FY 2017-2018 Appropriation	FY 2018-2019 Appropriation	Biennial Appropriation
Preventive Maintenance			100,000
(2) PUBLIC HEALTH			
SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED			
Preventive Maintenance			565,714
Postwar Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation			4,363,626
SCHOOL FOR THE DEAF			
Preventive Maintenance			565,714
Postwar Construction Fund (IC 7.1-4-8-1)			
Repair and Rehabilitation			4,765,555
(3) VETERANS' AFFAIRS			
INDIANA VETERANS' HOME			
Veterans' Home Building Fund (IC 10-17-9-7)			
Preventive Maintenance			1,500,000
Repair and Rehabilitation			620,000
F. EDUCATION			
HIGHER EDUCATION			
INDIANA UNIVERSITY - TOTAL SYSTEM			
Repair and Rehabilitation	13,128,703	13,128,703	
IU Reg. Campus Deferred Maintenance	9,000,000	6,000,000	
PURDUE UNIVERSITY - TOTAL SYSTEM			
Repair and Rehabilitation			22,502,556
Purdue University Regional Campus Deferred Maintenance			4,000,000
INDIANA STATE UNIVERSITY			
Repair and Rehabilitation			2,782,568
Academic Facility Renovation - Phase I	0	15,000,000	
UNIVERSITY OF SOUTHERN INDIANA			
Repair and Rehabilitation			1,862,672
BALL STATE UNIVERSITY			
Repair and Rehabilitation			5,430,972
VINCENNES UNIVERSITY			
Repair and Rehabilitation			1,813,204
Learning Resource Center Renovation	0	8,000,000	
Davis Hall & Bus. Building Renovation	9,250,000	0	
Welsh Administration Building Renovation	0	4,500,000	
IVY TECH COMMUNITY COLLEGE			
Repair and Rehabilitation			6,637,306
Harshman Hall Renovation and Repairs	3,000,000	0	

SECTION 31. [EFFECTIVE JULY 1, 2017]

The budget agency may employ one (1) or more architects or engineers to inspect

construction, rehabilitation, and repair projects covered by the appropriations in this act or previous acts.

SECTION 32. [EFFECTIVE UPON PASSAGE]

If any part of a construction or rehabilitation and repair appropriation made by this act or any previous acts has not been allotted or encumbered before the expiration of two (2) biennia, the budget agency may determine that the balance of the appropriation is not available for allotment. The appropriation may be terminated, and the balance may revert to the fund from which the original appropriation was made.

SECTION 33. [EFFECTIVE JULY 1, 2017]

The budget agency may retain balances in the mental health fund at the end of any fiscal year to ensure there are sufficient funds to meet the service needs of the developmentally disabled and the mentally ill in any year.

SECTION 34. [EFFECTIVE JULY 1, 2017]

If the budget director determines at any time during the biennium that the executive branch of state government cannot meet its statutory obligations due to insufficient funds in the general fund, then notwithstanding IC 4-10-18, the budget agency, with the approval of the governor and after review by the budget committee, may transfer from the counter-cyclical revenue and economic stabilization fund to the general fund any additional amount necessary to maintain a positive balance in the general fund.

SECTION 35. IC 2-5-1.1-6.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6.5. (a) **As used in this section, "agency" includes an agency, an authority, a board, a bureau, a commission, a committee, a department, a division, an institution, or other similar entity created or established by law.**

(b) The council shall, upon consultation with the governor's office, develop an annual report format taking into consideration, among other things, program budgeting, with the final format to be determined by the council. The format may be distributed to any agency. ~~(as defined in IC 2-5-21-1).~~ The agency shall complete and return a copy in an electronic format under IC 5-14-6 to the legislative council before September 1 of each year for the preceding fiscal year.

~~(b)~~ **(c)** The council shall distribute one (1) copy to the governor's office, one (1) copy to the budget agency, and three (3) copies to the state library.

~~(c)~~ **(d)** The reports are a public record and are open to inspection.

SECTION 36. IC 2-5-21 IS REPEALED [EFFECTIVE JULY 1, 2017]. (Legislative Evaluation and Oversight of Agencies and Programs).

SECTION 37. IC 4-6-3-2.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 2.3. When the attorney general proposes language to a court or settlement committee for the purpose of a court order, the attorney general shall include language specifically permitting settlement funds to be used for any purpose allowable under state law.**

SECTION 38. IC 4-10-18-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. If the total state general fund revenues for a state fiscal year, in which a transfer into the fund is made, are less than the level estimated in the budget report prepared in accord with IC 4-12-1-12(a) or ~~(c)~~ **IC 4-12-1-12(c)** and the shortfall cannot be attributed to a statutory change in the tax rate, the tax base, the fee schedules, or the revenue sources from which the general fund revenue estimate was made, ~~there is appropriated~~ **the budget director, after review by the budget committee and with the approval of the governor, may transfer** from the fund to the state general fund an amount that may not exceed ~~the lesser of the following two (2) amounts:~~

~~(1)~~ the amount that was transferred into the fund during that state fiscal year. ~~or~~

~~(2) the amount necessary to balance the general fund general operating budget for that state fiscal year.~~

SECTION 39. IC 4-12-16 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 16. Agency Settlement Fund

Sec. 1. As used in this chapter, "fund" refers to the agency settlement fund established by section 2 of this chapter.

Sec. 2. The agency settlement fund is established for the purposes of receiving the funds described in section 3(a) of this chapter.

Sec. 3. (a) The fund consists of:

(1) except as provided in subsections (b) and (c), all funds received by the state under:

(A) multistate and Indiana specific settlements;

(B) assurances of voluntary compliance accepted by the attorney general; and

(C) any other form of agreement that:

(i) is enforceable by a court; and

(ii) settles litigation between the state and another party;

(2) all federal funds described in IC 4-6-9-7; and

(3) all money recovered as court costs or costs related to litigation.

(b) Any amount of restitution that is:

(1) awarded to an individual or institution under a consumer settlement or assurance of voluntary compliance;

(2) received by a state agency; and

(3) determined to be abandoned property under IC 32-34-1;

must be deposited in the abandoned property fund established by IC 32-34-1-33.

(c) The fund does not include the following:

(1) Funds received by the state department of revenue.

(2) Funds required to be deposited in the securities division enforcement account (IC 23-19-6-1).

(3) Funds received as the result of a civil forfeiture under IC 34-24-1.

(4) Funds received as a civil penalty or as part of an enforcement or collection action by an agency authorized to impose a civil penalty or engage in an enforcement or collection action, if the funds are required to be deposited in the general fund or another fund by statute.

Sec. 4. The fund shall be administered by the budget agency.

Sec. 5. (a) A state agency may use the money in the fund after appropriation of the money in the fund by the general assembly.

(b) A state agency may, not later than November 1 of each even-numbered calendar year, submit to the budget committee and the legislative council in an electronic format under IC 5-14-6 a list of proposed projects, including the estimated cost of each project, for consideration of the general assembly in making appropriations during the biennial budget process.

(c) The proceeds of a particular settlement, assurance of voluntary compliance, or other form of agreement that are deposited in the fund must be used by the state agency according to any court order that applies to the settlement, assurance of voluntary compliance, or other form of agreement.

Sec. 6. The expenses of administering the fund shall be paid from money in the fund.

Sec. 7. The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

Sec. 8. Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 40. IC 4-12-17 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JUNE 30, 2017]:

Chapter 17. Personal Services/Fringe Benefits Contingency Fund

Sec. 1. (a) The personal services/fringe benefits contingency fund is established for the purpose of allotting money to departments, institutions, and state agencies for the purposes set forth in subsection (b). The fund consists of money appropriated to the fund by the general assembly. The budget agency shall administer the fund.

(b) Money in the fund may be used only with the approval of the governor for:

(1) salary increases;

(2) fringe benefit increases;

(3) an employee leave conversion program;

(4) state retiree health programs; and

(5) any related expenses.

(c) Money in the fund at the end of a state fiscal year does not revert to the state general fund but remains available for expenditure.

(d) Notwithstanding IC 4-9.1-1-7, IC 4-13-2-23, or any other law, money may not be transferred, assigned, reassigned, or otherwise removed from the fund by the state board of finance, the budget agency, or any other state agency, except for the purposes specified in this section.

SECTION 41. IC 4-31-11-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. The auditor of state and treasurer of state shall make payments from the development funds upon order of the commission. **Money in each fund is continuously appropriated to make these payments.** However, the auditor of state and treasurer of state may not transfer money from one (1) development fund to another development fund.

SECTION 42. IC 4-35-8.7-3, AS AMENDED BY P.L.149-2016, SECTION 15, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) The gaming integrity fund is established.

(b) The fund shall be administered by the Indiana horse racing commission.

(c) The fund consists of gaming integrity fees deposited in the fund under this chapter and money distributed to the fund under IC 4-35-7-12.5 and IC 4-35-7-15. Fifteen percent (15%) of the money deposited in the fund shall be transferred to the Indiana state board of animal health to be used by the state board to pay the costs associated with equine health and equine care programs under IC 15-17.

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

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

(f) Money in the fund may be used by the Indiana horse racing commission only for the following purposes:

(1) To pay the cost of taking and analyzing equine specimens under IC 4-31-12-6(b) or another law or rule and the cost of any supplies related to the taking or analysis of specimens.

(2) To pay dues to the Drug Testing Standards and Practices (DTSP) Committee of the Association of Racing Commissioners International.

(3) To provide grants for research for the advancement of equine drug testing. Grants under this subdivision must be approved by the Drug Testing Standards and Practices (DTSP) Committee of the Association of Racing Commissioners International or by the Racing Mediation and Testing Consortium.

(4) To pay the costs of post-mortem examinations under IC 4-31-12-10.

(5) To pay other costs incurred by the commission to maintain the integrity of pari-mutuel racing.

(g) Money in the fund is continuously appropriated to the Indiana horse racing commission to carry out the purposes described in subsection (f).

SECTION 43. IC 5-2-1-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. (a) There is created a ~~continuing~~ fund ~~which shall be~~ known as the law enforcement academy ~~building~~ fund. The fund consists of amounts deposited under IC 33-37-7-9. This fund may be used by the board **for the following:**

(1) To acquire for the state ~~of Indiana~~ land and interests in and to land, and to construct upon such land a fully equipped law enforcement academy to consist of classrooms, housing facilities, a cafeteria, firearms ranges, a driving course, and other physical facilities which are deemed necessary in the discretion of the board for the basic, inservice, and advanced training of law enforcement officers in the skills and techniques of law enforcement. ~~Any balance of the fund that is unexpended at the end of any fiscal year shall not revert to the general fund but shall be carried forward as an appropriation for the next fiscal year.~~

(2) Expenditures may be made by the board for, among other things, all expenses required for land acquisition and transfer, including but not limited to personal services, appraisers fees, and the cost of acquiring any interest in land and the construction and maintenance of improvements thereon.

(3) Building and grounds maintenance for the law enforcement academy.

(4) Training equipment and supplies necessary to operate the law enforcement academy.

(5) Aid to approved law enforcement training schools certified as having met or exceeded the minimum standards established by the board.

(6) Personal services, as authorized by the board, with the approval of the governor.

(7) Any other purpose necessary to carry out this chapter, as determined by the board.

(b) The budget agency may, with the approval of the board and the governor, make allocations and transfers of funds appropriated by the general assembly to state agencies having jurisdiction and control over land acquired by the board for the purposes stated ~~herein,~~ **in this section,** except that ~~such~~ **these** allocations and transfers ~~shall~~ **may** not be made in the acquisition of land which has been declared surplus land of the state pursuant to statute.

(c) The board is ~~hereby~~ further authorized to acquire ~~said~~ land **for the purposes of this section** and law enforcement academy buildings by gift, donation, bequest, devise, exchange, purchase, or eminent domain, or other means. However, any money or proceeds from gifts, bequests, grants, or other donations shall be deposited in a special donation fund, which ~~is hereby~~ **must be** established for the purposes ~~outlined~~ **described** in this section, for the use of the board to accomplish ~~said~~ **the** purposes **of this section.** No part of ~~said~~ **the** special donation fund ~~shall revert~~ **reverts** to the general fund ~~of the state~~ unless specified by the donor as a condition to ~~his~~ **the donor's** gift. All land and academy buildings, however acquired, ~~shall~~ become the property of the state.

~~(b) There is created a continuing fund which shall be known as the law enforcement training fund. The fund consists of amounts deposited under IC 33-37-7-9. The board is further authorized to accept gifts and grants of money, services, or property to supplement the law enforcement training fund and to use the same for any purpose consistent with the authorized uses of said fund. This fund may be used by the board for the following purposes:~~

~~(1) Building and grounds maintenance for the law enforcement academy.~~

~~(2) Training equipment and supplies necessary to operate the law enforcement academy.~~

~~(3) Aid to approved law enforcement training schools certified as having met or exceeded the minimum standards established by the board.~~

~~(4) Personal services, as authorized by the board with the approval of the governor.~~

~~(5) Any other purpose necessary to carry out the provisions of this chapter, as determined by the board.~~

SECTION 44. IC 5-2-1-15, AS AMENDED BY P.L.2-2007, SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 15. (a) The facilities of the law enforcement academy shall be available to any law enforcement agency of the state, or any of its political subdivisions, subject to the rules of the board.

(b) Any law enforcement agency of the state, any of its political subdivisions, or any board certified training center may conduct training:

(1) for the law enforcement agency of any political subdivision in Indiana; and

(2) in facilities other than those of the law enforcement academy;

if the minimum standards established by the board are met or exceeded.

(c) A law enforcement agency or a board certified training center conducting approved local training under subsection (b) ~~shall~~ **may** be entitled to a per capita allowance from the law enforcement training fund to defray such portions of the cost of basic training as shall be approved by the board. Such per capita allowance shall be earmarked and expended only for law enforcement training.

(d) The facilities of the law enforcement academy shall be available for the training of railroad police, prison and industrial plant guards, postsecondary educational institution safety and security personnel, whether public or private, **for the training of any law enforcement agency from outside Indiana,** and **for the training of** such other enforcement related groups as shall be approved by the board, upon terms and conditions established by the board. Railroad police, **any law enforcement agency from outside Indiana,** and nongovernmental enforcement related groups qualifying to use the facilities of the academy under the rules of the board shall be required to reimburse the law enforcement training fund for the cost of such training.

(e) The facilities of the law enforcement academy may be used for the training of firefighting personnel where the subject matter of the training relates to duties which involve law enforcement related conduct. Such training shall be conducted upon terms and conditions established by the board. However, no volunteer firefighter is required to attend training at the academy.

(f) The cost of the mandatory basic training conducted by the board at the facilities of the law enforcement academy ~~shall be paid out of the law enforcement training fund, if the trainees have been previously appointed and are on the payroll of a law enforcement department or agency.~~ **and** all other training programs authorized by this chapter and conducted at the law enforcement training academy, including the mandatory basic training course when attended by trainees who have been investigated and approved but not yet hired by a law enforcement agency, are subject to fee schedules and charges for tuition, lodging, meals, instructors, training materials, and any other items or services established by the board, **including amounts needed to recoup corresponding marginal and fixed costs. The costs and the fee schedule must be an annual schedule for the state fiscal year and must be approved by the budget director.**

SECTION 45. IC 5-2-8-1, AS AMENDED BY P.L.164-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) The following definitions apply in this section:

(1) "Abuse" means:

(A) conduct that causes bodily injury (as defined in IC 35-31.5-2-29) or damage to property; or

(B) a threat of conduct that would cause bodily injury (as defined in IC 35-31.5-2-29) or damage to property.

(2) "County law enforcement agency" includes:

(A) postsecondary educational institution police officers appointed under IC 21-17-5 or IC 21-39-4; and

(B) school corporation police officers appointed under IC 20-26-16.

(b) There is established in each county a county law enforcement continuing education program. The program is funded by amounts appropriated under IC 33-37-8-4 or IC 33-37-8-6.

(c) A county law enforcement agency receiving amounts based upon claims for law enforcement continuing education funds under IC 33-37-8-4 or IC 33-37-8-6 shall deposit each fee collected into the county law enforcement continuing education fund.

(d) Distribution of money in the county law enforcement continuing education fund shall be made to a county law enforcement agency without the necessity of first obtaining an appropriation from the county fiscal body.

(e) Money in excess of one hundred dollars ($100) that is unencumbered and remains in a county law enforcement continuing education fund for at least one (1) entire calendar year from the date of its deposit shall, at the end of a county's fiscal year, be deposited by the county auditor in the law enforcement ~~training~~ **academy** fund established under ~~IC 5-2-1-13(b).~~ **IC 5-2-1-13.**

(f) To make a claim under IC 33-37-8-6, a law enforcement

agency shall submit to the fiscal body a verified statement of cause numbers for fees collected that are attributable to the law enforcement efforts of that agency.

(g) A law enforcement agency shall submit a claim for fees under this section in the same county fiscal year in which the fees are collected under IC 33-37-4.

(h) A county law enforcement agency program shall provide to each law enforcement officer employed by the county and may provide to each law enforcement officer employed by a city or town law enforcement agency within the county continuing education concerning the following:

(1) Duties of a law enforcement officer in enforcing restraining orders, protective orders, temporary injunctions, and permanent injunctions involving abuse.
(2) Guidelines for making felony and misdemeanor arrests in cases involving abuse.
(3) Techniques for handling incidents of abuse that:
(A) minimize the likelihood of injury to the law enforcement officer; and
(B) promote the safety of a victim.
(4) Information about the nature and extent of abuse.
(5) Information about the legal rights of and remedies available to victims of abuse, including the U nonimmigrant visa created under the federal Victims of Trafficking and Violence Protection Act of 2000 (P.L. 106-386).
(6) How to document and collect evidence in an abuse case.
(7) The legal consequences of abuse.
(8) The impact on children of law enforcement intervention in abuse cases.
(9) Services and facilities available to victims of abuse and abusers.
(10) Verification of restraining orders, protective orders, temporary injunctions, and permanent injunctions.
(11) Policies concerning arrest or release of suspects in abuse cases.
(12) Emergency assistance to victims of abuse and criminal justice options for victims of abuse.
(13) Landlord-tenant concerns in abuse cases.
(14) The taking of an abused child into protective custody.
(15) Assessment of a situation in which a child may be seriously endangered if the child is left in the child's home.
(16) Assessment of a situation involving an endangered adult (as defined in IC 12-10-3-2).
(17) Response to a sudden, unexpected infant death.
(18) Performing cardiopulmonary resuscitation and the Heimlich maneuver.
(19) Cultural diversity awareness that includes an understanding of cultural issues related to race, religion, gender, age, domestic violence, national origin, and physical and mental disabilities.

(i) A county law enforcement agency may enter into an agreement with other law enforcement agencies to provide the continuing education required by this section and section 2(f) of this chapter.

SECTION 46. IC 5-2-8-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) There is established the state police training fund. The fund consists of amounts collected under IC 33-37-4-1(b)(4), IC 33-37-4-2(b)(3), and IC 33-37-4-3(b)(4) on behalf of the state police department.

(b) If the state police department files a claim under IC 33-37-8-4 or IC 33-37-8-6 against a city or town user fee fund or a county user fee fund, the fiscal officer of the city or town or the county auditor shall deposit fees collected under the cause numbers submitted by the state police department into the state police training fund established under this section.

(c) Claims against the state police training fund must be submitted in accordance with IC 5-11-10.

(d) Money in excess of one hundred dollars ($100) that is unencumbered and remains in the state police training fund for at least one (1) entire calendar year from the date of its deposit shall, at the end of the state's fiscal year, be deposited in the law enforcement ~~training~~ **academy** fund established under ~~IC 5-2-1-13(b).~~ **IC 5-2-1-13.**

(e) As used in this subsection, "abuse" has the meaning set forth in section 1(a) of this chapter. As a part of the state police department's in-service training, the department shall provide to each law enforcement officer employed by the department continuing education concerning the following:

(1) Duties of a law enforcement officer in enforcing restraining orders, protective orders, temporary injunctions, and permanent injunctions involving abuse.
(2) Guidelines for making felony and misdemeanor arrests in cases involving abuse.
(3) Techniques for handling incidents of abuse that:
(A) minimize the likelihood of injury to the law enforcement officer; and
(B) promote the safety of a victim.
(4) Information about the nature and extent of the abuse.
(5) Information about the legal rights of and remedies available to victims of abuse.
(6) How to document and collect evidence in an abuse case.
(7) The legal consequences of abuse.
(8) The impact on children of law enforcement intervention in abuse cases.
(9) Services and facilities available to victims of abuse and abusers.
(10) Verification of restraining orders, protective orders,

temporary injunctions, and permanent injunctions.

(11) Policies concerning arrest or release of suspects in abuse cases.

(12) Emergency assistance to victims of abuse and criminal justice options for victims of abuse.

(13) Landlord-tenant concerns in abuse cases.

(14) The taking of an abused child into protective custody.

(15) Assessment of a situation in which a child may be seriously endangered if the child is left in the child's home.

(16) Assessment of a situation involving an endangered adult (as defined in IC 12-10-3-2).

(17) Response to a sudden, unexpected infant death.

The cost of providing continuing education under this subsection shall be paid from money in the state police training fund.

SECTION 47. IC 5-2-8-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. (a) There is established the conservation officers training fund. The department of natural resources shall administer the fund. The fund consists of amounts collected under IC 33-37-4-1(b)(4), IC 33-37-4-2(b)(3), and IC 33-37-4-3(b)(4) on behalf of the department of natural resources.

(b) If the department of natural resources files a claim under IC 33-37-8-4 or IC 33-37-8-6 against a city or town user fee fund or a county user fee fund, the fiscal officer of the city or town or the county auditor shall deposit fees collected under the cause numbers submitted by the department of natural resources into the conservation officers training fund established under this section.

(c) Claims against the conservation officers training fund must be submitted in accordance with IC 5-11-10.

(d) Money in excess of one hundred dollars ($100) that is unencumbered and remains in the conservation officers' training fund for at least one (1) entire calendar year from the date of its deposit shall, at the end of the state's fiscal year, be deposited in the law enforcement ~~training~~ **academy** fund established under ~~IC 5-2-1-13(b).~~ **IC 5-2-1-13.**

SECTION 48. IC 5-2-8-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 8. (a) There is established the alcoholic beverage enforcement officers' training fund. The alcohol and tobacco commission shall administer the fund. The fund consists of amounts collected under IC 33-37-4-1(b)(4), IC 33-37-4-2(b)(3), and IC 33-37-4-3(b)(4) on behalf of the alcohol and tobacco commission.

(b) If the alcohol and tobacco commission files a claim under IC 33-37-8-4 or IC 33-37-8-6 against a city or town user fee fund or a county user fee fund, the fiscal officer of the city or town or the county auditor shall deposit fees collected under the cause numbers submitted by the alcohol and tobacco commission into the alcoholic beverage enforcement officers' training fund established under this section.

(c) Claims against the alcoholic beverage enforcement officers' training fund must be submitted in accordance with IC 5-11-10.

(d) Money in excess of one hundred dollars ($100) that is unencumbered and remains in the alcoholic beverage enforcement officers' training fund for at least one (1) entire calendar year from the date of its deposit shall, at the end of the state's fiscal year, be deposited in the law enforcement ~~training~~ **academy** fund established under ~~IC 5-2-1-13(b).~~ **IC 5-2-1-13.**

SECTION 49. IC 5-10-8-6, AS AMENDED BY P.L.138-2012, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. (a) **With the consent of the governor, the state personnel department may maintain common and unified plans of self-insurance for employees, including retired employees, of** the state police department, conservation officers of the department of natural resources, and the state excise police ~~may establish common and unified plans of self-insurance for their employees, including retired employees,~~ as separate entities of state government. ~~These plans may be administered by~~ **The state personnel department may contract with** a private agency, business firm, limited liability company, or corporation **to carry out this section.** Any modification to:

(1) eligibility requirements;

(2) required premiums; or

(3) any other plan provisions;

that increases the amount of the state's contribution to the plan or that increases the post-employment liability under the plan may not be made unless the modification is approved by the budget agency with an annual review of the modifications by the budget committee.

(b) Except as provided in this section and IC 5-10-14, the state agencies listed in subsection (a) may not pay as the employer part of benefits for any employee or retiree an amount greater than that paid for other state employees for group insurance.

(c) This subsection applies to a health benefit plan for an individual described in subsection (a). After June 30, 2011, at least one (1) time in each state fiscal year, the budget agency shall determine the average amount of contributions made under IC 5-10-8.5-15 and IC 5-10-8.5-16 to participants in a health reimbursement arrangement or other separate fund under IC 5-10-8.5 in the immediately preceding state fiscal year. In the state fiscal year beginning July 1, 2011, the amount determined under this section must exclude contributions made to persons described in IC 5-10-8.5-15(c) and IC 5-10-8.5-16(f). An amount equal to the average amount determined under this subsection multiplied by the number of participants (other than retired participants) in the plans

described in subsection (a) shall be transferred to the plans described in subsection (a). The amount transferred under this subsection shall be proportionally allocated to each plan relative to the number of members in each plan. The amount allocated to a plan under this subsection shall be allocated among the participants in the plan in the same manner as other employer contributions. Funds shall be used only to reduce unfunded other post-employment benefit (OPEB) liability and not to increase benefits or reduce premiums.

(d) Trust funds may be established to carry out the purposes of this section. A trust fund established under this subsection is considered a trust fund for purposes of IC 4-9.1-1-7. Money may not be transferred, assigned, or otherwise removed from a trust fund established under this subsection by the state board of finance, the budget agency, or any other state agency. Money in a trust fund established under this subsection does not revert to the state general fund at the end of any state fiscal year. A trust fund established under this subsection consists of appropriations, revenues, or transfers to the trust fund under IC 4-12-1. Contributions to a trust fund established under this subsection are irrevocable. A trust fund established under this subsection must be limited to providing prefunding of annual required contributions and to cover OPEB liability for covered individuals. Funds may be used only for these purposes and not to increase benefits or reduce premiums. A trust fund established under this subsection shall be established to comply with and be administered in a manner that satisfies the Internal Revenue Code requirements concerning a trust fund for prefunding annual required contributions and for covering OPEB liability for covered individuals. All assets in a trust fund established under this subsection:

(1) are dedicated exclusively to providing benefits to covered individuals and their beneficiaries according to the terms of the health plan; and

(2) are exempt from levy, sale, garnishment, attachment, or other legal process.

A trust fund established under this subsection shall be administered by the agency employing the covered individuals. The expenses of administering a trust fund established under this subsection shall be paid from money in the trust fund. The treasurer of state shall invest the money in a trust fund established under this subsection not currently needed to meet the obligations of the trust fund in the same manner as other public money may be invested.

SECTION 50. IC 5-23-4.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 4.5. Requests for Information

Sec. 1. A governmental body may issue a request for information for any of the following purposes:

(1) To consider the factors involved in, the feasibility of, or the potential consequences of a contemplated project involving a public facility.

(2) To prepare a request for proposals.

(3) To evaluate any aspect of an existing public-private agreement and an associated public facility.

Sec. 2. Notice of a request for information shall be given in accordance with IC 5-3-1.

Sec. 3. Both:

(1) the identity of a responder; and

(2) a response;

to a request for information are confidential unless, and only to the extent that, the person who submits the response waives confidentiality in writing. A person denied the right to inspect or copy a record designated as confidential may file a formal complaint with the public access counselor under the procedure prescribed by IC 5-14-5 or may request an advisory opinion or make an informal inquiry under IC 5-14-4-10(5).

Sec. 4. A governmental body is not required to take any action after receiving a response to a request for information.

SECTION 51. IC 5-28-7-6, AS ADDED BY P.L.167-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 6. (a) The corporation may award grants from the training 2000 fund to school corporations and charter schools to support cooperative arrangements with businesses for training students.

(b) A school corporation or a charter school must apply to the corporation for a grant under this section in the manner prescribed by the corporation.

~~(c) The corporation may consult with Indiana works councils to develop the application and eligibility requirements for grants awarded under this section.~~

SECTION 52. IC 5-29-5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 5. Indiana Tourism Task Force

Sec. 1. As used in this chapter, "task force" refers to the Indiana tourism task force established by section 2 of this chapter.

Sec. 2. The Indiana tourism task force is established.

Sec. 3. The task force shall do the following:

(1) Study the operating structure of state tourism departments in other states, including the following:

(A) Whether these tourism departments use public-private partnerships.

(B) The level of state funding provided to state tourism departments.

(C) The relationship between state funding of a state's tourism department and the economic impact of tourism on the state.

(2) Submit, not later than August 15, 2018, to the

council a report setting forth the task force's findings and recommendations under subdivision (1). The council shall consider the report at its next regularly scheduled meeting and take such actions necessary to finalize the report and deliver it to the governor, the lieutenant governor, and the legislative council in an electronic format under IC 5-14-6.

Sec. 4. (a) The membership of the task force consists of five (5) tourism marketing professionals appointed by the lieutenant governor after considering the recommendation of the Indiana Tourism Association.

(b) Members shall be appointed by the lieutenant governor not later than October 1, 2017. Each member appointed under subsection (a) serves at the pleasure of the lieutenant governor.

(c) At the first meeting of the task force, the members of the task force shall select a chairperson.

(d) The task force shall meet at least quarterly or at the call of the chairperson.

(e) The task force shall deliver a status report at each regularly scheduled meeting of the council during the duration of the task force's existence.

Sec. 5. (a) A quorum of the task force consists of three (3) members.

(b) The affirmative vote of at least three (3) members of the task force is necessary for any action to be taken, including the approval of a report under section 3(2) of this chapter.

Sec. 6. (a) The office of tourism development shall staff and provide administrative support to the task force.

(b) Expenses of the task force include but are not limited to the purchase or licensing of data or systems necessary to create the report. Members of the task force may not receive a salary for their service on the task force.

(c) All state agencies shall fully cooperate with the task force and provide data and other information to assist the task force in carrying out its responsibilities under this chapter.

Sec. 7. This chapter expires June 30, 2019.

SECTION 53. IC 6-3-3-14.6, AS AMENDED BY P.L.181-2016, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017 (RETROACTIVE)]: Sec. 14.6. (a) This section applies only to taxable years beginning after December 31, 2015.

(b) As used in this section, "hospital" means an acute care hospital that:

(1) is licensed under IC 16-21-2;

(2) is operated on a for-profit basis;

(3) is subject to the adjusted gross income tax at the rate specified in IC 6-3-2-1(b);

(4) provides health care, accommodations, facilities, and equipment, in connection with the services of a physician, to individuals who may need medical or surgical services; and

(5) is not primarily providing care and treatment of patients:

(A) with a cardiac condition;

(B) with an orthopedic condition; or

(C) receiving a surgical procedure.

(c) Each taxable year, a hospital is entitled to a credit against the hospital's adjusted gross income tax liability for the taxable year equal to ~~ten~~ **twenty** percent ~~(10%)~~ **(20%)** of the property taxes paid in Indiana **on real property** for the taxable year on property used as a hospital.

(d) The credit provided by this section may not exceed the amount of the taxpayer's adjusted gross income tax liability for the taxable year, reduced by the sum of all credits for the taxable year that are applied before the application of the credit provided by this section. The amount of any unused credit under this section for a taxable year may be carried forward to a succeeding taxable year **or may be claimed as a refundable tax credit.**

SECTION 54. IC 6-3.1-30.5-13, AS AMENDED BY P.L.213-2015, SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. ~~(a) This subsection applies to a state fiscal year beginning before July 1, 2015. The total amount of tax credits awarded under this chapter may not exceed seven million five hundred thousand dollars ($7,500,000) in a state fiscal year.~~

~~(b) This subsection applies to the state fiscal year beginning July 1, 2015. The total amount of tax credits awarded under this chapter may not exceed eight million five hundred thousand dollars ($8,500,000) in the state fiscal year.~~

~~(c) This subsection applies to a state fiscal year beginning after June 30, 2016.~~ **(a)** The total amount of tax credits awarded under this chapter may not exceed nine million five hundred thousand dollars ($9,500,000) in ~~a~~ **the** state fiscal year **beginning July 1, 2016, and ending June 30, 2017.**

(b) The total amount of tax credits awarded under this chapter in a state fiscal year beginning after June 30, 2017, may not exceed twelve million five hundred thousand dollars ($12,500,000).

SECTION 55. IC 6-3.6-9-8.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]: **Sec. 8.5. (a) After making any adjustments under sections 6, 7, and 8 of this chapter, the budget agency shall withhold an amount from the certified distribution determined under section 5(b) of this chapter that is equal to:**

(1) the amount of the certified distribution determined under section 5(b) of this chapter that is allocated to certified shares under IC 6-3.6-6; multiplied by

(2) five-tenths of one percent (0.5%).

(b) The budget agency shall distribute the amount

withheld under subsection (a) to the department of state revenue.

SECTION 56. IC 6-9-48 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 48. Vigo County Food and Beverage Tax

Sec. 1. This chapter applies to Vigo County.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. As used in this chapter, "capital improvement board" means a capital improvement board of managers of the county established under IC 36-10-8.

Sec. 4. (a) The fiscal body of the county may adopt an ordinance to impose an excise tax, known as the county food and beverage tax, on transactions described in section 5 of this chapter. The county fiscal body may adopt an ordinance under this subsection only after the county fiscal body has previously held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the county food and beverage tax is the only substantive issue on the agenda for that public hearing.

(b) If the county fiscal body adopts an ordinance under subsection (a), the county fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the county fiscal body adopts an ordinance under subsection (a), the county food and beverage tax applies to transactions that occur after the last day of the month that succeeds the month in which the ordinance is adopted.

Sec. 5. (a) Except as provided in subsection (c), a tax imposed under section 4 of this chapter applies before January 1, 2043, to a transaction in which food or beverage is furnished, prepared, or served:

(1) for consumption at a location or on equipment provided by a retail merchant;

(2) in the county; and

(3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

(1) served by a retail merchant off the merchant's premises;

(2) food sold in a heated state or heated by a retail merchant;

(3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or

(4) food sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport the food).

(c) The county food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 6. The county food and beverage tax rate may not exceed one percent (1%) of the gross retail income received by the merchant from the food or beverage transaction described in section 5 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 7. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 8. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the treasurer of the capital improvement board upon warrants issued by the auditor of state.

Sec. 9. (a) If a tax is imposed under section 4 of this chapter by the county fiscal body, the treasurer of the capital improvement board shall establish a food and beverage tax receipts fund.

(b) The treasurer of the capital improvement board shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 10. Amounts received by the capital improvement board under this chapter may be used by the capital improvement board only for the following purposes:

(1) The renovation of the Hulman Center in Terre Haute.

(2) The acquisition, construction, improvement, maintenance, or financing of:

(A) a convention center; or

(B) a facility that is used or will be used principally for convention or tourism related events serving national or regional markets;

that is constructed after June 30, 2017.

(3) To pay the principal and interest on bonds issued to finance a purpose described in subdivision (1) or (2).

Sec. 11. This chapter expires December 31, 2042.

SECTION 57. IC 8-15.5-1-2, AS AMENDED BY P.L.181-2016, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) This article contains full and complete authority for public-private agreements between the authority, a private entity, and, where applicable, a governmental entity. Except as provided in this article, no law, procedure, proceeding, publication, notice, consent, approval, order, or act by the authority or any other officer, department, agency, or instrumentality of the state or any political subdivision is required for the authority to enter into a public-private agreement with a private entity under this article, or for a project that is the subject of a public-private agreement to be constructed, acquired, maintained, repaired, operated, financed, transferred, or conveyed.

(b) Before the authority or the department may issue a request for proposals for or enter into a public-private agreement under this article that would authorize an operator to impose tolls for the operation of motor vehicles on all or part of a toll road project, the general assembly must adopt a statute authorizing the imposition of tolls. However, during the period beginning July 1, 2011, and ending June 30, 2021, and notwithstanding subsection (c), the general assembly is not required to enact a statute authorizing the authority or the department to issue a request for proposals or enter into a public-private agreement to authorize an operator to impose tolls for the operation of motor vehicles on all or part of the following projects:

(1) A project on which construction begins after June 30, 2011, not including any part of Interstate Highway 69 other than a part described in subdivision (4).

(2) The addition of toll lanes, including high occupancy toll lanes, to a highway, roadway, or other facility in existence on July 1, 2011, if the number of nontolled lanes on the highway, roadway, or facility as of July 1, 2011, does not decrease due to the addition of the toll lanes.

(3) The Illiana Expressway, a limited access facility connecting Interstate Highway 65 in northwestern Indiana with an interstate highway in Illinois.

(4) A project that is located within a metropolitan planning area (as defined by 23 U.S.C. 134) and that connects the state of Indiana with the commonwealth of Kentucky.

(c) Before the authority or an operator may carry out any of the following activities under this article, the general assembly must enact a statute authorizing that activity:

(1) Imposing tolls on motor vehicles for use of Interstate Highway 69.

(2) Imposing tolls on motor vehicles for use of a nontolled highway, roadway, or other facility in existence or under construction on July 1, 2011, including nontolled interstate highways, U.S. routes, and state routes.

(d) The general assembly is not required to enact a statute authorizing the authority or the department to issue a request for proposals or enter into a public-private agreement for a freeway project.

(e) The authority may enter into a public-private agreement for a facility project if the general assembly, by statute, authorizes the authority to enter into a public-private agreement for the facility project.

(f) As permitted by subsection (e), the general assembly authorizes the authority to enter into public-private agreements for the following facility projects:

(1) A state park inn and related improvements in an existing state park located in a county with a population of more than two hundred thousand (200,000) and less than three hundred thousand (300,000).

(2) Communications systems infrastructure, including:

(A) towers and associated land, improvements, foundations, access roads and rights-of-way, structures, fencing, and equipment necessary, proper, or convenient to enable the towers to function as part of the communications system;

(B) any equipment necessary, proper, or convenient to transmit and receive voice and data communications; and

(C) any other necessary, proper, or convenient elements of the communications system.

(3) Larue D. Carter Memorial Hospital in Indianapolis.

(g) The following apply to a public-private agreement for communications systems infrastructure under subsection (f)(2):

(1) The authority ~~may~~ **shall**

~~(A)~~ use the procedures set forth in IC 8-15.5-4. ~~or (B) at the authority's option and in its sole discretion, negotiate an agreement with a single offeror.~~

~~The authority must issue a request for information before entering into negotiations with a single offeror. If an agreement is negotiated with a single offeror, IC 8-15.5-4-11 and IC 8-15.5-4-12 are the only sections in IC 8-15.5-4 that apply.~~ **A person denied the right to inspect or copy a record designated as confidential may file a formal complaint with the public access counselor under the procedure prescribed by IC 5-14-5 or may request an advisory opinion or make an informal inquiry under IC 5-14-4-10(5).**

(2) This article, and any other applicable laws with respect to establishing, charging, and collecting user fees, including IC 8-15.5-7, do not apply, and the operator may establish, charge, and collect user fees as set forth in the public-private agreement.

(3) Notwithstanding IC 8-15.5-5-2(2) providing that all improvements and real property must be owned by the

authority in the name of the state or by a governmental entity, or both, the public-private agreement may provide that any improvements on any real property interests may be owned by the authority, a governmental entity, an operator, or a private entity.

(4) The authority shall transfer money received from an operator under a public-private agreement to the state bicentennial capital account established under IC 4-12-1-14.9.

SECTION 58. IC 8-15.5-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 3.5. Requests for Information

Sec. 1. The authority or the department, or both, may issue a request for information for any of the following purposes:

(1) To consider the factors involved in, the feasibility of, or the potential consequences of a contemplated project.

(2) To prepare a request for proposals.

(3) To evaluate any aspect of an existing public-private agreement and an associated project.

Sec. 2. Notice of a request for information shall be given in accordance with IC 5-3-1.

Sec. 3. Both:

(1) the identity of a responder; and

(2) a response;

to a request for information are confidential unless, and only to the extent that, the person who submits the response waives confidentiality in writing. A person denied the right to inspect or copy a record designated as confidential may file a formal complaint with the public access counselor under the procedure prescribed by IC 5-14-5 or may request an advisory opinion or make an informal inquiry under IC 5-14-4-10(5).

Sec. 4. An issuer of a request for information is not required to take any action after receiving a response to a request for information.

SECTION 59. IC 8-15.5-4-0.5 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 0.5. If a public-private agreement for communications systems infrastructure is negotiated with a single offeror under IC 8-15.5-1-2(g)(1)(B), the requirements of this chapter, except sections 11 and 12 of this chapter, do not apply.~~

SECTION 60. IC 8-15.7-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 3.5. Requests for Information

Sec. 1. The authority or the department, or both, may issue a request for information for any of the following purposes:

(1) To consider the factors involved in, the feasibility of, or the potential consequences of a contemplated project.

(2) To prepare a request for proposals.

(3) To evaluate any aspect of an existing public-private agreement and an associated project.

Sec. 2. Notice of a request for information shall be given in accordance with IC 5-3-1.

Sec. 3. Both:

(1) the identity of a responder; and

(2) a response;

to a request for information are confidential unless, and only to the extent that, the person who submits the response waives confidentiality in writing. A person denied the right to inspect or copy record designated as confidential may file a formal complaint with the public access counselor under the procedure prescribed by IC 5-14-5 or may request an advisory opinion or make an informal inquiry under IC 5-14-4-10(5).

Sec. 4. An issuer of a request for information is not required to take any action after receiving a response to a request for information.

SECTION 61. IC 10-17-13-3, AS AMENDED BY P.L.99-2016, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) The veterans' affairs trust fund is established as a trust fund to provide a self-sustaining funding source for the military family relief fund established by IC 10-17-12-8 **and for the purposes set forth in IC 10-17-13.5.**

(b) The fund consists of the following:

(1) Appropriations by the general assembly.

(2) Donations, gifts, grants, and bequests to the fund.

(3) Interest and dividends on assets of the funds.

(4) Money transferred to the fund from other funds.

(5) Money from any other source deposited in the fund.

(c) The fund is considered a trust fund for purposes of IC 4-9.1-1-7.

SECTION 62. IC 10-17-13.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 13.5. Grants for Veterans' Services

Sec. 1. As used in this chapter, "department" refers to the Indiana department of veterans' affairs established by IC 10-17-1-2.

Sec. 2. As used in this chapter, "qualified entity" means an entity that provides services to veterans and is exempt from taxation under Section 501 of the Internal Revenue Code.

Sec. 3. As used in this chapter, "veteran" means an individual residing in Indiana who:

(1) has served in any branch of the armed forces of the United States or their reserves, in the national guard, or in the Indiana National Guard; and

(2) has received a discharge from service under honorable conditions.

Sec. 4. The department may use money in the veterans' affairs trust fund established under IC 10-17-13-3 to make grants to qualified entities to be used for the purpose of providing services to veterans, including the following:

(1) Programs focused on eliminating homelessness, preventing near term homelessness, and providing safe and secure living conditions.

(2) Assisting veterans in moving from public housing assistance programs to:

(A) home ownership; or

(B) stable, long term rental status.

A grant under this chapter for the purpose specified in clause (B) may include up to nine (9) months of rental assistance.

(3) Assisting veterans in finding and using available federal and state resources.

(4) Providing therapeutic services.

(5) Providing job training and job search assistance.

(6) Providing assistance for facilities and health care providers that have been approved by the state department of health to provide diagnostic testing and hyperbaric oxygen treatment to veterans at no cost to the veterans receiving treatment under the pilot program established under section 6 of this chapter. However, a grant under this chapter may not be awarded for the purposes specified in this subdivision unless the state department of health has adopted the rules required by section 6 of this chapter. In addition, a grant may not be awarded for the purposes specified in this subdivision after the expiration of the pilot program established under section 6 of this chapter.

Sec. 5. The department shall adopt rules under IC 4-22-2 for the provision of grants under this chapter. The rules adopted under this section must address the following:

(1) Application procedures.

(2) Eligibility criteria.

(3) Selection procedures.

(4) A consideration of the extent to which a qualified entity has used assistance available from other assistance programs before assistance may be provided to the qualified entity from the fund.

(5) Department oversight and verification of use of funds received by qualified entities.

(6) Other areas in which the department determines that rules are necessary to ensure the uniform administration of the grant program under this chapter.

Sec. 6. (a) As used in this section, "hyperbaric oxygen treatment" means treatment for traumatic brain injury or posttraumatic stress disorder that is ordered by a health care provider and delivered in a hyperbaric chamber.

(b) The department shall establish a pilot program for the purpose of providing assistance for facilities and health care providers that have been approved by the state department of health to provide diagnostic testing and hyperbaric oxygen treatment to veterans at no cost to the veterans receiving treatment under section 4(6) of this chapter.

(c) A grant under the pilot program established under subsection (b) may be provided only for facilities and health care providers that have been approved by the state department of health to provide diagnostic testing and hyperbaric oxygen treatment to veterans at no cost to the veterans receiving treatment.

(d) The state department of health, after consulting with the department, shall adopt rules under IC 4-22-2 to implement section 4(6) of this chapter, including standards for the following:

(1) Determination by the facility that an individual is a veteran eligible for participation in the program.

(2) Determination by the state department of health that a facility is eligible to participate in the program, including:

(A) a requirement that the facility must maintain compliance with applicable fire codes, treatment protocols, and state department of health oversight; and

(B) other facility standards determined by the state department of health.

(3) Treatment plan requirements, including the following:

(A) A facility's submission to the state department of health, before providing hyperbaric oxygen treatment to a veteran, of a treatment plan that includes:

(i) a health care provider's prescription for hyperbaric oxygen treatment;

(ii) verification by the facility that the veteran is eligible for participation in the program and voluntarily accepts treatment through the program;

(iii) an estimate of the cost of the veteran's treatment; and

(iv) any other information required by the state department of health.

(B) A reasonable time frame for:

(i) approval or disapproval by the state department of health of a treatment plan described in clause (A); and

(ii) notice to the facility of approval or disapproval of the treatment plan.

(C) Contingent on sufficient funding available in

the fund, approval of each treatment plan that meets the requirements established by the state department of health under this section.

(D) The sources of funding for the estimated treatment cost for each veteran whose treatment plan is approved under this section.

(4) Criteria for approval of payment for treatment that has been verified by the state department of health to have been provided under a treatment plan approved under subdivision (3), including:

(A) whether a drug or device used in the treatment plan has been approved for any purpose by the federal Food and Drug Administration;

(B) health improvement of the veteran receiving the treatment, as demonstrated through:

(i) standardized, independent pretreatment and posttreatment neuropsychological testing;

(ii) nationally accepted survey instruments;

(iii) neurological imaging; or

(iv) clinical examination; and

(C) receipt by the state department of health of pretreatment and posttreatment evaluation documentation.

(5) Confidentiality of all individually identifiable patient information of a veteran. However, subject to the requirements of the federal Health Insurance Portability and Accountability Act and any other applicable medical record laws, all data and information from which the identity of an individual veteran cannot be reasonably ascertained must be available to the general assembly, participating institutional review boards, participating health care providers, medical researchers, and other governmental agencies.

(e) This section expires June 30, 2019.

SECTION 63. IC 12-15-1.3-18 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 18. (a) The definitions set forth in 460 IAC 6-3 as of January 1, 2017, apply to those terms that are used in this section.**

(b) The office of the secretary shall increase the reimbursement rate for services if the services are provided as follows:

(1) The services are provided to an individual who receives services under a Medicaid waiver under the federal home and community based services program.

(2) The individual is authorized under the Medicaid waiver described in subdivision (1) to receive any of the following services:

(A) Adult day services.

(B) Prevocational services.

(C) Residential habilitation and support.

(D) Respite.

(E) Supported employment and extended services as defined in the family supports Medicaid waiver.

(F) Community habilitation and participation services.

(G) Workplace assistance, as defined in the family supports Medicaid waiver and the community integration habilitation Medicaid waiver.

(H) Facility habilitation.

(I) Residential habilitation and support (RHS daily).

(J) Transportation services.

(K) Participant assistance and care as defined in the family supports Medicaid waiver.

(L) Facility based support, as defined in the family supports Medicaid waiver and the community integration habilitation Medicaid waiver.

(3) The services are delivered to the individual by a direct care staff.

(c) The amount of the increase in the reimbursement rate described in subsection (b) for a state fiscal year beginning July 1, 2017, or thereafter is the reimbursement rate in effect as of June 30, 2016, for the services listed in subsection (b)(2) multiplied by five percent (5%).

(d) An authorized service provider shall use at least seventy-five percent (75%) of the amount of the increase in the reimbursement rate to increase the wages paid to direct care staff who:

(1) are employed by the authorized service provider to provide services in Indiana; and

(2) provide support services listed in subsection (b)(2).

(e) If a provider does not use at least seventy-five percent (75%) of the increase to increase wages paid to direct care staff, the office shall recoup part or all of the increase in the reimbursement rate that the provider receives as provided in subsection (g).

(f) An authorized service provider providing services in Indiana shall provide written and electronic notification of its plan to increase wages to:

(1) direct care staff employed by the provider; and

(2) the office of the secretary;

within thirty (30) days after the office implements an increase in reimbursement rates.

(g) The office shall put in place a reporting process to obtain payroll information from providers to verify the payment of increased wages to direct care staff. The office shall recoup the difference between seventy-five percent (75%) of the amount received by a provider as a result of increased reimbursement rates and the amount of the increase that is actually used by the provider to pay an increase in wages to direct care staff. The remaining twenty-five percent (25%) may be retained by the provider to cover the other employer related costs of providing

direct care services, including payroll taxes, benefits, and paid time for nondirect services such as paid time off and training. However, the office shall recoup the entire amount received by a provider as a result of the increased reimbursement rates if the provider does not provide the information required to verify the payment of higher wages to direct care staff.

(h) If required, the office shall file Medicaid waiver amendments for the family supports Medicaid waiver and the community integration and habilitation Medicaid waiver related to rate increases and Medicaid waiver caps with an effective date of July 1, 2017. If the federal Centers for Medicare and Medicaid Services deny the Medicaid waiver amendments, the office may modify the waiver amendment request. If a waiver amendment is not approved, rate increases may not be granted under this section.

SECTION 64. IC 14-22-7-4, AS AMENDED BY P.L.289-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 1, 2017]: Sec. 4. (a) An electronically generated stamp shall be issued to each hunting license applicant or holder upon request and the payment of a fee of six dollars and seventy-five cents ($6.75). Each stamp expires on March 31 of the year following issuance.

(b) The department may set a license fee to hunt a migratory waterfowl above the fee established under subsection (a).

(c) The fees collected shall be deposited in the fish and wildlife fund and credited to a special account to be used as provided in section 5 of this chapter. However, the fees collected do not have to be credited to the special account if the budget agency finds that it would reduce the balance in the fish and wildlife fund to less than three million dollars ($3,000,000) at the end of the state fiscal year.

SECTION 65. IC 14-22-7-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 1, 2017]: Sec. 5. (a) The department shall contract annually with an appropriate nonprofit organization to use fifty percent (50%) of the revenue ~~collected~~ **credited to the special account** under **section 4 of** this chapter for development of waterfowl propagation areas. Before paying the revenue to a nonprofit corporation developing waterfowl areas, the department must obtain evidence that the project is acceptable to the appropriate agency having jurisdiction over the land and water affected by the project.

(b) The department shall spend fifty percent (50%) of the revenue ~~collected~~ **credited to the special account** under **section 4 of** this chapter:

(1) for the acquisition or development of wetlands in Indiana; or

(2) to participate in the joint funding of North American waterfowl management plans.

SECTION 66. IC 14-22-8-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 1, 2017]: Sec. 6. (a) The game bird habitat restoration fund is established as a dedicated fund.

(b) The department shall administer the fund. The director may expend the money in the fund exclusively for the purpose of restoring the habitat of the various game birds in Indiana.

(c) The proceeds from the sale of stamps shall be deposited in **and transferred from the fish and wildlife fund to** the fund. **However, a transfer is not required if the budget agency finds that it would reduce the balance in the fish and wildlife fund to less than three million dollars ($3,000,000) at the end of the state fiscal year.**

(d) Money in the fund does not revert to the state general fund at the end of a state fiscal year. If the fund is abolished, the contents revert to the fish and wildlife fund.

SECTION 67. IC 14-22-12-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 1, 2017]: Sec. 3. The department shall deposit in the ~~deer research and management~~ **fish and wildlife** fund twenty dollars ($20) from the cost of every nonresident license to hunt deer for any time in any manner. **The department shall transfer the revenue deposited under this section from the fish and wildlife fund to the deer research and management fund. However, a transfer is not required if the budget agency finds that it would reduce the balance in the fish and wildlife fund to less than three million dollars ($3,000,000) at the end of the state fiscal year.**

SECTION 68. IC 15-19-2-10, AS ADDED BY P.L.2-2008, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. (a) The standardbred horse fund is established.

(b) The money received by the Indiana horse racing commission under this chapter shall be deposited in the standardbred horse fund. ~~The standardbred horse fund is a nonbudgetary fund.~~ Money remaining in the standardbred horse fund at the end of a state fiscal year does not revert to the state general fund.

(c) After considering the recommendations of the advisory board, the Indiana horse racing commission may disburse money from the standardbred horse fund for any purpose described in section 8 of this chapter.

(d) The Indiana horse racing commission shall pay any expense incurred in administering this chapter from the standardbred horse fund.

(e) Money in the fund is continuously appropriated to the Indiana horse racing commission to carry out the purposes of this chapter.

SECTION 69. IC 16-21-10-21, AS ADDED BY P.L.205-2013, SECTION 214, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 15, 2017]: Sec. 21. This chapter expires June 30, ~~2017.~~ **2019.**

SECTION 70. IC 16-28-2.5-4, AS ADDED BY

P.L.257-2015, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. As used in this chapter, "replacement facility" means a new comprehensive care health facility licensed under or subject to this article after July 1, 2015, that:

(1) is constructed to take the place of an existing comprehensive care health facility that is licensed before ~~July 2, 2015;~~ **July 1, 2017;**

(2) is constructed within the same county as the existing comprehensive care health facility licensed before ~~July 2, 2015;~~ **July 1, 2017;** and

(3) contains no more comprehensive care beds than the existing comprehensive care health facility licensed before ~~July 2, 2015.~~ **July 1, 2017.**

SECTION 71. IC 16-28-2.5-6, AS ADDED BY P.L.257-2015, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. (a) Except as provided in subsection (b), the state department may not approve the following:

(1) The licensure of:

(A) comprehensive care health facilities; or

(B) new or converted comprehensive care beds.

(2) The certification of new or converted comprehensive care beds for participation in the state Medicaid program unless the statewide comprehensive care bed occupancy rate is more than ninety-five percent (95%), as calculated annually on January 1 by the state department.

(3) Transfer between any comprehensive care facilities of licensed comprehensive care beds or comprehensive care bed certifications for participation in the state Medicaid program.

Beds in a health facility that provides residential nursing care under IC 16-28 may not be converted to comprehensive care beds.

(b) This section does not apply to the following:

(1) A comprehensive care health facility that:

(A) is licensed under;

(B) is to be licensed under;

(C) is subject to; or

(D) will be subject to;

this article and that is under development as of July 1, 2015.

(2) A small house health facility approved under section 7 of this chapter.

(3) A ~~replacement facility, whether or not the replacement facility is under development before July 2, 2015. The existing comprehensive care health facility that is being replaced by the replacement facility:~~

~~(A) must no longer be licensed as a comprehensive care health facility sixty (60) days after the replacement facility obtains its license from the state department; and~~

~~(B) may transfer any of the comprehensive care beds to the replacement facility.~~ **comprehensive care health facility that meets the conditions set forth in section 6.5 of this chapter.**

(4) A continuing care retirement community that was registered under IC 23-2 before July 2, 2015, and that continuously maintains its registration under IC 23-2. If a continuing care retirement community fails to maintain registration under IC 23-2 after July 1, 2015, the comprehensive care beds, including beds certified for use in the state Medicaid program or the Medicare program, that the continuing care retirement community previously operated are not forfeited as long as the continuing care retirement community continues to comply with the licensure and certification requirements of this article.

(5) A comprehensive care health facility or a comprehensive care bed that is to be added or certified in the state Medicaid program in a county where the county's comprehensive care bed occupancy rate exceeds ninety percent (90%), as calculated by the state department on January 1 and July 1 of each year. The number of comprehensive care beds allowed under this subdivision may not exceed either:

(A) the number of beds that would cause the county occupancy rate to fall below the statewide average; or

(B) seventy (70) comprehensive care beds per applicant.

(6) A comprehensive care health facility that undergoes a change of ownership for purposes of:

(A) the granting of a license by the state department to operate the comprehensive care health facility; and

(B) the maintenance for any of the beds in the comprehensive care health facility, including Medicaid certified beds, by the entity granted a license by the state department.

However, after the change of ownership, the comprehensive care health facility is subject to subsection (a) unless the comprehensive care health facility meets the requirements under another subdivision under this subsection.

(c) The state department shall make the final determination concerning whether an entity has met or is meeting the requirements of this chapter concerning being under development.

SECTION 72. IC 16-28-2.5-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 6.5. A person may qualify for an exemption under section 6(b)(3) of this chapter, and the state department may approve a construction permit, a new or amended license to operate, or Medicaid certification for a comprehensive care health facility, if any of the following are met:**

(1) The applicant is a replacement facility, and the comprehensive care health facility that is being replaced by the replacement facility:

(A) will no longer be licensed as a comprehensive care health facility sixty (60) days after the replacement facility obtains a license from the state department; and

(B) transfers any of the comprehensive care beds, including the certification status of the beds, to the replacement facility.

(2) The applicant is currently licensed to operate at least one (1) existing comprehensive care health facility, and the applicant has identified at least one (1) comprehensive care health facility that has agreed to transfer any of the comprehensive care health facility's comprehensive care beds, including the certification status of the beds to the applicant. A comprehensive care health facility transferring the licensure and certification of any comprehensive care beds to the applicant under this subdivision will no longer be licensed as a comprehensive care health facility sixty (60) days after the applicant obtains a license from the state department for additional comprehensive care beds.

(3) The applicant will be constructing at least one (1) comprehensive care health facility and meets the following criteria:

(A) The applicant has identified at least two (2) comprehensive care health facilities that have agreed to transfer any of the comprehensive care health facilities' beds, including the certification status of the comprehensive care beds, to the applicant's new comprehensive care health facility.

(B) The number of comprehensive care health facilities seeking to transfer comprehensive care beds to an applicant exceeds the number of new comprehensive care health facilities being constructed by the applicant.

(C) Unless granted an exception by both the state department and the office of Medicaid policy and planning, if a comprehensive care health facility seeking to transfer comprehensive care beds is located in a medically underserved area, as designated by the federal Health Resources & Services Administration, at least one (1) of the new comprehensive care health facilities must be constructed within five (5) minutes drive time or five (5) miles of the comprehensive care health facility that is located in the medically underserved area.

(D) The comprehensive care health facility transferring a comprehensive care bed, including the certified status of the comprehensive care bed, is no longer licensed as a comprehensive care health facility sixty (60) days after the applicant obtains a license from the state department.

SECTION 73. IC 16-28-2.5-8, AS ADDED BY P.L.257-2015, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 8. This chapter expires June 30, ~~2018.~~ **2019.**

SECTION 74. IC 16-28-15-14, AS AMENDED BY P.L.205-2013, SECTION 217, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 15, 2017]: Sec. 14. This chapter expires June 30, ~~2017.~~ **2019.**

SECTION 75. IC 20-18-2-2, AS AMENDED BY P.L.205-2013, SECTION 220, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. "ADM", except as otherwise provided by law, refers to ~~the fall count of eligible pupils under IC 20-43-4-3 conducted in~~ **current ADM under IC 20-43-4 for** the school year ending in the current calendar year.

SECTION 76. IC 20-18-2-4.5, AS ADDED BY P.L.205-2013, SECTION 222, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4.5. "Fall count" has the meaning set forth in IC 20-43-1-12.3 **(before its repeal on July 1, 2017).**

SECTION 77. IC 20-18-2-18.5, AS ADDED BY P.L.205-2013, SECTION 223, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 18.5. "Spring count" ~~has the meaning set forth in IC 20-43-1-24.5.~~ **refers to the informational spring count of eligible pupils under IC 20-43-4.**

SECTION 78. IC 20-18-2-22, AS AMENDED BY P.L.213-2015, SECTION 151, AND AS AMENDED BY P.L.219-2015, SECTION 1, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 22. (a) "Teacher" means a professional person whose position in a school corporation requires certain educational preparation and licensing and whose primary responsibility is the instruction of students.

(b) For purposes of IC 20-28, the term includes the following:

(1) A superintendent who holds a license under IC 20-28-5.

(2) A principal.

(3) A teacher.

(4) A librarian.

(5) A school counselor.

(6) A school psychologist.

(c) For purposes of ~~IC 20-43-10-3,~~ **IC 20-43-10-3.5,** *the term means a professional person whose position with a:*

(1) school corporation;

(2) special education cooperative established under IC 20-35-5;

(3) cooperative career and technical education

program;

(4) special education program established by an interlocal agreement under IC 36-1-7;

(5) joint program agreement established under IC 20-26-10; or

(6) charter school;

requires a license (as defined in IC 20-28-1-7) and whose primary responsibility is the instruction of students.

SECTION 79. IC 20-19-6-10 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 10. This chapter expires July 1, 2018.**

SECTION 80. IC 20-20-13-17, AS AMENDED BY P.L.205-2013, SECTION 225, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 17. The total technology plan grant amount to a qualifying school corporation is the amount determined by the department multiplied by the school corporation's ~~current ADM, as determined:~~

~~(1) for a calendar year ending before January 1, 2014, in the fall count of students in the school year ending in the current calendar year; and~~

~~(2) for a calendar year ending after December 31, 2013, in the~~ **informational** spring count of students **under IC 20-43-4** in the school year ending in the current calendar year.

The amount is one hundred dollars ($100). However, for the purposes of determining the current ADM of a school corporation, students who are transferred under IC 20-33-4 or IC 20-26-11 shall be counted as students having legal settlement in the transferee corporation and not having legal settlement in the transferor corporation.

SECTION 81. IC 20-24-7-13, AS AMENDED BY P.L.213-2015, SECTION 160, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. (a) As used in this section, "virtual charter school" means any charter school, including a conversion charter school, that provides for the delivery of more than fifty percent (50%) of instruction to students through:

(1) virtual distance learning;

(2) online technologies; or

(3) computer based instruction.

(b) A virtual charter school may apply for authorization with any statewide authorizer in accordance with the authorizer's guidelines.

(c) For **each** state fiscal ~~years beginning after June 30, 2013,~~ **year,** a virtual charter school is entitled to receive funding in a month from the state in an amount equal to the sum of:

(1) the product of:

(A) the number of students included in the virtual charter school's current ADM; multiplied by

(B) the result of:

(i) ninety percent (90%) of the school's foundation amount determined under ~~IC 20-43-5-4;~~ **IC 20-43-3-8;** divided by

(ii) twelve (12); plus

(2) the total of any:

(A) special education grants under IC 20-43-7;

(B) career and technical education grants under IC 20-43-8;

(C) honor grants under IC 20-43-10; and

(D) complexity grants under IC 20-43-13;

to which the virtual charter school is entitled for the month.

For **each** state fiscal ~~years beginning after June 30, 2013,~~ **year,** a virtual charter school is entitled to receive special education grants under IC 20-43-7 calculated in the same manner as special education grants are calculated for other school corporations.

(d) The state board shall adopt rules under IC 4-22-2 to govern the operation of virtual charter schools.

(e) The department, with the approval of the state board, shall before December 1 of each year submit an annual report to the budget committee concerning the program under this section.

(f) Each school year, at least sixty percent (60%) of the students who are enrolled in virtual charter schools under this section for the first time must have been included in the state's fall count of ADM conducted in the previous school year.

(g) Each virtual charter school shall report annually to the department concerning the following, on a schedule determined by the department:

(1) Classroom size.

(2) The ratio of teachers per classroom.

(3) The number of in person teacher meetings conducted.

(4) Any other information determined by the department.

The department shall provide this information annually to the legislative council in an electronic format under IC 5-14-6.

SECTION 82. IC 20-24-7-13.5, AS AMENDED BY P.L.213-2015, SECTION 161, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2017]: Sec. 13.5. (a) This section applies to the following charter schools:

(1) The Excel Centers for Adult Learners.

(2) The Christel House ~~Academy DOR center.~~ **DORS centers.**

(3) The Gary Middle College charter ~~school.~~ **schools.**

(b) Notwithstanding any other law, for **a** state fiscal ~~years beginning after June 30, 2015,~~ **year,** a charter school described in subsection (a) is entitled to receive funding from the state in an amount equal to the product of:

(1) the charter school's number of students who are Indiana residents (expressed as full-time equivalents); multiplied by

(2) six thousand ~~six~~ **seven** hundred **fifty** dollars ~~($6,600).~~ **($6,750) beginning July 1, 2017.**

However, in the case of the charter school described in subsection (a)(3), the funding under this section applies only for those students who are twenty-two (22) years of age and older. In addition, the total number of students (expressed as full-time equivalents) of all adult learners in charter schools covered by this section may not exceed the following:

~~(1) For the 2015-2016 state fiscal year:~~

~~(A) For the Christel House Academy DOR center, four hundred forty (440) adult learner students.~~

~~(B) For the Gary Middle College charter school, one hundred fifty (150) adult learner students.~~

~~(C) For the Excel Centers for Adult Learners, three thousand eight hundred sixty-five (3,865) adult learner students.~~

~~(2)~~ **(1)** For the 2016-2017 state fiscal year:

(A) For the Christel House Academy DOR center, four hundred forty (440) adult learner students.

(B) For the Gary Middle College charter school, one hundred fifty (150) adult learner students.

(C) For the Excel Centers for Adult Learners, five thousand five (5,005) adult learner students.

(2) For the 2017-2018 state fiscal year and for the 2018-2019 state fiscal year:

(A) For the Christel House DORS centers, six hundred (600) adult learner students.

(B) For the Gary Middle College charter schools, two hundred (200) adult learner students.

(C) For the Excel Centers for Adult Learners, four thousand five hundred (4,500) adult learner students.

(c) A charter school described in subsection (a) is entitled to receive federal special education funding.

(d) The state funding under this section shall be paid each state fiscal year under a schedule set by the budget agency and approved by the governor. However, the schedule shall provide for at least twelve (12) payments, that one (1) payment shall be made at least every forty (40) days, and the aggregate of the payments in each state fiscal year shall equal the amount required under this section. However, if the appropriations for this purpose are insufficient, the distributions to each recipient shall be reduced proportionately.

(e) A charter school that receives funding as provided in this section must report the following information annually to the state board and (in an electronic format under IC 5-14-6) to the legislative council, on a schedule specified by the state board:

(1) The number of adult learners enrolled in the charter school during the preceding year.

(2) The demographics of the adult learners enrolled in the charter school during the preceding year (in a format requested by the state board).

(3) The graduation rates of the adult learners enrolled in the charter school during the preceding year.

(4) The outcomes for adult learners enrolled in the charter school, as of graduation and as of two (2) years after graduation. A charter school must include information concerning students' job placement outcomes, information concerning students' matriculation into higher education, and any other information concerning outcomes required by the state board.

(f) This section expires June 30, ~~2017.~~ **2019.**

SECTION 83. IC 20-26-7-1, AS AMENDED BY P.L.5-2015, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:Sec. 1. (a) As used in this section, "charter school" has the meaning set forth in IC 20-24-1-4 and includes a group or entity seeking approval from an authorizer to operate a charter school under IC 20-24-3.

(b) Except as otherwise provided in this section, if a governing body of a school corporation determines that any real or personal property:

(1) is no longer needed for school purposes; or

(2) should, in the interests of the school corporation, be exchanged for other property;

the governing body may sell or exchange the property in accordance with IC 36-1-11.

(c) Money derived from the sale or exchange of property under this section shall be placed in any school fund:

(1) established under applicable law; and

(2) that the governing body considers appropriate.

(d) A governing body may not make a covenant that prohibits the sale of real property to another educational institution.

(e) This subsection does not apply to a school building that on July 1, 2011, is leased or loaned by the school corporation that owns the school building to another entity, if the entity is not a building corporation or other entity that is related in any way to, or created by, the school corporation or the governing body. Except as provided in subsections (k) through ~~(n),~~ **(o),** a governing body shall make available for lease or purchase to any charter school any school building owned by the school corporation or any other entity that is related in any way to, or created by, the school corporation or the governing body, including but not limited to a building corporation, that:

(1) either:

(A) is not used in whole or in part for classroom instruction at the time the charter school seeks to lease the building; or

(B) appears on the list compiled by the department

under subsection (f); and

(2) was previously used for classroom instruction;

in order for the charter school to conduct classroom instruction.

(f) Not later than August 1 each calendar year, each governing body shall inform the department if a school building that was previously used for classroom instruction is closed, unused, or unoccupied. The department shall maintain a list of closed, unused, or unoccupied school buildings and make the list available on the department's Internet web site. Each school corporation shall provide a list of closed, unused, or unoccupied buildings to the department by the date set by the department. The department must update the list not later than fifteen (15) days after being notified of a closed, unused, or unoccupied building.

(g) A school building that appears for the first time on the department's list under subsection (f) shall be designated as "Unavailable until (a date two (2) years after the school building first appears on the list)" if the governing body of the school corporation that owns the school building indicates to the department, on a form prescribed by the department, that the school building may be reclaimed during that period for classroom instruction. If a governing body does not indicate that a school building may be reclaimed, the governing body shall designate the school building as "Available" on the department's list. The governing body may change the designation of a building from unavailable to available at any time. If a school building that is designated as unavailable on the department's list remains unused for classroom instruction one (1) year after being reclaimed under this subsection, the governing body shall designate the school building as "Available" on the department's list. A governing body may reclaim a school building only one (1) time under this subsection.

(h) If a charter school wishes to use a school building on the list created under subsection (f), the charter school shall send a letter of intent to the department. Within thirty (30) days after receiving a letter from a charter school, the department shall notify the school corporation of the charter school's intent, and, within thirty (30) days after receiving notification from the department, the school corporation that owns the school building shall lease the school building to the charter school for one dollar ($1) per year for as long as the charter school uses the school building for classroom instruction or for a term at the charter school's discretion, or sell the school building to the charter school for one dollar ($1). The charter school must begin to use the school building for classroom instruction not later than two (2) years after acquiring the school building. If the school building is not used for classroom instruction within two (2) years after acquiring the school building, the school building shall be placed on the department's list under subsection (f). If during the term of the lease the charter school closes or ceases using the school building for classroom instruction, the school building shall be placed on the department's list under subsection (f). If a school building is sold to a charter school under this subsection and the charter school or any entity related to the charter school subsequently sells or transfers the school building to a third party, the charter school or related entity must transfer an amount equal to the gain in the property minus the adjusted basis (including costs of improvements to the school building) to the school corporation that initially sold the vacant school building to the charter school. Gain and adjusted basis shall be determined in the manner prescribed by the Internal Revenue Code and the applicable Internal Revenue Service regulations and guidelines.

(i) During the term of a lease under subsection (h), the charter school is responsible for the direct expenses related to the school building leased, including utilities, insurance, maintenance, repairs, and remodeling. The school corporation is responsible for any debt incurred for or liens that attached to the school building before the charter school leased the school building.

(j) Notwithstanding anything to the contrary in this section, and with the sole exception of a waiver provided in subsection (n), when a school building is designated as "Available" under subsection (g), the school building must remain designated as "Available" and may not be sold or otherwise disposed of for at least two (2) years. When the two (2) year period has elapsed, the school corporation may sell or otherwise dispose of the school building in accordance with IC 36-1-11.

(k) Notwithstanding subsection (e), a governing body may request a waiver from the department from the requirements of subsection (e). In order for a governing body to receive a waiver under subsection (n), the governing body must apply to the department, on a form prescribed by the department, for the waiver. The application must include a statement that the governing body believes that a charter school would not be interested in leasing or purchasing the vacant or unused school building.

(l) If the department receives a waiver request under subsection (k), the department, within five (5) days after receiving the waiver request under subsection (k), shall notify each charter school authorizer and statewide organization representing charter schools in Indiana by certified mail of the waiver request received under subsection (k). The notice must include a copy of the governing body's waiver request.

(m) Not later than thirty (30) days after a charter school authorizer or statewide organization representing charter schools in Indiana receives a notice described in subsection (l), the charter school authorizer or a statewide organization representing charter schools may submit a qualified objection to the governing body's request for a waiver under subsection (k). The qualified objection must be submitted to the

department in writing. In order for an objection to be considered a qualified objection by the department, the objection must include:

(1) the name of the charter school that is interested in leasing or purchasing the vacant or unused school building; and

(2) a time frame, which may not exceed one (1) year from the date of the objection, in which the charter school intends to begin providing classroom instruction in the vacant or unused school building.

(n) If the department receives a qualified objection under subsection (m), the vacant or unused school building shall remain on the department's list under subsection (f) with the designation with which the building is listed under subsection (g) at the time the department receives the waiver request. If the department does not receive a qualified objection, the department shall grant the governing body's request for a waiver. A governing body that receives a waiver under this subsection may sell or otherwise dispose of the unused or vacant school building in accordance with IC 36-1-11.

(o) The governing body of the Muncie community school corporation may sell to Ball State University an existing school building of the Muncie community school corporation that is located adjacent to the Ball State University campus without complying with the requirements of subsection (e).

(p) The governing body of the School City of East Chicago school corporation may request a waiver from the department from the requirements of subsection (e) for the Carrie Gosch Elementary School building. If requested, the department shall grant the waiver. To receive the waiver, the governing body must apply to the department on a form prescribed by the department.

SECTION 84. IC 20-29-6-4, AS AMENDED BY P.L.213-2015, SECTION 186, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. (a) A school employer shall bargain collectively with the exclusive representative on the following:

(1) Salary.

(2) Wages.

(3) Salary and wage related fringe benefits, including accident, sickness, health, dental, vision, life, disability, retirement benefits, and paid time off as permitted to be bargained under IC 20-28-9-11.

(b) Salary and wages include the amounts of pay increases available to employees under the compensation plan adopted under IC 20-28-9-1.5, but do not include the teacher evaluation procedures and criteria, any components of the teacher evaluation plan, rubric, or tool, or any performance stipend or addition to base salary based on a ~~performance~~ stipend to an individual teacher under ~~IC 20-43-10-3.~~ **IC 20-43-10-3.5.**

SECTION 85. IC 20-29-6-4.5, AS AMENDED BY P.L.213-2015, SECTION 187, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4.5. (a) For a contract entered into after June 30, 2011, a school employer may not bargain collectively with the exclusive representative on the following:

(1) The school calendar.

(2) Teacher dismissal procedures and criteria.

(3) Restructuring options available to a school employer under federal or state statutes, regulations, or rules because of the failure of the school corporation or a school to meet federal or state accountability standards.

(4) The ability of a school employer to contract, partner, or operate jointly with an educational entity that provides postsecondary credits to students of the school employer or dual credits from the school employer and the educational entity.

(5) Any subject not expressly listed in section 4 of this chapter.

(b) For a contract entered into after January 1, 2015, for a school year beginning after June 30, 2015, a school employer may not bargain collectively with the exclusive representative for the following:

(1) A matter described in subsection (a).

(2) A matter that another statute specifies is not subject to collective bargaining, including IC 20-28-9-1.5 and ~~IC 20-43-10-3.~~ **IC 20-43-10-3.5.**

(c) A subject set forth in subsection (a) or (b) that may not be bargained collectively may not be included in an agreement entered into under this article.

SECTION 86. IC 20-29-6-7, AS AMENDED BY P.L.106-2016, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. A school employer shall discuss with the exclusive representative of certificated employees the following items:

(1) Curriculum development and revision.

(2) Selection of curricular materials.

(3) Teaching methods.

(4) Hiring, evaluation, promotion, demotion, transfer, assignment, and retention of certificated employees.

(5) Student discipline.

(6) Expulsion or supervision of students.

(7) Pupil/teacher ratio.

(8) Class size or budget appropriations.

(9) Safety issues for students and employees in the workplace, except those items required to be kept confidential by state or federal law.

(10) Hours.

(11) Funding for a plan for a remediation program for any subset of students enrolled in kindergarten through grade 12.

(12) The following nonbargainable items under

~~IC 20-43-10-3:~~ **IC 20-43-10-3.5:**

(A) ~~Performance~~ **Teacher appreciation** grants.

(B) Individual ~~performance~~ **teacher appreciation grant** stipends to teachers.

(C) Additions to base salary based on ~~performance~~ **teacher appreciation grant** stipends.

(13) The pre-evaluation planning session required under IC 20-28-11.5-4.

(14) The superintendent's report to the governing body concerning staff performance evaluations required under IC 20-28-11.5-9.

(15) A career pathways and mentorship plan established under IC 20-20-42.2.

SECTION 87. IC 20-29-6-16, AS AMENDED BY P.L.239-2015, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 16. (a) If an agreement has not been reached on the items to be bargained collectively by November 1, as provided in IC 6-1.1-17-5, the parties shall continue the terms of the current contract that is in effect, and the school employer may issue tentative individual contracts and prepare its budget on that basis. During this period, in order to allow the successful resolution of the dispute, the school employer may not unilaterally change the terms or conditions of employment that are issues in dispute.

(b) Upon the expiration of the current contract that is in effect, except for ~~performance~~ **teacher appreciation grant** stipends and additions to base salary provided under ~~IC 20-43-10-3,~~ **IC 20-43-10-3.5,** the school employer shall continue under the terms of the current contract that is in effect, with no increase or increment in salary, wages, or benefits for any bargaining unit employee until a new contract is executed, unless continuation would put the school employer in a position of deficit financing due to a reduction in the employer's actual general fund revenue or an increase in an employer's expenditures when the expenditures exceed the current year actual general fund revenue.

(c) The only parts of the contract that must continue under this section are the items contained in the contract and listed in section 4 of this chapter.

(d) This section may not be construed as relieving the school employer or the school employee organization from the duty to bargain collectively until a mutual agreement has been reached and a contract entered as called for in this chapter.

SECTION 88. IC 20-33-8.5-5, AS AMENDED BY P.L.182-2009(ss), SECTION 321, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. The agreement must provide how the expenses of supervising a student who has been suspended or expelled are funded. A school corporation may not be required to expend more than the ~~transition to~~ foundation amount (as ~~determined under IC 20-43-5-6)~~ **defined by IC 20-43-3-8)** for each student referred under the agreement.

SECTION 89. IC 20-43-1-1, AS AMENDED BY P.L.213-2015, SECTION 203, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2017]: Sec. 1. This article expires June 30, ~~2017.~~ **2019.**

SECTION 90. IC 20-43-1-6, AS AMENDED BY P.L.205-2013, SECTION 260, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016 (RETROACTIVE)]: Sec. 6. "ADM" refers to **the following:**

(1) Except as provided in subdivision (2), the average daily membership determined under IC 20-43-4.

(2) For the School City of East Chicago school corporation, the average daily membership determined under IC 20-43-4-10. This subdivision expires June 30, 2018.

SECTION 91. IC 20-43-1-7, AS AMENDED BY P.L.205-2013, SECTION 261, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. "ADM of the previous year" means

~~(1) for previous state fiscal years ending before July 1, 2013, the fall count of ADM;~~

~~(2) for previous state fiscal years ending after June 30, 2013, and before July 1, 2014, the average of the fall 2012 adjusted ADM count and the fall 2013 adjusted ADM count; and~~

~~(3) for previous state fiscal years ending after June 30, 2014, the average of~~ the previous ~~year's fall and spring~~ **year** adjusted ADM ~~counts.~~ **count.**

SECTION 92. IC 20-43-1-10, AS AMENDED BY P.L.213-2015, SECTION 206, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. "Current ADM" means the

~~(1) spring count of ADM for distributions in the months of January through June of the calendar year in which the spring count is taken; and~~

~~(2) fall~~ count of ADM ~~for distributions in the months of July through December of the calendar year in which the fall count is~~ taken **under IC 20-43-4.**

SECTION 93. IC 20-43-1-12.3 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 12.3. "Fall count" refers to the first count of ADM in a school year under IC 20-43-4-3, as finally adjusted under IC 20-43-4-2.~~

SECTION 94. IC 20-43-1-13, AS ADDED BY P.L.2-2006, SECTION 166, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. "Foundation amount" refers to the amount determined under ~~IC 20-43-5-4.~~ **IC 20-43-3-8.**

SECTION 95. IC 20-43-1-14.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 14.5. This section applies after June 30, 2018. "High value program" means a career and technical education program that the department of workforce development recognizes as:**

(1) having a high employment demand and a high average wage level;
(2) having a moderate employment demand and a high average wage level; or
(3) having a high employment demand and a moderate average wage level.

SECTION 96. IC 20-43-1-15.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 15.5. This section applies after June 30, 2018. "Less than moderate value program" means a career and technical education program that the department of workforce development recognizes as:**

(1) having a low employment demand and a low average wage level;
(2) having a moderate employment demand and a low average wage level; or
(3) having a low employment demand and a moderate average wage level.

SECTION 97. IC 20-43-1-16.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 16.5. This section applies after June 30, 2018. "Moderate value program" means a career and technical education program that the department of workforce development recognizes as:**

(1) having a moderate employment demand and a moderate average wage level;
(2) having a high employment demand and a low average wage level; or
(3) having a low employment demand and a high average wage level.

SECTION 98. IC 20-43-1-20 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 20. "Previous year revenue foundation amount" refers to the amount determined under IC 20-43-5-5.~~

SECTION 99. IC 20-43-1-24.5 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 24.5. "Spring count" refers to the second count of ADM in a school year under IC 20-43-4-3, as subsequently adjusted under IC 20-43-4-2.~~

SECTION 100. IC 20-43-1-28 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 28. "Transition to foundation amount" refers to the amount determined under IC 20-43-5-6.~~

SECTION 101. IC 20-43-1-29 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 29. "Transition to foundation revenue" refers to the amount determined under IC 20-43-5-7.~~

SECTION 102. IC 20-43-1-29.3 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 29.3. "Transition to foundation revenue per adjusted ADM" refers to the amount determined under IC 20-43-5-9.~~

SECTION 103. IC 20-43-2-3, AS AMENDED BY P.L.213-2015, SECTION 208, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. If the total amount to be distributed:

(1) as basic tuition support;
(2) for honors diploma awards;
(3) for complexity grants;
(4) for special education grants;
(5) for career and technical education grants;
~~(6) for choice scholarships;~~ and
~~(7)~~ **(6)** for Mitch Daniels early graduation scholarships;

for a particular state fiscal year exceeds the amounts appropriated by the general assembly for those purposes for the state fiscal year, the total amount to be distributed for those purposes to each recipient during the remaining months of the state fiscal year shall be proportionately reduced so that the total reductions equal the amount of the excess.

SECTION 104. IC 20-43-2-7.5, AS AMENDED BY P.L.186-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2017]: Sec. 7.5. (a) Before July 1 of each year, the budget agency, with the assistance of the department, shall estimate the amount of the distributions that will be made for choice scholarships for the following state fiscal year.

~~(b) In the state fiscal year beginning July 1, 2015, the budget agency may transfer money from the state tuition reserve account to the state general fund if the budget director, after review by the budget committee, makes a determination that the amount of the distribution for that state fiscal year for basic tuition support has been reduced under section 3 of this chapter because the amount of the distributions for choice scholarships for the state fiscal year exceeds the latest estimate prepared by the legislative services agency and provided to members of the general assembly before May 1, 2015, concerning the amount of the distributions for choice scholarships for the state fiscal year beginning July 1, 2015. The maximum amount that may be transferred to the state general fund under this subsection for the state fiscal year may not exceed the lesser of:~~

~~(1) the amount of the reduction in basic tuition support distributions described in this subsection; or~~
~~(2) twenty-five million dollars ($25,000,000).~~

~~Any amounts transferred under this subsection shall be used to augment the appropriation for state tuition support for the state fiscal year and shall be distributed to school corporations to restore the distributions for basic tuition support that are reduced under section 3 of this chapter.~~

~~(c)~~ **(b)** In the state fiscal year beginning July 1, 2016, the budget agency may transfer money from the state tuition reserve account to the state general fund if the budget director, after review by the budget committee, makes a determination that the amount of the distribution for that state fiscal year for basic tuition support has been reduced under section 3 of this

chapter because the amount of the distributions for choice scholarships for the state fiscal year exceeds the latest estimate prepared by the legislative services agency and provided to members of the general assembly before May 1 2015, concerning the amount of the distributions for choice scholarships for the state fiscal year beginning July 1 2016. The maximum amount that may be transferred to the state general fund under this subsection for the state fiscal year may not exceed the lesser of:

(1) the amount of the reduction in basic tuition support distributions described in this subsection; or

(2) twenty-five million dollars ($25,000,000).

Any amounts transferred under this subsection shall be used to augment the appropriation for state tuition support for the state fiscal year and shall be distributed to school corporations to restore the distributions for basic tuition support that are reduced under section 3 of this chapter. **This subsection expires July 1, 2017.**

~~(d)~~ **(c)** Transfers under this section are in addition to any transfers made from the state tuition reserve account under IC 4-12-1-15.7 or any other law.

~~(e) This section expires June 30, 2017.~~

SECTION 105. IC 20-43-3-8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 8. A school corporation's foundation amount is the following:**

(1) Five thousand two hundred eleven dollars ($5,211) for the state fiscal year beginning July 1, 2017.

(2) Five thousand two hundred seventy-four dollars ($5,274) for the state fiscal year beginning July 1, 2018.

SECTION 106. IC 20-43-4-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016 (RETROACTIVE)]: **Sec. 0.5. This chapter, except for section 10 of this chapter, does not apply to the School City of East Chicago school corporation. This section expires June 30, 2018.**

SECTION 107. IC 20-43-4-2, AS AMENDED BY P.L.186-2016, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) A school corporation's ADM is the number of eligible pupils enrolled in:

(1) the school corporation; or

(2) a transferee corporation;

on the ~~days~~ **day** fixed in September ~~and in February~~ by the state board for a count of students under section 3 of this chapter and as subsequently adjusted not later than the date specified under the rules adopted by the state board. The state board may adjust the school's count of eligible pupils if the state board determines that the count is unrepresentative of the school corporation's enrollment. In addition, a school corporation may petition the state board to make an adjusted count of students enrolled in the school corporation if the corporation has reason to believe that the count is unrepresentative of the school corporation's enrollment. **In addition, a school corporation shall determine the number of eligible pupils enrolled in:**

(1) the school corporation; or

(2) a transferee corporation;

on the day fixed in February by the state board for a spring count of students to be used only for informational purposes under this article. Except as specifically provided by law, the spring count shall not be used for determining school funding under this article.

(b) Each school corporation shall, before April 1 of each year, provide to the department an estimate of the school corporation's ADM that will result from the count of eligible pupils in the following September. The department may update and adjust the estimate as determined appropriate by the department. In each odd-numbered year, the department shall provide the updated and adjusted estimate of the school corporation's ADM to the legislative services agency before April 10 of that year.

(c) A new charter school shall submit an enrollment estimate to the department before April 1 of the year the new charter school will be open for enrollment. The department shall use the new charter school's enrollment estimate as the basis for the new charter school's distribution beginning in July and until actual ADM is available, subject to section 9 of this chapter. However, if the new charter school's enrollment estimate is greater than eighty percent (80%) of the new charter school's authorized enrollment cap, the department may use that enrollment estimate if the department has requested and reviewed other enrollment data that support that enrollment estimate. However, if the enrollment data requested and reviewed by the department does not support the enrollment estimate submitted by the new charter school, the department shall determine the estimated ADM based on the enrollment data requested and reviewed by the department. In each odd-numbered year, the department shall provide the new charter school's estimated ADM to the legislative services agency before April 10 of that year.

SECTION 108. IC 20-43-4-3, AS AMENDED BY P.L.144-2012, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) Subject to subsection (b), the state board shall make an ADM count of the eligible pupils enrolled in each school corporation two (2) times each school year, with one (1) count date occurring in each of the following periods:

(1) The fall count of ADM shall be made on a day during September fixed by the state board.

(2) The **informational** spring count of ADM shall be made on a day during February fixed by the state board.

(b) However, if extreme patterns of:

(1) student in-migration;

(2) illness;

(3) natural disaster; or

(4) other unusual conditions in a particular school corporation's enrollment;

on either a count day fixed by the state board or the subsequent adjustment date cause the enrollment to be unrepresentative of the school corporation's enrollment, the state board may designate another day for determining the school corporation's enrollment.

SECTION 109. IC 20-43-4-4, AS AMENDED BY P.L.205-2013, SECTION 276, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. (a) The state board shall monitor changes that occur after the ~~fall~~ count of ADM in the number of students enrolled in programs for children with disabilities. The state board shall:

(1) before December 2 of that same year; and

(2) before April 2 of the following calendar year;

make an adjusted count of students enrolled in programs for children with disabilities. The state superintendent shall certify the December adjusted count to the budget committee before February 5 of the following year and the April adjusted count not later than May 31 immediately after the date of the April adjusted count. The state board may adjust the school's count of students enrolled in programs for children with disabilities if the state board determines that the count is unrepresentative of the school corporation's enrollment.

(b) The department shall distribute special education grants under IC 20-43-7 using only the count specified in IC 20-43-7-1.

SECTION 110. IC 20-43-4-9, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2017 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. (a) Subject to subsections (b) and (c), this subsection applies to the calculation of state tuition support distributions that are based on the current ADM of a school corporation. The ~~fall~~ count of ADM, as adjusted by the state board under section 2 of this chapter, shall be used to compute state tuition support distributions. ~~made in the first six (6) months of the current state fiscal year, and the spring count of ADM, as adjusted by the state board under section 2 of this chapter, shall be used to compute state tuition support distributions made in the second six (6) months of the state fiscal year.~~

(b) This subsection applies to a school corporation that does not provide the estimates required by section ~~2(b)(2)~~ **2(b)** of this chapter before the deadline. For monthly state tuition support distributions made before the ~~fall~~ count of ADM is finalized, the department shall determine the distribution amount for such a school corporation for a state fiscal year of the biennium, using data that were used by the general assembly in determining the state tuition support appropriation for the budget act for that state fiscal year. The department may adjust the data used under this subsection for errors.

(c) If the state board adjusts a count of ADM after a distribution is made under this article, the adjusted count retroactively applies to the amount of state tuition support distributed to a school corporation affected by the adjusted count. The department shall settle any overpayment or underpayment of state tuition support resulting from an adjusted count of ADM on the schedule determined by the department and approved by the budget agency.

SECTION 111. IC 20-43-4-10 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016 (RETROACTIVE)]: **Sec. 10. (a) For the school year beginning after June 30, 2016, and ending before July 1, 2017, the ADM for the School City of East Chicago school corporation for fall and spring is the spring count ADM of the school year beginning after June 30, 2015, and ending before July 1, 2016.**

(b) For the school year beginning after June 30, 2017, and ending before July 1, 2018, the ADM for the School City of East Chicago school corporation is the result determined under STEP THREE of the following formula:

STEP ONE: Determine the result of:

(A) the ADM determined under subsection (a); minus

(B) the ADM determined in accordance with sections 1 through 8 of this chapter for the School City of East Chicago school corporation without regard to this section.

STEP TWO: Divide the result in STEP ONE by three (3), rounded up to the nearest whole number.

STEP THREE: The School City of East Chicago school corporation's ADM is the following:

(A) The ADM determined in accordance with sections 1 through 8 of this chapter if the result in STEP ONE is less than zero (0).

(B) The result of:

(i) the ADM determined under subsection (a); minus

(ii) the amount determined in STEP TWO;

if the result in STEP ONE is greater than zero (0).

(c) The ADM under this section must be used to compute state tuition support distributions in the same manner as described in section 9(a) of this chapter.

(d) This section expires June 30, 2018.

SECTION 112. IC 20-43-5 IS REPEALED [EFFECTIVE JULY 1, 2017]. (Determination of Complexity Index and Transition to Foundation Revenue Per ADM).

SECTION 113. IC 20-43-6-3, AS AMENDED BY P.L.205-2013, SECTION 289, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) A school corporation's basic tuition support for a state fiscal year is the amount determined under the applicable provision of this section.

(b) The school corporation's basic tuition support for a state fiscal year is equal to the **foundation amount multiplied by the** school corporation's ~~transition to foundation revenue~~ **current ADM** for the year.

(c) This subsection applies to students of a virtual charter school. A virtual charter school's basic tuition support for a state fiscal year for those students is the amount determined under IC 20-24-7-13.

SECTION 114. IC 20-43-7-1, AS AMENDED BY P.L.106-2016, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) In addition to the amount a school corporation is entitled to receive in basic tuition support, each school corporation is entitled to receive a grant for special education programs for the state fiscal year. Subject to subsections (b) and (c), the amount of the special education grant is based on the count of eligible pupils enrolled in special education programs on December 1 of the preceding state fiscal year in:

(1) the school corporation; or

(2) a transferee corporation.

(b) Before February 1 of each calendar year, the department shall determine the result of:

(1) the total amount of the special education grant that would have been received by the school corporation during the months of July, August, September, October, November, and December of the preceding calendar year and January of the current calendar year if the grant had been based on the count of students with disabilities that was made on the immediately preceding December 1; minus

(2) the total amount of the special education grant received by the school corporation during the months of July, August, September, October, November, and December of the preceding calendar year and January of the current calendar year.

If the result determined under this subsection is positive, the school corporation shall receive an additional special education grant distribution in February equal to the result determined under this subsection. If the result determined under this subsection is negative, the special education grant distributions that otherwise would be received by the school corporation in February, March, April, and May shall be proportionately reduced so that the total reduction is equal to the result determined under this subsection.

(c) The special education grant distributions made in February, March, April, May, and June of a calendar year shall be based on the count of students with disabilities that was made on the immediately preceding December 1.

(d) ~~After June 30, 2016,~~ In addition to the December 1 count, a second count of eligible pupils enrolled in special education programs shall be conducted. The count must be in the spring semester on a date fixed by the state board. The spring count of eligible students shall be used for informational purposes and is not used to calculate grant amounts under this chapter.

SECTION 115. IC 20-43-7-3, AS ADDED BY P.L.2-2006, SECTION 166, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) In a school corporation's nonduplicated count of pupils in programs for mild and moderate disabilities, the school corporation shall count each pupil served in any one (1) of the following programs:

(1) Emotional handicap, all other.

(2) Learning disability.

(3) Mild mental handicap.

(4) Moderate mental handicap.

(5) After June 30, 2018, developmental delay.

~~(5)~~ **(6)** Other health impairment.

(b) A pupil may be counted in only one (1) of the programs in this section even if the pupil is served in more than one (1) program.

(c) A pupil may not be included in the nonduplicated count in this section and in the nonduplicated count of pupils in programs for severe disabilities in section 2 of this chapter.

SECTION 116. IC 20-43-7-5, AS AMENDED BY P.L.106-2016, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) In a school corporation's cumulative count of pupils in homebound programs, a school corporation shall count each pupil who received homebound instruction up to and including December 1 of the current year plus each pupil who received homebound instruction after December 1 of the prior school year.

(b) ~~This subsection applies to a state fiscal year starting after June 30, 2016.~~ In addition to the cumulative count described in subsection (a), a school corporation shall conduct a cumulative count of pupils in homebound programs for informational purposes and is not used to calculate grants under this chapter. In a school corporation's informational cumulative count of pupils in homebound programs, a school corporation shall count each pupil who received homebound instruction:

(1) for the December 1 count, up to and including the December 1 count date of the current year plus each pupil who received homebound instruction after the spring count date of the prior school year; and

(2) for the spring count, up to and including the spring count date of the current year plus each pupil who received homebound instruction after the December 1 count date of the current school year.

(c) A school corporation may include a pupil in the school

corporation's cumulative count of pupils in homebound programs even if the pupil also is included in the school corporation's:

(1) nonduplicated count of pupils in programs for severe disabilities;

(2) nonduplicated count of pupils in programs for mild and moderate disabilities; or

(3) duplicated count of pupils in programs for communication disorders.

SECTION 117. IC 20-43-7-6, AS AMENDED BY P.L.213-2015, SECTION 220, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. A school corporation's special education grant for a state fiscal year is equal to the sum of the following:

(1) The nonduplicated count of pupils in programs for severe disabilities multiplied by ~~eight thousand eight hundred dollars ($8,800).~~ **the following:**

(A) Eight thousand nine hundred seventy-six dollars ($8,976) for the state fiscal year beginning July 1, 2017.

(B) Nine thousand one hundred fifty-six dollars ($9,156) for the state fiscal year beginning July 1, 2018.

(2) The nonduplicated count of pupils in programs of mild and moderate disabilities multiplied by two thousand three hundred dollars ($2,300).

(3) The duplicated count of pupils in programs for communication disorders multiplied by five hundred dollars ($500).

(4) The cumulative count of pupils in homebound programs multiplied by five hundred dollars ($500).

(5) The nonduplicated count of pupils in special preschool education programs multiplied by two thousand seven hundred fifty dollars ($2,750).

SECTION 118. IC 20-43-8-3, AS ADDED BY P.L.2-2006, SECTION 166, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) Participation in a program is not required to the extent of full-time equivalency.

(b) **This subsection expires July 1, 2018.** The state board shall adopt rules that further define the nature and extent of participation and the type of program qualifying for approval.

(c) A count may not be made on any program that has not been approved by the state board or to the extent that a pupil is not participating to the extent required by any rule of the state board.

SECTION 119. IC 20-43-8-4, AS AMENDED BY P.L.213-2015, SECTION 221, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. In addition to the amount a school corporation is entitled to receive in basic tuition support, each school corporation is entitled to receive a grant for career and technical education programs. The amount of the grant is determined as follows:

~~(1) For state fiscal years ending before July 1, 2015, under section 9 of this chapter.~~

~~(2)~~ **(1)** For state fiscal years beginning after June 30, 2015, **and ending before July 1, 2018,** under section 12 of this chapter.

(2) For state fiscal years beginning after June 30, 2018, under section 16 of this chapter.

SECTION 120. IC 20-43-8-5, AS ADDED BY P.L.2-2006, SECTION 166, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) In a school corporation's duplicated count of pupils in programs addressing employment demand for individuals in labor market categories that are projected to need more than a moderate number of individuals, the school corporation shall count each pupil enrolled in each of the programs.

(b) A pupil may be counted in more than one (1) of the programs if the pupil is enrolled in more than one (1) program at the time pupil enrollment is determined.

(c) A pupil may be included in the duplicated count in this section and in the duplicated count of pupils in programs addressing employment demand that is moderate or less than moderate.

(d) This section expires July 1, 2018.

SECTION 121. IC 20-43-8-6, AS ADDED BY P.L.2-2006, SECTION 166, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. (a) In a school corporation's duplicated count of pupils in programs addressing employment demand for individuals in labor market categories that are projected to need a moderate number of individuals, the school corporation shall count each pupil enrolled in each of the programs.

(b) A pupil may be counted in more than one (1) of the programs if the pupil is enrolled in more than one (1) program at the time pupil enrollment is determined.

(c) A pupil may be included in the duplicated count in this section and in the duplicated count of pupils in programs addressing employment demand that is more than or less than moderate.

(d) This section expires July 1, 2018.

SECTION 122. IC 20-43-8-7, AS ADDED BY P.L.2-2006, SECTION 166, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. (a) In a school corporation's duplicated count of pupils in programs addressing employment demand for individuals in labor market categories that are projected to need less than a moderate number of individuals, the school corporation shall count each pupil enrolled in each of the programs.

(b) A pupil may be counted in more than one (1) of the programs if the pupil is enrolled in more than one (1) program at the time pupil enrollment is determined.

(c) A pupil may be included in the duplicated count in this section and in the duplicated count of pupils in programs

addressing employment demand that is more than moderate or moderate.

(d) This section expires July 1, 2018.

SECTION 123. IC 20-43-8-7.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 7.5. (a) Not later than December 1, 2017, and each December 1 thereafter, the department of workforce development shall designate each career and technical education program as:**

(1) an apprenticeship program;
(2) a cooperative education program;
(3) a work based learning program;
(4) a high value program;
(5) a moderate value program;
(6) a less than moderate value program;
(7) an introductory program; or
(8) a foundational career and technical education course.

(b) If a new career and technical education program is created by rule, the department of workforce development shall determine the category in which the program is designated under subsection (a). A career and technical education program must be approved by the department of workforce development in order for a school corporation to be eligible to receive a grant under section 16 of this chapter.

(c) The designation of career and technical education programs by the department of workforce development under this section must be reviewed and approved by the state board.

SECTION 124. IC 20-43-8-8, AS AMENDED BY P.L.213-2015, SECTION 222, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 8. (a) **This section applies to a state fiscal year ending before July 1, 2018.**

(b) A school corporation shall count each pupil enrolled in:

(1) each apprenticeship program;
(2) each cooperative education program;
(3) each work based learning course; and
(4) any program not covered by sections 5 through 7 of this chapter.

The department of workforce development, in consultation with the ~~department and the Indiana works councils,~~ **state workforce innovation council,** shall designate each career and technical education course described in subdivision (4) as an introductory or a foundational career and technical education course for purposes of determining a school corporation's career and technical education enrollment grant under section 12 of this chapter.

~~(b)~~ **(c)** A pupil may be counted in more than one (1) of the programs if the pupil is enrolled in more than one (1) program at the time pupil enrollment is determined.

~~(c)~~ **(d)** A pupil may be included in the duplicated count in this section and in the duplicated count of pupils in programs addressing employment demand that is more than moderate, moderate, or less than moderate.

(e) This section expires July 1, 2018.

SECTION 125. IC 20-43-8-12, AS ADDED BY P.L.213-2015, SECTION 224, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. (a) This section applies to state fiscal years beginning after June 30, 2015, **and ending before July 1, 2018.**

(b) The average wage level to be used in this section is the average wage level that was determined under section 2(b) of this chapter (repealed) and set forth in the 2014 report. The department shall use the 2014 report to determine career and technical education grant amounts in state fiscal year 2015-2016 and in state fiscal year 2016-2017.

(c) A school corporation's career and technical education enrollment grant for a state fiscal year is the sum of the following amounts:

STEP ONE: For each career and technical education program provided by the school corporation:

(A) the number of credit hours of the program (either one (1) credit, two (2) credits, or three (3) credits); multiplied by
(B) the number of pupils enrolled in the program; multiplied by
(C) the following applicable amount:
(i) Five hundred dollars ($500), in the case of a program described in section 5 of this chapter (more than a moderate labor market need) for which the average wage level is a high wage.
(ii) Four hundred fifty dollars ($450), in the case of a program described in section 5 of this chapter (more than a moderate labor market need) for which the average wage level is a moderate wage.
(iii) Four hundred fifty dollars ($450), in the case of a program described in section 6 of this chapter (moderate labor market need) for which the average wage level is a high wage.
(iv) Three hundred dollars ($300), in the case of a program described in section 5 of this chapter (more than a moderate labor market need) for which the average wage level is a less than moderate wage.
(v) Three hundred dollars ($300), in the case of a program described in section 6 of this chapter (moderate labor market need) for which the average wage level is a moderate wage.
(vi) Three hundred dollars ($300), in the case of a program described in section 7 of this chapter (less than a moderate labor market need) for which the average wage level is a high wage.

(vii) Two hundred twenty-five dollars ($225), in the case of a program described in section 6 of this chapter (moderate labor market need) for which the average wage level is a less than moderate wage.
(viii) Two hundred twenty-five dollars ($225), in the case of a program described in section 7 of this chapter (less than a moderate labor market need) for which the average wage level is a moderate wage.
(ix) One hundred fifty dollars ($150), in the case of a program described in section 7 of this chapter (less than a moderate labor market need) for which the average wage level is a less than moderate wage.

STEP TWO: The number of pupils enrolled in an introductory career and technical education course designated under section ~~8(a)~~ **8(b)** of this chapter multiplied by three hundred dollars ($300).
STEP THREE: The number of pupils enrolled in a foundational career and technical education course designated under section ~~8(a)~~ **8(b)** of this chapter multiplied by one hundred fifty dollars ($150).
STEP FOUR: The number of pupils enrolled in an apprenticeship, a cooperative education program, or a work based learning course described in section ~~8(a)~~ **8(b)** of this chapter multiplied by three hundred dollars ($300).
STEP FIVE: The number of pupils participating in a career and technical education program in which pupils from multiple schools are served at a common location **multiplied** by one hundred fifty dollars ($150).

(d) This section expires July 1, 2018.

SECTION 126. IC 20-43-8-13 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 13. (a) This section applies to a state fiscal year beginning after June 30, 2018.**

(b) A school corporation shall count each pupil enrolled in a program designated under section 7.5 of this chapter for the purposes of determining a school corporation's career and technical education enrollment grant under section 16 of this chapter. Each school corporation shall report its pupil enrollment count under this section to the department.

(c) A pupil may be counted in more than one (1) of the career and technical education programs if the pupil is enrolled in more than one (1) of the career and technical education programs at the time pupil enrollment is determined.

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

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

(f) Each school corporation that receives a grant under this chapter shall report to the department, in a manner prescribed by the department, the pupil count and the per pupil cost to the school corporation for each career and technical education program in which the school corporation includes pupils in the school corporation's enrollment count under subsection (b). The department shall post the school corporation's pupil count and per pupil costs reported to the department under this subsection on the department's Internet web site.

SECTION 127. IC 20-43-8-14 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 14. (a) Not later than December 1, 2017, and each December 1 thereafter, the department of workforce development shall provide a report to the state board that includes the following information:**

(1) A list of the career and technical education courses for the next school year that are designated by the department of workforce development as:
(A) an apprenticeship program;
(B) a cooperative education program;
(C) a work based learning program;
(D) a high value program;
(E) a moderate value program;
(F) a less than moderate value program;
(G) an introductory program; or
(H) a foundational career and technical education course.
(2) The labor market demand used to designate each career and technical education program under section 7.5 of this chapter.
(3) The average wage level used to designate each career and technical education program under section 7.5 of this chapter.
(4) If applicable, the labor market demand and average wage level data for specific regions, counties, and municipalities.
(5) Any other information pertinent to the methodology used by the department of workforce development to designate each career and technical education program under section 7.5 of this chapter.

(b) Not later than January 1, 2018, and each January 1

thereafter, the state board shall review the list of career and technical education courses provided by the department of workforce development under subsection (a) at a public meeting to ensure that the list of courses is in compliance with the long range state plan developed under IC 20-20-38-4. Not later than January 1, 2018, and each January 1 thereafter, the state board shall send its determination to the department of workforce development. Upon receipt of the state board's determination, the department of workforce development shall provide a report to the department and to all school corporations that includes the following information:

(1) A list of the career and technical education courses for the next school year that are designated by the department of workforce development as:

(A) an apprenticeship program;

(B) a cooperative education program;

(C) a work based learning program;

(D) a high value program;

(E) a moderate value program;

(F) a less than moderate value program;

(G) an introductory program; or

(H) a foundational career and technical education course.

(2) The labor market demand used to designate each career and technical education program under section 7.5 of this chapter.

(3) The average wage level used to designate each career and technical education program under section 7.5 of this chapter.

(4) If applicable, the labor market demand and average wage level data for specific regions, counties, and municipalities.

(5) Any other information pertinent to the methodology used by the department of workforce development to designate each career and technical education program under section 7.5 of this chapter.

(c) The department of workforce development shall publish, on the department of workforce development's Internet web site, the list of career and technical education programs that are designated by the department of workforce development under section 7.5 of this chapter.

SECTION 128. IC 20-43-8-15 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 15. (a) This section applies after June 30, 2018.**

(b) Not later than January 1 of each odd-numbered year, the department of workforce development shall update wage threshold data used to categorize career and technical education programs under section 7.5 of this chapter for use in the two (2) subsequent school years.

(c) The department of workforce development may not update wage threshold data as provided in subsection (b) more often than once each biennium.

SECTION 129. IC 20-43-8-16 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 16. (a) This section applies to state fiscal years beginning after June 30, 2018.**

(b) A school corporation's career and technical education enrollment grant for a state fiscal year is the sum of the following amounts:

STEP ONE: For each career and technical education program provided by the school corporation:

(A) the number of credit hours of the program (one (1) credit, two (2) credits, or three (3) credits); multiplied by

(B) the number of pupils enrolled in the program; multiplied by

(C) the following applicable amount:

(i) Six hundred eighty dollars ($680) for a career and technical education program designated by the department of workforce development as a high value program under section 7.5 of this chapter.

(ii) Four hundred dollars ($400) for a career and technical education program designated by the department of workforce development as a moderate value program under section 7.5 of this chapter.

(iii) Two hundred dollars ($200) for a career and technical education program designated by the department of workforce development as a less than moderate value program under section 7.5 of this chapter.

STEP TWO: The number of pupils enrolled in an apprenticeship program, a cooperative education program, a foundational career and technical education course, or a work based learning program designated under section 7.5 of this chapter multiplied by one hundred fifty dollars ($150).

STEP THREE: The number of pupils enrolled in an introductory program designated under section 7.5 of this chapter multiplied by three hundred dollars ($300).

STEP FOUR: The number of pupils who travel from the school in which they are currently enrolled to another school to participate in a career and technical education program in which pupils from multiple schools are served at a common location multiplied by one hundred fifty dollars ($150).

SECTION 130. IC 20-43-8-17 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 17. The department of workforce development shall adopt rules under IC 4-22-2 that are necessary to implement the duties**

of the department of workforce development under this chapter.

SECTION 131. IC 20-43-10-2, AS AMENDED BY P.L.213-2015, SECTION 225, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) A school corporation's honors diploma award for a state fiscal year is the amount determined using the following formula:

STEP ONE: Determine the number of the school corporation's eligible pupils who:

(A) successfully completed an academic honors diploma program; and

(B) were receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF) benefits, or foster care services;

in the school year ending in the previous state fiscal year.

STEP TWO: Determine the result of:

(A) the number of the school corporation's eligible pupils who:

(i) successfully completed a Core 40 diploma with technical honors program; and

(ii) were receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF) benefits, or foster care services;

in the school year ending in the previous state fiscal year; minus

(B) the number of eligible pupils who would otherwise be double counted under both clause (A) and STEP ONE.

STEP THREE: Determine the sum of the number of eligible students determined under STEP ONE and the number of eligible students determined under STEP TWO.

STEP FOUR: Multiply the STEP THREE amount by one thousand ~~four~~ **five** hundred dollars ~~($1,400).~~ **($1,500).**

STEP FIVE: Determine the result of:

(A) the number of the school corporation's eligible pupils who successfully completed an academic honors diploma program in the school year ending in the previous state fiscal year; minus

(B) the STEP ONE amount.

STEP SIX: Determine the result of:

(A) the number of the school corporation's eligible pupils who successfully completed a Core 40 diploma with technical honors program in the school year ending in the previous state fiscal year; minus

(B) the number of the school corporation's eligible pupils who are counted under both clause (A) and STEP FIVE (A).

STEP SEVEN: Determine the result of the STEP SIX amount minus the STEP TWO amount.

STEP EIGHT: Determine the result of:

(A) the STEP FIVE amount; plus

(B) the STEP SEVEN amount.

STEP NINE: Determine the result of:

(A) the STEP EIGHT amount; multiplied by

(B) one thousand **one hundred** dollars ~~($1,000).~~ **($1,100).**

STEP TEN: Determine the sum of:

(A) the STEP FOUR amount; plus

(B) the STEP NINE amount.

(b) An amount received by a school corporation as an honors diploma award may be used only for:

(1) any:

(A) staff training;

(B) program development;

(C) equipment and supply expenditures; or

(D) other expenses;

directly related to the school corporation's honors diploma program; and

(2) the school corporation's program for high ability students.

(c) A governing body that does not comply with this section for a school year is not eligible to receive an honors diploma award for the following school year.

SECTION 132. IC 20-43-10-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 3.5. (a) Subject to the requirements of this section, a school corporation qualifies for a teacher appreciation grant as provided in this section for a state fiscal year if one (1) or more licensed teachers employed by the school corporation were rated as effective or as highly effective, using the most recently completed teacher ratings.**

(b) A school corporation may not receive a teacher appreciation grant under this section unless:

(1) the school corporation has in the state fiscal year in which the teacher appreciation grants are made under this section:

(A) adopted an annual policy concerning the distribution of teacher appreciation grants; and

(B) submitted the policy to the department for approval; and

(2) the department has approved the policy.

The department shall specify the date by which a policy described in subdivision (1) must be submitted to the department.

(c) A virtual school may not receive a teacher appreciation grant under this section.

(d) The amount of a teacher appreciation grant for a qualifying school corporation is equal to:

(1) thirty-nine dollars ($39); multiplied by

(2) the school corporation's current ADM.

(e) The following apply to the distribution of teacher appreciation grants:

(1) If the total amount to be distributed as teacher appreciation grants for a particular state fiscal year exceeds the amount appropriated by the general assembly for teacher appreciation grants for that state fiscal year, the total amount to be distributed as teacher appreciation grants to school corporations shall be proportionately reduced so that the total reduction equals the amount of the excess. The amount of the reduction for a particular school corporation is equal to the total amount of the excess multiplied by a fraction. The numerator of the fraction is the amount of the teacher appreciation grant that the school corporation would have received if a reduction were not made under this section. The denominator of the fraction is the total amount that would be distributed as teacher appreciation grants to all school corporations if a reduction were not made under this section.

(2) If the total amount to be distributed as teacher appreciation grants for a particular state fiscal year is less than the amount appropriated by the general assembly for teacher appreciation grants for that state fiscal year, the total amount to be distributed as teacher appreciation grants to school corporations for that particular state fiscal year shall be proportionately increased so that the total amount to be distributed equals the amount of the appropriation for that particular state fiscal year.

(f) The annual teacher appreciation grant to which a school corporation is entitled for a state fiscal year shall be distributed to the school corporation before December 5 of that state fiscal year.

(g) The following apply to a school corporation's policy under subsection (f) concerning the distribution of teacher appreciation grants:

(1) The governing body shall differentiate between a teacher rated as a highly effective teacher and a teacher rated as an effective teacher. The policy must provide that the amount of a stipend awarded to a teacher rated as a highly effective teacher must be at least twenty-five percent (25%) more than the amount of a stipend awarded to a teacher rated as an effective teacher.

(3) The governing body may differentiate between school buildings.

(4) A stipend to an individual teacher in a particular year is not subject to collective bargaining, but is discussable, and is in addition to the minimum salary or increases in salary set under IC 20-28-9-1.5. The governing body may provide that an amount not exceeding fifty percent (50%) of the amount of a stipend to an individual teacher in a particular state fiscal year becomes a permanent part of and increases the base salary of the teacher receiving the stipend for school years beginning after the state fiscal year in which the stipend is received. The addition to base salary is not subject to collective bargaining, but is discussable.

(h) A teacher appreciation grant received by a school corporation shall be allocated among and used only to pay cash stipends to all licensed teachers who are rated as effective or as highly effective and employed by the school corporation as of December 1.

(i) The lead school corporation or interlocal cooperative administering a cooperative or other special education program or administering a career and technical education program, including programs managed under IC 20-26-10, IC 20-35-5, IC 20-37, or IC 36-1-7, shall award teacher appreciation grant stipends to and carry out the other responsibilities of an employing school corporation under this section for the teachers in the special education program or career and technical education program.

(j) A school corporation shall distribute all stipends from a teacher appreciation grant to individual teachers within twenty (20) business days of the date the department distributes the teacher appreciation grant to the school corporation. Any part of the teacher appreciation grant not distributed as stipends to teachers before February must be returned to the department on the earlier of the date set by the department or June 30 of that state fiscal year.

(k) The department, after review by the budget committee, may waive the December 5 deadline under subsection (f) to distribute an annual teacher appreciation grant to the school corporation under this section for that state fiscal year and approve an extension of that deadline to a later date within that state fiscal year, if the department determines that a waiver and extension of the deadline is in the public interest.

(l) The state board may adopt rules under IC 4-22-2, including emergency rules in the manner provided in IC 4-22-2-37.1, as necessary to implement this section.

(m) This section expires June 30, 2019.

SECTION 133. IC 20-43-13-3, AS AMENDED BY P.L.213-2015, SECTION 228, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. The total amount to be distributed under this chapter to a school corporation or charter school for a state fiscal year ~~beginning after June 30, 2015,~~ is the amount determined ~~in STEP FIVE of~~ **using** the following formula:

~~STEP ONE: Determine the percentage of the school corporation's students who were receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF)~~

~~benefits, or foster care services as of October 1 in the school year ending in the later of:~~

~~(A) 2015; or~~

~~(B) the first year of operation of the school corporation.~~

~~For a conversion charter school, the percentage determined under this STEP is the percentage of the sponsor school corporation.~~

~~STEP TWO: Determine:~~

~~(A) for a charter school in the first year of operation, the STEP ONE amount; or~~

~~(B) for all other school corporations, the result of:~~

~~(i) the STEP ONE amount; minus~~

~~the school corporation's prior year complexity index; divided by~~

~~(ii) three (3) for the state fiscal year beginning July 1, 2015, or two (2) for the state fiscal year beginning July 1, 2016.~~

~~STEP THREE: Determine the sum of:~~

~~(A) the prior year complexity index; plus~~

~~(B) the STEP TWO result; plus~~

~~(C) for a school corporation that is not a charter school:~~

~~(i) with at least twenty-five percent (25%) of its ADM eligible for the English language learners program; and~~

~~(ii) that has a STEP TWO (B)(i) amount that is less than negative one-tenth (-0.1);~~

~~the absolute value of the STEP TWO (B)(i) amount divided by four (4).~~

STEP ~~FOUR:~~ **ONE:** Determine the product of:

(A) the ~~STEP THREE result;~~ **school corporation's complexity index determined under section 4 of this chapter;** multiplied by

~~(B) three thousand four hundred eighty-nine dollars ($3,489) for the state fiscal year beginning July 1, 2015, and three thousand five hundred thirty-nine dollars ($3,539) for the state fiscal year beginning July 1, 2016.~~

(B) three thousand eight hundred ninety-four dollars ($3,894) for the state fiscal year beginning July 1, 2017, and three thousand nine hundred forty-three dollars ($3,943) for the state fiscal year beginning July 1, 2018.

STEP ~~FIVE:~~ **TWO:** Determine the product of:

(A) the STEP ~~FOUR~~ **ONE** result; multiplied by

(B) the school corporation's current ADM.

STEP THREE: This STEP applies only to a school corporation that has more than eighteen percent (18%) of its ADM eligible for the English language learners program and that experienced a percentage decrease of more than ten percent (10%) in the percentage of the school corporation's students who were receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF) benefits, or foster care services from October 1 in the school year ending in 2015 to October 1 in the school year ending in 2017. Determine the result of:

(A) the STEP TWO amount; plus

(B) the result of:

(i) the school corporation's current ADM; multiplied by

(ii) one hundred twenty-eight dollars ($128).

SECTION 134. IC 20-43-13-4, AS AMENDED BY P.L.213-2015, SECTION 229, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. The complexity index is the ~~result determined under STEP THREE in section 3 of this chapter for a state fiscal year beginning after June 30, 2015.~~ **percentage of the school corporation's students who were receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF) benefits, or foster care services as of October 1 in the school year ending in the later of:**

(1) 2017; or

(2) the first year of operation of the school corporation.

For a conversion charter school, the percentage determined under this STEP is the percentage of the sponsor school corporation.

SECTION 135. IC 20-45-7-19, AS AMENDED BY P.L.205-2013, SECTION 303, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 19. Before July 11 of each year, the state superintendent shall certify to the county auditor:

(1) the consolidated ADA ratio of the qualified school corporations;

(2) the number of pupils in the ~~current ADM~~ **informational spring count under IC 20-43-4** of each qualified school corporation ~~for the immediately preceding school year, as determined:~~

~~(A) for a calendar year ending before January 1, 2013, in the fall count of ADM for the school year ending in the calendar year; and~~

~~(B) for a calendar year ending after December 31, 2012, in the spring count of ADM~~ for the school year ending in the calendar year; and

(3) an estimate of these statistics for the succeeding school year.

SECTION 136. IC 20-45-8-18, AS AMENDED BY P.L.205-2013, SECTION 305, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 18. (a) Before July 11 of each year, the state superintendent shall deliver to

the county auditor a certified statement of

~~(1) for a calendar year ending before January 1, 2013, the fall count of ADM in grades 1 through 12 residing in each qualified school corporation for the school year ending in the calendar year; and~~

~~(2) for a calendar year ending after December 31, 2012,~~ the **informational** spring count of ~~ADM~~ **pupils under IC 20-43-4** in grades 1 through 12 residing in each qualified school corporation for the school year ending in the calendar year.

(b) Upon the receipt of the information, the county auditor shall compute the amount to be distributed to each of the qualified school corporations from the receipts of the tax levy, based on the formula set forth in this chapter.

(c) The county auditor shall annually issue a warrant to the county treasurer ordering the payment to the respective qualified school corporations the various amounts in the fund at each semiannual tax settlement period during the year in which the tax has been collected.

(d) The qualified school corporations and the proper officials and employees of the qualified school corporations shall receive the receipts distributed by the county treasurer in the same manner as other tax receipts are received.

SECTION 137. IC 20-45-8-22, AS AMENDED BY P.L.205-2013, SECTION 306, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 22. (a) The amount to be raised by the tax shall be determined in any calendar year by the county auditor and certified to by the board of county commissioners before the time for making the county budgets in the year.

(b) The amount is the total of the entitlements of all qualified school corporations.

(c) The entitlement of each qualified school corporation calculated in a calendar year is an amount equal to the result determined under STEP TWO of the following formula:

STEP ONE: Calculate the quotient of:

(A) the total amount deposited in the fund in calendar year 1979 or the first year in which a deposit was made, whichever is later; divided by

(B) ~~for:~~

~~(i) a calendar year ending before January 1, 2013, the total ADM of the immediately preceding school year of qualified school corporations that received money from the fund in 1979, as determined in the fall count of ADM for the school year ending in the immediately preceding calendar year; and~~

~~(ii) a calendar year beginning after December 31, 2012,~~ the total ~~ADM~~ **count of pupils** of the immediately preceding school year of qualified school corporations that received money from the fund in 1979, as determined in the **informational** spring count of ~~ADM~~ **pupils under IC 20-43-4** for the school year ending in the immediately preceding calendar year.

STEP TWO: Calculate the product of:

(A) the STEP ONE result; multiplied by

(B) ~~for:~~

~~(i) a calendar year ending before January 1, 2013, the ADM of the immediately preceding school year of the qualified school corporation that received money from the fund in 1979, as determined in the fall count of ADM for the school year ending in the immediately preceding calendar year; and~~

~~(ii) a calendar year beginning after December 31, 2012,~~ the total ~~ADM~~ **count of pupils** of the immediately preceding school year of qualified school corporations that received money from the fund in 1979, as determined in the **informational** spring count of ~~ADM~~ **pupils under IC 20-43-4** for the school year ending in the immediately preceding calendar year.

SECTION 138. IC 20-49-1-3 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 3. "Transition to foundation amount" refers to the amount determined under IC 20-43-5-6.~~

SECTION 139. IC 20-49-4-23, AS ADDED BY P.L.2-2006, SECTION 172, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 23. (a) Upon request of the ~~state board, acting upon the advice of the department,~~ **treasurer of state,** the state board of finance may periodically sell, transfer, or liquidate agreements, in whole or in part, including without limitation the sale, transfer, or liquidation of all or any part of the principal or interest to be received at any time under one (1) or more agreements that evidence the right of the state to make deductions from state tuition support to pay advances under this chapter under the terms and conditions that the state board of finance considers necessary and appropriate.

(b) Each sale, transfer, or liquidation under this section is subject to the following conditions:

(1) Each sale, transfer, or liquidation may be made only to a department, an agency, a commission, an instrumentality, or a public body of the state, including the Indiana bond bank.

(2) Each sale, transfer, or liquidation of agreements may be made only for cash.

(3) Payments under the sale, transfer, or liquidation must be made to the treasurer of state for the fund and reported to the state board of finance.

(4) The total amount of cash received by the fund from the sale may not be less than the outstanding principal amount of all or a part of the agreements sold plus accrued interest owed.

(5) If necessary to facilitate a sale, transfer, or liquidation, the state board or the state board of finance

may agree to act on behalf of an entity described in subdivision (1) by collecting payment on advances that are:

(A) received directly from a school corporation, if any direct payments are received; or

(B) deducted from amounts appropriated and made available for state tuition support.

An agreement by the state board or the state board of finance under this subdivision is a valid and enforceable contractual obligation but is not a debt of the state within the meaning of the limitation against indebtedness under the Constitution of the State of Indiana.

(6) Each proposed sale, transfer, or liquidation must be reviewed by the budget committee and approved by the budget agency.

(c) The state board of finance shall notify the state board and the department of any action that the state board of finance takes under this section.

SECTION 140. IC 20-51-4-4, AS AMENDED BY P.L.106-2016, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. ~~(a)~~ The amount an eligible choice scholarship student is entitled to receive under this chapter for a school year is equal to the following:

(1) The least of the following:

(A) The sum of the tuition, transfer tuition, and fees required for enrollment or attendance of the eligible choice scholarship student at the eligible school selected by the eligible choice scholarship student for a school year that the eligible choice scholarship student (or the parent of the eligible choice scholarship student) would otherwise be obligated to pay to the eligible school.

(B) An amount equal to:

(i) ninety percent (90%) of the state tuition support amount determined under section 5 of this chapter if the eligible choice scholarship student is a member of a household with an annual income of not more than the amount required for the eligible choice scholarship student to qualify for the federal free or reduced price lunch program; and

(ii) fifty percent (50%) of the state tuition support amount determined under section 5 of this chapter if the eligible choice scholarship student is a member of a household with an annual income of, in the case of an individual not described in section 2.5 of this chapter, not more than one hundred fifty percent (150%) of the amount required for the eligible choice scholarship student to qualify for the federal free or reduced price lunch program or, in the case of an individual described in section 2.5 of this chapter, not more than two hundred percent (200%) of the amount required for the eligible choice scholarship student to qualify for the federal free or reduced price lunch program.

(2) In addition, if the eligible choice scholarship student has been identified as eligible for special education services under IC 20-35 and the eligible school provides the necessary special education or related services to the eligible choice scholarship student, any amount that a school corporation would receive under IC 20-43-7 for the eligible choice scholarship student if the eligible choice scholarship student attended the school corporation. However, if an eligible choice scholarship student changes schools during the school year after the December 1 count under IC 20-43-7-1 of eligible pupils enrolled in special education programs and the eligible choice scholarship student enrolls in a different eligible school, any choice scholarship amounts paid to the eligible choice scholarship student for the remainder of the school year after the eligible choice scholarship student enrolls in the different eligible school shall not include amounts that a school corporation would receive under IC 20-43-7 for the eligible choice scholarship student if the eligible choice scholarship student attended the school corporation.

~~(b) The amount an eligible choice scholarship student is entitled to receive under this chapter if the eligible student applies for the choice scholarship under section 7(e)(2) of this chapter shall be reduced on a prorated basis in the manner prescribed in section 6 of this chapter.~~

SECTION 141. IC 20-51-4-7, AS AMENDED BY P.L.106-2016, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. (a) The department shall administer this chapter.

(b) The department shall approve an application for an eligible school within fifteen (15) days after the date the school requests to participate in the choice scholarship program.

(c) The department shall approve an application for a choice scholarship student within fifteen (15) days after the date the student requests to participate in the choice scholarship program.

(d) Each year, at a minimum, the department shall accept applications from March 1 through September 1 for eligible schools for the upcoming school year.

(e) Each year, ~~at a minimum,~~ the department shall accept applications for choice scholarship students from

~~(1)~~ March 1 through September 1 for the upcoming school year. ~~and~~

~~(2) September 2 through January 15 for the spring semester of the current school year.~~

(f) This chapter may not be construed in a manner that would impose additional requirements for approving an

application for an eligible school placed in a "null" or "no letter grade" category established under IC 20-31-8-3(b).

(g) The department shall adopt rules under IC 4-22-2 to implement this chapter.

(h) The department may adopt emergency rules under IC 4-22-2-37.1 to implement this chapter.

SECTION 142. IC 20-51-4-10, AS AMENDED BY P.L.106-2016, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. **(a)** The department shall distribute choice scholarships at least once each semester, or at equivalent intervals. The department may distribute the choice scholarship to the eligible choice scholarship student (or the parent of the eligible choice scholarship student) for the purpose of paying the educational costs described in section 4(1)(A) of this chapter (before July 1, 2017) or in section 4(a)(1)(A) of this chapter (after June 30, 2017). For the distribution to be valid, the eligible choice scholarship student (or the parent of the eligible choice scholarship student) and the eligible school providing educational services to the eligible choice scholarship student must annually sign a form, prescribed by the department to endorse distributions for the particular school year. If:

(1) an eligible choice scholarship student who is receiving a choice scholarship for a school year changes schools during the school year after signing the form to endorse distributions for that school year; and

(2) the eligible choice scholarship student enrolls in a different eligible school that has not signed the form to endorse distributions for that school year;

the eligible choice scholarship student (or the parent of the eligible choice scholarship student) and the eligible school must sign the form prescribed by the department to endorse distributions for the particular school year.

(b) The references to state tuition support in this chapter are for purposes of determining the amount an eligible choice scholarship student is entitled to receive under this chapter. The amounts to be distributed as choice scholarships shall be paid from the appropriation made by the general assembly for choice scholarships.

SECTION 143. IC 21-13-9-3, AS ADDED BY P.L.205-2013, SECTION 219, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) The **commission, in coordination with the** Marian University College of Osteopathic Medicine, shall administer a student scholarship program to increase the availability of primary care for residents ~~in primary care shortage areas~~ **of Indiana** by providing incentives to medical students who agree to provide primary care in ~~a shortage area~~ **Indiana** immediately after becoming a licensed physician.

(b) A scholarship awarded under this chapter must be used to provide supplemental support to a medical student enrolled at the Marian University College of Osteopathic Medicine and may not be used to reduce any other financial aid, grant, or scholarship the student may otherwise receive.

SECTION 144. IC 21-13-9-4, AS ADDED BY P.L.205-2013, SECTION 219, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. Before providing a scholarship to a student, the **commission, in coordination with the** Marian University College of Osteopathic Medicine, must find that the applicant satisfies all the following conditions:

(1) The applicant is and remains an Indiana resident **or the applicant is a nonresident of Indiana who intends to remain in Indiana. The commission shall give a preference to Indiana residents when awarding a scholarship.**

(2) The applicant is enrolled ~~full time in the first year class~~ at the Marian University College of Osteopathic Medicine in a program that will prepare the applicant to provide primary care as a licensed physician.

(3) If the applicant is receiving a scholarship for the second through fourth year of the program, the applicant successfully completed the academic work required for the previous school year.

(4) The applicant remains in good standing with the Marian University College of Osteopathic Medicine program.

(5) The applicant agrees to execute a written primary care practice agreement with the ~~Marian University College of Osteopathic Medicine~~ **commission** as required by section 6 of this chapter.

SECTION 145. IC 21-13-9-5, AS ADDED BY P.L.205-2013, SECTION 219, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) The **commission, in coordination with the** Marian University College of Osteopathic Medicine, shall select from among the qualified students who will receive a scholarship under this chapter. The ~~Marian University College of Osteopathic Medicine~~ **commission** may not create or use a waiting list for scholarships under this chapter.

(b) The amount of the scholarship that may be awarded to a qualified student for a particular school year shall be determined by the **commission, in coordination with the** Marian University College of Osteopathic Medicine, and may not exceed ~~ten thousand dollars ($10,000).~~ **the following:**

(1) If the scholarship is awarded in the first class year, a maximum of ten thousand dollars ($10,000) per year for four (4) class years.

(2) If the scholarship is awarded in the second class year:

(A) a maximum of seven thousand five hundred dollars ($7,500) for the first class year; and

(B) a maximum of ten thousand dollars ($10,000) per year for the second through fourth class years.

(3) If the scholarship is awarded in the third class year:

(A) a maximum of five thousand dollars ($5,000) for the first class year;

(B) a maximum of seven thousand five hundred dollars ($7,500) for the second class year; and

(C) a maximum of ten thousand dollars ($10,000) per year for the third and fourth class years.

(4) If the scholarship is awarded in the fourth class year:

(A) a maximum of two thousand five hundred dollars ($2,500) for the first class year;

(B) a maximum of five thousand dollars ($5,000) for the second class year;

(C) a maximum of seven thousand five hundred dollars ($7,500) for the third class year; and

(D) a maximum of ten thousand dollars ($10,000) for the fourth class year.

(c) A qualified student may not qualify for a scholarship for more than four (4) school years.

SECTION 146. IC 21-13-9-6, AS ADDED BY P.L.205-2013, SECTION 219, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. A scholarship recipient must execute a written primary care practice agreement with the ~~Marian University College of Osteopathic Medicine,~~ **commission,** with the terms and conditions and in the form and manner required by the ~~Marian University College of Osteopathic Medicine.~~ **commission.** The agreement must provide that the scholarship recipient shall do at least the following:

(1) Continually satisfy the requirements of section 4 of this chapter during the school year.

(2) Complete the requirements of the Marian University College of Osteopathic Medicine program by the end of the fourth year after receiving the first scholarship under this chapter.

(3) Will practice primary care in ~~a primary care shortage area~~ **Indiana** for four (4) years. This requirement includes the time spent in any residency program that is located in ~~a primary care shortage area.~~ **Indiana.**

(4) Return the amount specified in the agreement, not to exceed the total of all scholarships received, to the commission ~~for higher education~~ if the scholarship recipient fails to comply with all the terms and conditions of the agreement. If the noncompliance is because the scholarship recipient did not comply with subdivision (3), the minimum amount that must be returned is the highest scholarship amount received for a school year multiplied by the number of years the scholarship recipient did not comply with subdivision (3).

SECTION 147. IC 21-36-3-1, AS AMENDED BY P.L.205-2013, SECTION 334, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. **(a)** This chapter applies to the following state educational institutions:

(1) Indiana University.

(2) Purdue University.

(3) Indiana State University.

(4) Ball State University.

~~(5) Ivy Tech Community College.~~

~~(6)~~ **(5)** University of Southern Indiana.

~~(7)~~ **(6)** Vincennes University.

(b) After December 31, 2018, this chapter applies to Ivy Tech Community College.

SECTION 148. IC 21-41-5-12, AS ADDED BY P.L.141-2016, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 12. (a) Not later than ninety (90) days after receiving the data provided under IC 22-4.1-4-13, Ivy Tech Community College shall report to the department of workforce development the following information for the statewide system and each region established under IC 21-22-6-1 for the immediately preceding academic year:

(1) Certificate programs available that are linked to industry recognized third party certifications.

(2) The number of students enrolled in each certificate program.

(3) The number of students successfully completing each certificate program.

(4) To the extent a campus has access to the information, the number of students who:

(A) successfully completed a certificate program sequence; and

(B) obtained employment in the field for which the student successfully completed a certificate program sequence.

The report under this subsection must be submitted in the format required by the department of workforce development.

(b) Not later than ninety (90) days after receiving the data provided under IC 22-4.1-4-13, Ivy Tech Community College shall report the following information to the commission for higher education, the department of workforce development, and the legislative council (in an electronic format under IC 5-14-6):

(1) A list of programs that have been identified as having either:

(A) insufficient student demand;

(B) insufficient employer demand; or

(C) insufficient graduation or transfer rates;

as determined by the commission for higher education in the review under IC 21-18-9-10.5.

(2) For each of the programs described in subdivision (1), information concerning whether the program will be eliminated, restructured, or placed on an improvement plan or whether no action will be taken regarding the

program.

(3) The status of system-wide restructuring of student support services recommended by the commission under IC 21-18-9-10.5(b)(1).

(4) A target date for the development of courses and programs identified under IC 22-4.1-4-12 as being required to meet the workforce needs in one (1) or more regions designated under IC 20-19-6-3 **(before its expiration).**

(5) Information concerning whether the resources available to Ivy Tech Community College are sufficient to comply with IC 21-18-9-10.5 and section 8 of this chapter.

(c) This section expires July 1, 2020.

SECTION 149. IC 21-41-5-13, AS ADDED BY P.L.141-2016, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 13. (a) The president of Ivy Tech Community College shall, before October 1 of each year, report to the governor, the budget committee, and the legislative council (in an electronic format under IC 5-14-6) concerning progress in the efforts to align career and technical education courses and programs and certification courses and programs with the workforce needs and educational requirements within each region designated under IC 20-19-6-3 **(before its expiration).**

(b) This section expires July 1, 2020.

SECTION 150. IC 22-4.1-4-10, AS ADDED BY P.L.141-2016, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 10. (a) The department shall prepare an occupational demand report regarding:

(1) the expected workforce needs of Indiana employers for a ten (10) year projection; and

(2) the training and education that will be required to meet those expected workforce needs.

The department shall categorize these workforce needs and training and education requirements by job classification or generally recognized labor categories on a statewide basis and also for each region designated under the WIOA.

(b) In preparing the report under subsection (a), the department shall consult with the following:

(1) The commission for higher education.

(2) Ivy Tech Community College.

~~(3) Each Indiana works council established under IC 20-19-6-4.~~

~~(4)~~ **(3)** Employers and employer organizations.

~~(5)~~ **(4)** Labor organizations.

(c) The department shall submit the report under subsection (a) to the governor, the budget committee, the legislative council (in an electronic format under IC 5-14-6), the commission for higher education, the board of trustees of Ivy Tech Community College, the department of education, the state board of education before July 1, 2016, and each regional or campus advisory committee established by Ivy Tech Community College.

(d) This section expires July 1, 2020.

SECTION 151. IC 22-4.5-9-4, AS AMENDED BY P.L.178-2016, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 4. (a) The council shall do all of the following:

(1) Provide coordination to align the various participants in the state's education, job skills development, and career training system.

(2) Match the education and skills training provided by the state's education, job skills development, and career training system with the currently existing and future needs of the state's job market. In carrying out its duties under this subdivision, the council must consider the workforce needs and training and education requirements identified in the occupational demand report prepared by the department of workforce development under IC 22-4.1-4-10.

(3) In addition to the department's annual report provided under IC 22-4.1-4-8, submit not later than December 1 each year to the legislative council in an electronic format under IC 5-14-6 an inventory of current job and career training activities conducted by:

(A) state and local agencies; and

(B) whenever the information is readily available, private groups, associations, and other participants in the state's education, job skills development, and career training system.

The inventory must provide at least the information listed in IC 22-4.1-4-8(a)(1) through IC 22-4.1-4-8(a)(5) for each activity in the inventory.

(4) Submit, not later than July 1, 2014, to the legislative council in an electronic format under IC 5-14-6 a strategic plan to improve the state's education, job skills development, and career training system. The council shall submit, not later than December 1, 2013, to the legislative council in an electronic format under IC 5-14-6 a progress report concerning the development of the strategic plan. The strategic plan developed under this subdivision must include at least the following:

(A) Proposed changes, including recommended legislation and rules, to increase coordination, data sharing, and communication among the state, local, and private agencies, groups, and associations that are involved in education, job skills development, and career training.

(B) Proposed changes to make Indiana a leader in employment opportunities related to the fields of science, technology, engineering, and mathematics (commonly known as STEM).

(C) Proposed changes to address both:

(i) the shortage of qualified workers for current employment opportunities; and

(ii) the shortage of employment opportunities for individuals with a baccalaureate or more advanced degree.

(5) Complete, not later than August 1, 2014, a return on investment and utilization study of career and technical education programs in Indiana. The study conducted under this subdivision must include at least the following:

(A) An examination of Indiana's career and technical education programs to determine:

(i) the use of the programs; and

(ii) the impact of the programs on college and career readiness, employment, and economic opportunity.

(B) A survey of the use of secondary, college, and university facilities, equipment, and faculty by career and technical education programs.

(C) Recommendations concerning how career and technical education programs:

(i) give a preference for courses leading to employment in high wage, high demand jobs; and

(ii) add performance based funding to ensure greater competitiveness among program providers and to increase completion of industry recognized credentials and dual credit courses that lead directly to employment or postsecondary study.

~~(6) Coordinate the performance of its duties under this chapter with the Indiana works councils established by IC 20-19-6-4.~~

(b) In performing its duties, the council shall obtain input from the following:

(1) Indiana employers and employer organizations.

(2) Public and private institutions of higher education.

(3) Regional and local economic development organizations.

(4) Indiana labor organizations.

(5) Individuals with expertise in career and technical education.

(6) Military and veterans organizations.

(7) Organizations representing women, African-Americans, Latinos, and other significant minority populations and having an interest in issues of particular concern to these populations.

(8) Individuals and organizations with expertise in the logistics industry.

(9) Any other person or organization that a majority of the voting members of the council determines has information that is important for the council to consider.

SECTION 152. IC 33-37-5-20, AS AMENDED BY P.L.213-2015, SECTION 257, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 20. (a) This section applies to all civil, criminal, infraction, and ordinance violation actions.

(b) The clerk shall collect a document storage fee of

~~(1)~~ five dollars ($5). ~~after June 30, 2015, and before July 1, 2017, and~~

~~(2) two dollars ($2), after June 30, 2017.~~

(c) ~~This subsection applies to a document storage fee collected after June 30, 2015, and before July 1, 2017.~~ For a county not operating under the state's automated judicial system, three dollars ($3) of the document storage fee may be used for purposes of the county's case management system.

SECTION 153. IC 33-37-5-21, AS AMENDED BY P.L.213-2015, SECTION 258, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 21. (a) This section applies to all civil, criminal, infraction, and ordinance violation actions.

(b) The clerk shall collect an automated record keeping fee of

~~(1) nineteen~~ **twenty** dollars ~~($19)~~ **($20)** after June 30, ~~2015, and before July 1, 2017,~~ **2017,** in all actions. ~~except actions described in subdivision (2);~~

~~(2) five dollars ($5) after June 30, 2015, and before July 1, 2017, with respect to actions resulting in the accused person entering into a:~~

~~(A) pretrial diversion program agreement under IC 33-39-1-8; or~~

~~(B) deferral program agreement under IC 34-28-5-1; and~~

~~(3) five dollars ($5) after June 30, 2017.~~

SECTION 154. IC 33-37-7-9, AS AMENDED BY P.L.229-2011, SECTION 262, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. (a) On June 30 and on December 31 of each year, the auditor of state shall transfer to the treasurer of state nine million two hundred seventy-seven thousand twenty-three dollars ($9,277,023) for distribution under subsection (b).

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

(1) the family violence and victim assistance fund established by IC 5-2-6.8-3 an amount equal to eight and three-hundredths percent (8.03%);

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

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

~~(4)~~ **(3)** the law enforcement ~~training~~ **academy** fund established by IC 5-2-1-13 an amount equal to ~~ten~~ **twelve** and ~~twenty-seven~~ **eighty-three** hundredths percent

~~(10.27%);~~ **(12.83%);**

~~(5)~~ **(4)** the violent crime victims compensation fund established by IC 5-2-6.1-40 an amount equal to eleven and ninety-three hundredths percent (11.93%);

~~(6)~~ **(5)** the motor vehicle highway account an amount equal to nineteen and forty-nine hundredths percent (19.49%);

~~(7)~~ **(6)** the fish and wildlife fund established by IC 14-22-3-2 an amount equal to twenty-five hundredths percent (0.25%);

~~(8)~~ **(7)** the Indiana judicial center drug and alcohol programs fund established by IC 12-23-14-17 for the administration, certification, and support of alcohol and drug services programs under IC 12-23-14 an amount equal to one and sixty-three hundredths percent (1.63%); and

~~(9)~~ **(8)** the DNA sample processing fund established under IC 10-13-6-9.5 for the funding of the collection, shipment, analysis, and preservation of DNA samples and the conduct of a DNA data base program under IC 10-13-6 an amount equal to seven and twenty-nine hundredths percent (7.29%);

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

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

SECTION 155. [EFFECTIVE JULY 1, 2017] **(a) The budget agency and the Indiana department of administration shall use the remaining balance of five million dollars ($5,000,000) appropriated for the budget agency for the health and safety contingency fund by HEA 1001-2013, SECTION 33, to rehabilitate and improve the building located at 777 North Meridian Street in the city of Indianapolis so that the building may be used to provide services to Indiana's veterans.**

(b) The budget agency may not allot the money to the Indiana department of administration until after review by the budget committee.

(c) This SECTION expires June 30, 2019.

SECTION 156. [EFFECTIVE UPON PASSAGE] **(a) The budget agency shall transfer from the state general fund to the state bicentennial capital account the amount needed to cover obligations incurred before July 1, 2017. However, the amount transferred may not exceed five million five hundred thousand dollars ($5,500,000).**

(b) There is appropriated from the state general fund for the budget agency to make the transfer to the state bicentennial capital account the amount needed to cover the transfer.

(c) This SECTION expires June 30, 2019.

SECTION 157. [EFFECTIVE JULY 1, 2017] **(a) The trustees of the following institutions may issue and sell bonds after June 30, 2018, under IC 21-34, subject to the approvals required by IC 21-33-3, for the following projects if the sum of principal costs of any bonds issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for that institution:**

Indiana University	
Bloomington Campus	
Old Crescent Renovation - Phase III	**78,500,000**
Purdue University	
West Lafayette Campus	
Agricultural and Biological Engineering Building Renovation and Addition	**69,000,000**
University of Southern Indiana	
Physical Activities Center Classroom Expansion and Renovation - Phase II	**41,000,000**
Ball State University	
Science, Technology, Engineering, Math and Health Professions Facilities - Phase II	**77,600,000**
Ivy Tech Community College	
Kokomo Renovation and Addition	**40,200,000**
Muncie Renovation and Addition	**38,700,000**

(b) Of the authorizations for projects in subsection (a), the maximum amount eligible for fee replacement is the authorized amount.

SECTION 158. P.L.213-2015, SECTION 268, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2017]: SECTION 268. (a) The definitions of "vacation leave", "sick leave", and other types of leave used on July 1, 2010, by the department apply to this SECTION.

(b) As used in this SECTION, "department" refers to the state personnel department established by IC 4-15-2.2-13.

(c) As used in this SECTION, "pilot program" refers to the pilot program reestablished under subsection (d).

(d) The personnel committee of the legislative council for the legislative branch of state government or the Indiana supreme court for the judicial branch of state government, or both, may reestablish the pilot program established by P.L.220-2005, SECTION 8 (before its expiration), and P.L.220-2005, SECTION 10 (before its expiration), including provisions adopted by:

(1) the deferred compensation committee (established by IC 5-10-1.1-4) to govern the pilot program;

(2) the department under LSA Document #06-488(E) (before its expiration), filed with the publisher of the Indiana Register on October 16, 2006, to govern the pilot program; or

(3) the auditor of state to administer the pilot program.

(e) Subject to the Internal Revenue Code and applicable regulations, the personnel committee of the legislative council or the Indiana supreme court, or both, may adopt procedures to implement and administer the pilot program, including provisions established or reestablished under subsection (d).

(f) The auditor of state shall provide for the administration of the pilot program.

(g) This SECTION expires June 30, ~~2017.~~ **2019.**

SECTION 159. [EFFECTIVE UPON PASSAGE] **(a) The budget agency shall perform a comparison of salary and benefits with comparable law enforcement agencies in other states for the following:**

(1) The conservation officers of the department of natural resources.

(2) The state excise police of the alcohol and tobacco commission.

(3) The gaming agents of the Indiana gaming commission.

(b) The budget agency shall present its findings to the budget committee before December 31, 2017.

(c) This SECTION expires June 30, 2018.

SECTION 160. P.L.234-2007, SECTION 180, IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~SECTION 180. (a) The trustees of the following institution may issue and sell bonds under IC 21-34, subject to the approvals required by IC 21-33-3, for the following project if the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for that institution:~~

~~Purdue University West Lafayette -~~

~~Animal Disease Diagnostic Laboratory (BSL$30,000,000~~

~~(b) The Indiana department of administration, acting on behalf of the Indiana state board of animal health, in recognition of the state board of animal health's statutory functions involving the animal disease diagnostic laboratory, is hereby authorized and directed to enter into a lease agreement, as lessee, with the trustees of Purdue University as lessor, covering animal disease diagnostic laboratory (BSL-3).~~

SECTION 161. P.L.182-2009(ss), SECTION 40, AS AMENDED BY P.L.205-2013, SECTION 348, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: SECTION 40. The trustees of the following institutions may issue and sell bonds under IC 21-34, subject to the approvals required by IC 21-33-3, for the following projects if the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for that institution:

Purdue University	
Life Sciences Laboratory Renovations	10,000,000
Medical School Renovations	12,000,000
Vincennes University	
Davis Hall	850,000
P.E. Building	5,000,000
Indiana State University	
Federal Building	20,000,000
Indiana University	
Northwest Regional Campus	
Tamarack Hall	33,000,000
Ivy Tech Community College	
Gary Campus	20,000,000
University of Southern Indiana	
Teacher Theatre Replacement Project	15,000,000
Indiana University	
Life Sciences Laboratory Renovations	10,000,000
~~Indiana University Southeast~~	
~~Education and Technology Building~~	~~22,000,000~~
Indiana University Purdue University at Indianapolis	
Life Sciences Laboratory Renovations	10,000,000
Ivy Tech Community College	
Anderson Campus	20,000,000
Bloomington Campus	20,000,000
Warsaw Campus	10,100,000
Ball State University	
Central Campus Rehabilitation	19,700,000

Of the above authorization for medical school renovations, a maximum of six million dollars ($6,000,000) is eligible for fee replacement. Of the above authorization for the Indiana State University Federal Building project, only ten million dollars ($10,000,000) is eligible for fee replacement.

SECTION 162. [EFFECTIVE JULY 1, 2017] **(a) As used in this chapter, "performance funding formula" means the funding model established by the commission to provide incentives to state educational institutions that improve in specific metrics.**

(b) The commission for higher education shall do the following:

(1) Review the metrics used in the performance funding formula to ensure that those metrics are aligned with the state's higher education goals.

(2) Make recommendations before July 1, 2018, to the legislative council in an electronic format under IC 5-14-6 and to the governor concerning the metrics used in the performance funding formula.

(c) This SECTION expires December 31, 2018.

SECTION 163. [EFFECTIVE JULY 1, 2017] **(a) The commission for higher education shall do the following:**

(1) Study the effectiveness of the academic program at the Indiana Academy for Science, Math, and Humanities in Muncie.

(2) Report its findings concerning the study under

subdivision (1) before November 1, 2017, to the legislative council in an electronic format under IC 5-14-6 and to the governor.

(c) This SECTION expires December 31, 2017.

SECTION 164. [EFFECTIVE UPON PASSAGE] **(a) The legislative council is urged to assign to the interim study committee on courts and the judiciary during the 2017 legislative interim the topic of studying the issues related to the following:**

(1) Providing indigent defense services to persons charged with a misdemeanor.

(2) Providing defense services to children who are alleged to be children in need of services under IC 31-34.

(b) This SECTION expires January 1, 2018.

SECTION 165. [EFFECTIVE JULY 1, 2017] **(a) The definitions in IC 20 apply to this SECTION.**

(b) The state board shall amend 511 IAC 7-41-6(a) to provide that, beginning July 1, 2018, developmental delay is a disability category solely for students who are at least three (3) years of age and less than nine (9) years of age.

(c) This SECTION expires July 1, 2018.

SECTION 166. **An emergency is declared for this act.**

(Reference is to EHB 1001 as reprinted February 24, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Engrossed House Bill 1002, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 6-2.5-5-51 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 51. (a) As used in this section, "special fuel" has the meaning set forth in IC 6-6-2.5-22.**

(b) The sale of special fuel is exempt from the state gross retail tax.

SECTION 2. IC 6-2.5-6-10, AS AMENDED BY P.L.227-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. (a) In order to compensate retail merchants and those required to remit gasoline use tax for collecting and timely remitting the state gross retail tax, the state use tax, and the gasoline use tax, every retail merchant or person required to remit the gasoline use tax, except as provided in subsection (c), is entitled to deduct and retain from the amount of those taxes otherwise required to be remitted under ~~IC 6-2.5-7-5,~~ IC 6-2.5-3.5 or under this chapter, if timely remitted, a retail merchant's collection allowance.

(b) The allowance equals a percentage of the retail merchant's state gross retail and use tax or the person's gasoline use tax liability accrued during a calendar year, specified as follows:

(1) Seventy-three hundredths percent (0.73%), if the retail merchant's state gross retail and use tax or gasoline use tax liability accrued during the state fiscal year ending on June 30 of the immediately preceding calendar year did not exceed sixty thousand dollars ($60,000).

(2) Fifty-three hundredths percent (0.53%), if the retail merchant's state gross retail and use tax or gasoline use tax liability accrued during the state fiscal year ending on June 30 of the immediately preceding calendar year:

(A) was greater than sixty thousand dollars ($60,000); and

(B) did not exceed six hundred thousand dollars ($600,000).

(3) Twenty-six hundredths percent (0.26%), if the retail merchant's state gross retail and use tax liability or the person's gasoline use tax accrued during the state fiscal year ending on June 30 of the immediately preceding calendar year was greater than six hundred thousand dollars ($600,000).

(c) A retail merchant described in IC 6-2.5-4-5 or IC 6-2.5-4-6 is not entitled to the allowance provided by this section. A retail merchant is not entitled to the allowance provided by this section with respect to gasoline use taxes imposed by IC 6-2.5-3.5.

SECTION 3. IC 6-2.5-7-2 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 2. Except as provided in section 2.5 of this chapter, a retail merchant who uses a metered pump to dispense special fuel shall display on the pump the total price per unit of the special fuel. Subject to the provisions of section 2.5 of this chapter, a retail merchant may not advertise the special fuel at a price that is different than the price that the retail merchant is required to display on the metered pump.~~

SECTION 4. IC 6-2.5-7-2.5 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 2.5. (a) This section does not apply to alternative fuel (as defined by IC 6-6-2.5-1) dispensed after December 31, 2013, and before January 1, 2017.~~

~~(b) A retail merchant may designate any metered pumps at a business location that dispense special fuel as being "for trucks only". To do this, a retail merchant must place on the pump a sign that states that fuel dispensed from the metered pump may only be placed in the fuel supply tanks of a truck. A sign that reads "TRUCKS ONLY" is sufficient to meet the requirements of this subsection.~~

~~(c) A retail merchant may not dispense special fuel from a metered pump that is designated for trucks only into the supply tank of a vehicle that is not a truck.~~

~~(d) A retail merchant is not required to display the total price~~

~~per unit of the special fuel on a metered pump if that particular metered pump is designated for trucks only.~~

~~(c) A retail merchant may advertise special fuel at a price that does not include gross retail taxes that may be due on the sale of the special fuel only if the retail merchant maintains a metered pump that is designated for trucks only. If a retail merchant advertises special fuel at a price that does not include any gross retail taxes that may be due on the sale of the special fuel, the retail merchant must display in easily read lettering above or below the advertised price the words "EXEMPT TRUCKS ONLY".~~

SECTION 5. IC 6-2.5-7-3, AS AMENDED BY P.L.227-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. With respect to the sale of ~~special fuel or~~ kerosene which is dispensed from a metered pump, unless the purchaser provides an exemption certificate in accordance with IC 6-2.5-8-8, a retail merchant shall collect, for each unit of ~~special fuel or~~ kerosene sold, state gross retail tax in an amount equal to the product, rounded to the nearest one-tenth of one cent ($0.001), of:

(1) the price per unit before the addition of state and federal taxes; multiplied by

(2) seven percent (7%).

Unless the exemption certificate is provided, the retail merchant shall collect the state gross retail tax prescribed in this section even if the transaction is exempt from taxation under IC 6-2.5-5.

SECTION 6. IC 6-2.5-7-4 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 4. (a) If a sale of special fuel is exempt from the state gross retail tax, the person who pays the tax to the retail merchant may file a claim for refund with the department. The person must file the claim on the form, in the manner, and with the supporting documentation, prescribed by the department. If a person properly files a claim for refund, the department shall refund to the person the state gross retail tax collected with respect to the exempt transaction.~~

~~(b) Notwithstanding the other provisions of this section, the department may prescribe simplified procedures to make adjustments for exempt transactions.~~

SECTION 7. IC 6-2.5-7-5 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 5. (a) Each retail merchant who dispenses special fuel from a metered pump shall, in the manner prescribed in IC 6-2.5-6, report to the department the following information:~~

~~(1) The total number of gallons of special fuel sold from a metered pump during the period covered by the report.~~

~~(2) The total amount of money received from the sale of special fuel during the period covered by the report.~~

~~(3) That portion of the amount described in subdivision (2) that represents state and federal taxes imposed under this article, IC 6-6-2.5, or Section 4041 or Section 4081 of the Internal Revenue Code.~~

~~(b) Concurrently with filing the report, the retail merchant shall remit the state gross retail tax in an amount which equals six and fifty-four hundredths percent (6.54%) of the gross receipts, including state gross retail taxes but excluding Indiana and federal special fuel taxes, received by the retail merchant from the sale of the special fuel that is covered by the report and on which the retail merchant was required to collect state gross retail tax. The retail merchant shall remit that amount regardless of the amount of state gross retail tax which the merchant has actually collected under this chapter. However, the retail merchant is entitled to deduct and retain the amounts prescribed in subsection (c), IC 6-2.5-6-10, and IC 6-2.5-6-11.~~

~~(c) A retail merchant is entitled to deduct from the amount of state gross retail tax required to be remitted under subsection (b) an amount equal to:~~

~~(1) the sum of the prepayment amounts made during the period covered by the retail merchant's report; minus~~

~~(2) the sum of prepayment amounts collected by the retail merchant, in the merchant's capacity as a qualified distributor, during the period covered by the retail merchant's report.~~

~~For purposes of this section, a prepayment of the gross retail tax is presumed to occur on the date on which it is invoiced.~~

SECTION 8. IC 6-2.5-7-6.5 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 6.5. (a) If the deduction under section 5(c) of this chapter exceeds the amount of gross retail tax required to be remitted under section 5(b) of this chapter, the retail merchant is entitled to a credit. The credit shall be used as follows:~~

~~(1) First, the credit shall be applied against gross retail and use tax liability of the retail merchant that is required to be remitted under IC 6-2.5-6.~~

~~(2) Second, any amount remaining shall be applied against the gasoline tax liability of the retail merchant, as determined under IC 6-6-1.1, excluding any liability for gasoline delivered to a taxable marine facility.~~

~~A retail merchant may file a claim for a refund instead of taking a credit or for a refund of any excess tax payment remaining after the credits allowed by this section.~~

~~(b) A retail merchant that is entitled to a refund under this section must file a claim for the refund on the refund claim form approved by the department and must include any supporting documentation reasonably required by the department. If a retail merchant files a completed refund claim form that includes all supporting documentation, the excess tax payment that is not refunded within ninety (90) days accrues interest as provided in IC 6-8.1-9-2.~~

~~(c) Before the fifth day of each month, the department shall determine and notify the treasurer of state of the amount of credits applied during the preceding month against the gasoline tax under this section. The treasurer of state shall transfer from the general fund:~~

~~(1) to the highway, road and street fund, twenty-five percent (25%) of the amount set forth in the department's notice; and~~

~~(2) to the motor fuel tax fund of the motor vehicle highway account, seventy-five percent (75%) of the amount set forth in the department's notice.~~

SECTION 9. IC 6-2.5-9-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. ~~(a) Except as provided in IC 6-2.5-7,~~ A person who:

(1) displays an advertised price, marked price, or publicly stated price that includes the state gross retail or use taxes;

(2) offers to assume or absorb part of a customer's state gross retail or use tax on a sale; or

(3) offers to refund part of a customer's state gross retail or use tax as a part of a sale;

commits a Class B infraction.

~~(b) A retail merchant who:~~

~~(1) uses a metered pump to dispense gasoline; or special fuel;~~

~~(2) is required to display on the pump the total price per unit of the gasoline or special fuel under IC 6-2.5-7-2; and~~

~~(3) advertises the gasoline or special fuel at a price other than that required by IC 6-2.5-7-2;~~

~~commits a Class B infraction.~~".

Delete pages 2 through 5.

Page 6, delete lines 1 through 3.

Page 6, delete lines 19 through 42.

Page 7, delete lines 1 through 39.

Page 8, delete lines 31 through 42.

Page 9, delete lines 1 through 38.

Page 10, delete lines 34 through 42.

Delete page 11.

Page 12, delete lines 1 through 2.

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

"SECTION 32. IC 6-6-1.1-201 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 201. **(a)** A license tax ~~of eighteen cents ($0.18) per gallon~~ is imposed on the use of all gasoline used in Indiana **at the applicable rate specified in subsection (b),** except as otherwise provided by this chapter. The distributor shall initially pay the tax on the billed gallonage of all gasoline the distributor receives in this state, less any deductions authorized by this chapter. The distributor shall then add the per gallon amount of tax to the selling price of each gallon of gasoline sold in this state and collected from the purchaser so that the ultimate consumer bears the burden of the tax.

(b) The license tax described in subsection (a) is imposed at the following applicable rate per gallon:

(1) Before July 1, 2017, eighteen cents ($0.18).

(2) For July 1, 2017, through June 30, 2018, twenty-three cents ($0.23).

(3) For July 1, 2018, through June 30, 2019, twenty-eight cents ($0.28).

(4) Beginning July 1, 2019, and each July 1 through July 1, 2024, the department shall determine an applicable rate equal to the product of:

(A) the rate in effect on June 30; multiplied by

(B) the factor determined under IC 6-6-1.6-2.

The rate shall be rounded to the nearest cent ($0.01). However, after June 30, 2019, the new applicable rate may not exceed the rate in effect on June 30 plus one cent ($0.01). The department shall publish the rate that will take effect on July 1 on the department's Internet web site not later than June 1.

SECTION 33. IC 6-6-1.1-209 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 209. (a) Persons having title to gasoline in storage and held for sale on the effective date of an increase in the license tax rate imposed under section 201 of this chapter are subject to an inventory tax based upon the gallonage in storage as of the close of the business day preceding the effective date of the increased license tax rate.

(b) Persons subject to the tax imposed under this section shall:

(1) take an inventory to determine the gallonage in storage for purposes of determining the inventory tax;

(2) report that gallonage on forms provided by the administrator; and

(3) pay the tax due within thirty (30) days of the prescribed inventory date.

(c) The amount of the inventory tax is equal to the inventory tax rate times the gallonage in storage as determined under subsection (a). The inventory tax rate is equal to the difference of the increased license tax rate minus the previous license tax rate.

(d) The inventory tax shall be considered a listed tax for the purposes of IC 6-8.1.

(e) Revenue collected from the inventory tax imposed under this section shall be deposited in the motor vehicle highway account established under IC 8-14-1.

SECTION 34. IC 6-6-1.1-502, AS AMENDED BY P.L.211-2007, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 502. (a) Except as provided in subsection (b), at the time of filing each monthly report, each distributor shall pay to the administrator the full amount of tax due under this chapter for the preceding calendar month, computed as follows:

(1) Enter the total number of invoiced gallons of gasoline received during the preceding calendar month.

(2) Subtract the number of gallons for which deductions are provided by sections 701 through 705 of this chapter from the number of gallons entered under subdivision (1).

(3) Subtract the number of gallons reported under section 501(3) of this chapter.

(4) Multiply the number of invoiced gallons remaining after making the computation in subdivisions (2) and (3) by the tax rate prescribed by section 201 of this chapter to compute that part of the gasoline tax to be deposited in the

highway, road, and street fund under section ~~802(2)~~ **802(b)(2)** of this chapter or in the motor fuel tax fund under section ~~802(3)~~ **802(b)(3)** of this chapter.

(5) Multiply the number of gallons subtracted under subdivision (3) by the tax rate prescribed by section 201 of this chapter to compute that part of the gasoline tax to be deposited in the fish and wildlife fund under section ~~802(1)~~ **802(b)(1)** of this chapter.

(b) If the department determines that a distributor's:

(1) estimated monthly gasoline tax liability for the current year; or

(2) average monthly gasoline tax liability for the preceding year;

exceeds five thousand dollars ($5,000), the distributor shall pay the monthly gasoline taxes due by electronic fund transfer (as defined in IC 4-8.1-2-7) or by delivering in person or by overnight courier a payment by cashier's check, certified check, or money order to the department. The transfer or payment shall be made on or before the date the tax is due.

SECTION 35. IC 6-6-1.1-801.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 801.5. **(a) This section applies only to the revenue collected under this chapter from the first eighteen cents ($0.18) of the gasoline tax rate imposed under this chapter.**

~~(a)~~ **(b)** The administrator shall transfer one-ninth (1/9) of the taxes that are collected under this chapter to the state highway road construction and improvement fund.

~~(b)~~ **(c)** The administrator shall transfer one-eighteenth (1/18) of the taxes that are collected under this chapter to the state highway fund.

~~(c)~~ **(d)** The administrator shall transfer one-eighteenth (1/18) of the taxes that are collected under this chapter to the auditor of state for distribution to counties, cities, and towns. The auditor of state shall distribute the amounts transferred under this subsection to each of the counties, cities, and towns eligible to receive a distribution from the ~~motor vehicle highway account under IC 8-14-1~~ **local road and street account under IC 8-14-2-4** and in the same proportion among the counties, cities, and towns as funds are distributed from the ~~motor vehicle highway account under IC 8-14-1.~~ **local road and street account under IC 8-14-2-4.** Money distributed under this subsection may be used only for purposes that money distributed from the ~~motor vehicle highway account~~ **local road and street account** may be expended under ~~IC 8-14-1.~~ **IC 8-14-2.**

~~(d)~~ **(e)** After the transfers required by subsections ~~(a)~~ **(b)** through ~~(c),~~ **(d),** the administrator shall transfer the next twenty-five million dollars ($25,000,000) of the taxes that are collected under this chapter and received during a period beginning July 1 of a year and ending June 30 of the immediately succeeding year to the auditor of state for distribution in the following manner:

(1) ~~thirty percent (30%)~~ **Sixty percent (60%)** to each of the counties, cities, and towns eligible to receive a distribution from the local road and street account under IC 8-14-2 and in the same proportion among the counties, cities, and towns as funds are distributed under IC 8-14-2-4.

~~(2) thirty percent (30%) to each of the counties, cities, and towns eligible to receive a distribution from the motor vehicle highway account under IC 8-14-1 and in the same proportion among the counties, cities, and towns as funds are distributed from the motor vehicle highway account under IC 8-14-1; and~~

~~(3)~~ **(2)** Forty percent (40%) to the Indiana department of transportation.

~~(e)~~ **(f)** The auditor of state shall hold all amounts of collections received under subsection ~~(d)~~ **(e)** from the administrator that are made during a particular month and shall distribute all of those amounts pursuant to subsection ~~(d)~~ **(e)** on the fifth day of the immediately succeeding month.

~~(f)~~ **(g)** All amounts distributed under subsection ~~(d)~~ **(e)** may only be used for purposes that money distributed from the ~~motor vehicle highway account~~ **local road and street account** may be expended under ~~IC 8-14-1.~~ **IC 8-14-2.**

SECTION 36. IC 6-6-1.1-802 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 802. **(a) This section applies only to the revenue collected under this chapter from the first eighteen cents ($0.18) of the gasoline tax rate imposed under this chapter.**

(b) The administrator shall, after the transfer specified in section 801.5 of this chapter, deposit the remainder of the revenues collected under this chapter **and described in subsection (a)** in the following manner:

(1) The taxes collected with respect to gasoline delivered to a taxable marine facility shall be deposited in the fish and wildlife fund established by IC 14-22-3-2.

(2) Twenty-five percent (25%) of the taxes collected under this chapter, except the taxes referred to in subdivision (1), shall be deposited in the highway, road and street fund established under IC 8-14-2-2.1.

(3) The remainder of the revenues collected under this chapter shall be deposited in the motor fuel tax fund of the motor vehicle highway account.

SECTION 37. IC 6-6-1.1-802.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 802.5. The revenue collected under this chapter from that part of the gasoline tax rate imposed under this chapter that exceeds eighteen cents ($0.18) shall be deposited in the motor vehicle highway account established under IC 8-14-1 and used only for Indiana's roads.**".

Delete page 13.

Page 14, delete line 1.

Page 14, delete lines 14 through 41.

Page 14, line 42, delete "3." and insert "**2.**".

Page 15, line 1, delete "2018" and insert "**2019**".

Page 15, line 6, delete "equals" and insert "**equal**".

Page 15, between lines 17 and 18, begin a new paragraph and insert:

"**(c) The department shall continue to calculate the annual index factor after 2024 for purposes of IC 8-14-1-3(1)(B).**".

Page 15, delete lines 28 through 42, begin a new paragraph and insert:

"SECTION 40. IC 6-6-2.5-28, AS AMENDED BY P.L.190-2014, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 28. (a) A license tax ~~of sixteen cents ($0.16) per:~~

~~(1) gallon;~~

~~(2) diesel gallon equivalent (as defined in IC 6-6-4.1-1(f)), in the case of a special fuel that is liquid natural gas; or~~

~~(3) gasoline gallon equivalent (as defined in IC 6-6-4.1-1(g)), in the case of a special fuel that is compressed natural gas;~~

is imposed on all special fuel sold or used in producing or generating power for propelling motor vehicles, except fuel used under section 30(a)(8) or 30.5 of this chapter, **at the applicable rate specified in subsection (b).** The tax shall be paid at those times, in the manner, and by those persons specified in this section and section 35 of this chapter.

(b) The license tax described in subsection (a) is imposed at the following applicable rate per special fuel gallon:

(1) Before July 1, 2017, sixteen cents ($0.16).

(2) For July 1, 2017, through June 30, 2018, nineteen cents ($0.19).

(3) For July 1, 2018, through June 30, 2019, twenty-two cents ($0.22).

(4) Beginning July 1, 2019, and each July 1 through July 1, 2024, the department shall determine an applicable rate equal to the product of:

(A) the rate in effect on June 30; multiplied by

(B) the factor determined under IC 6-6-1.6-2.

The rate shall be rounded to the nearest cent ($0.01). However, after June 30, 2019, the new applicable rate may not exceed the rate in effect on June 30 plus one cent ($0.01). The department shall publish the rate that will take effect on July 1 on the department's Internet web site not later than June 1.

~~(b)~~ **(c)** The department shall consider it a rebuttable presumption that all undyed or unmarked special fuel, or both, received in Indiana is to be sold for use in propelling motor vehicles.

~~(c)~~ **(d)** Except as provided in subsection ~~(d),~~ **(e),** the tax imposed on special fuel by subsection (a) shall be measured by invoiced gallons (or diesel or gasoline gallon equivalents in the case of a special fuel described in ~~subsection (a)(2) or (a)(3))~~ **section 22.5(2) or 22.5(3) of this chapter** of nonexempt special fuel received by a licensed supplier in Indiana for sale or resale in Indiana or with respect to special fuel subject to a tax precollection agreement under section 35(d) of this chapter, such special fuel removed by a licensed supplier from a terminal outside of Indiana for sale for export or for export to Indiana and in any case shall generally be determined in the same manner as the tax imposed by Section 4081 of the Internal Revenue Code and Code of Federal Regulations.

~~(d)~~ **(e)** The tax imposed by subsection (a) on special fuel imported into Indiana, other than into a terminal, is imposed at the time the product is entered into Indiana and shall be measured by invoiced gallons received at a terminal or at a bulk plant.

~~(e)~~ **(f)** In computing the tax, all special fuel in process of transfer from tank steamers at boat terminal transfers and held in storage pending wholesale bulk distribution by land transportation, or in tanks and equipment used in receiving and storing special fuel from interstate pipelines pending wholesale bulk reshipment, shall not be subject to tax.

~~(f)~~ **(g)** The department shall consider it a rebuttable presumption that special fuel consumed in a motor vehicle plated for general highway use is subject to the tax imposed under this chapter. A person claiming exempt use of special fuel in such a vehicle must maintain adequate records as required by the department to document the vehicle's taxable and exempt use.

~~(g)~~ **(h)** A person that engages in blending fuel for taxable sale or use in Indiana is primarily liable for the collection and remittance of the tax imposed under subsection (a). The person shall remit the tax due in conjunction with the filing of a monthly report in the form prescribed by the department.

~~(h)~~ **(i)** A person that receives special fuel that has been blended for taxable sale or use in Indiana is secondarily liable to the state for the tax imposed under subsection (a).

~~(i)~~ **(j)** A person may not use special fuel on an Indiana public highway if the special fuel contains a sulfur content that exceeds five one-hundredths of one percent (0.05%). A person who knowingly:

(1) violates; or

(2) aids or abets another person to violate;

this subsection commits a Class A infraction. However, the violation is a Class A misdemeanor if the person has committed one (1) prior unrelated violation of this subsection, and a Level 6 felony if the person has committed more than one (1) unrelated violation of this subsection.

SECTION 41. IC 6-6-2.5-29 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 29. (a) Persons having title to special fuel in storage and held for sale on the effective date of an increase in the license tax rate imposed under section 28 of this chapter are subject to an inventory tax based on the gallons in storage as of the close of the business day preceding the effective date of the increased license tax rate.

(b) Persons subject to the tax imposed under this section shall:

(1) take an inventory to determine the gallons in storage for purposes of determining the inventory tax;

(2) report the gallons listed in subdivision (1) on forms provided by the commissioner; and

(3) pay the tax due not more than thirty (30) days after the prescribed inventory date.

In determining the amount of special fuel tax due under this section, the person may exclude the amount of special fuel that will not be pumped out of the storage tank because the special fuel is below the mouth of the draw pipe. For this purpose, the person may deduct two hundred (200) gallons for a storage tank with a capacity of less than ten thousand (10,000) gallons, and four hundred (400) gallons for a storage tank with a capacity that exceeds ten thousand (10,000) gallons.

(c) The amount of the inventory tax is equal to the inventory tax rate times the gallons in storage as determined under subsection (b). The inventory tax rate is equal to the difference of the increased license tax rate minus the previous license tax rate.

(d) The inventory tax shall be considered a listed tax for the purposes of IC 6-8.1.

(e) Revenue collected from the inventory tax imposed under this section shall be deposited in the motor vehicle highway account established under IC 8-14-1.".

Delete page 16.

Page 17, delete lines 1 through 22.

Page 22, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 44. IC 6-6-2.5-68 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 68. **(a) This section applies only to the revenue collected under this chapter from the first sixteen cents ($0.16) of the special fuel tax rate imposed under this chapter.**

~~(a)~~ **(b)** The administrator shall transfer the next twenty-five million dollars ($25,000,000) of the taxes that are collected under this chapter and received during a period beginning July 1 of a year and ending June 30 of the immediately succeeding year to the auditor of state for distribution in the following manner:

(1) ~~Thirty percent (30%)~~ **Sixty percent (60%)** to each of the counties, cities, and towns eligible to receive a distribution from the local road and street account under IC 8-14-2 and in the same proportion among the counties, cities, and towns as funds are distributed under IC 8-14-2-4.

~~(2) Thirty percent (30%) to each of the counties, cities, and towns eligible to receive a distribution from the motor vehicle highway account under IC 8-14-1 and in the same proportion among the counties, cities, and towns as funds are distributed from the motor vehicle highway account under IC 8-14-1.~~

~~(3)~~ **(2)** Forty percent (40%) to the Indiana department of transportation.

~~(b)~~ **(c)** The auditor of state shall hold all amounts of collections received from the administrator that are made during a particular month and shall distribute all of those amounts under subsection ~~(a)~~ **(b)** on the fifth day of the immediately succeeding month.

~~(c)~~ **(d)** All amounts distributed under subsection ~~(a)~~ **(b)** may only be used for purposes that money distributed from the ~~motor vehicle highway account~~ **local road and street account** may be expended under ~~IC 8-14-1.~~ **IC 8-14-2.**

~~(d)~~ **(e)** All revenue collected under this chapter **and described in subsection (a)** shall be used in the same manner as the revenue collected under IC 6-6-1.1. The administrator shall, after the transfers specified in subsection ~~(a),~~ **(b),** deposit the remainder of the revenues collected under this chapter **and described in subsection (a)** in the same manner that revenues are deposited under IC 6-6-1.1-802.

SECTION 45. IC 6-6-2.5-68.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 68.5. The revenue collected from that part of the special fuel tax rate imposed under this chapter that exceeds sixteen cents ($0.16) shall be deposited in the motor vehicle highway account established under IC 8-14-1.**".

Page 23, line 28, after "(c)" delete "." and insert "**and on the consumption of special fuel (other than natural gas or an alternative fuel) by a person that is not a carrier at the applicable rate specified in subsection (c).**".

Page 23, line 38, beginning with "**Beginning**" begin a new line blocked left.

Page 24, delete lines 5 through 22, begin a new paragraph and insert:

"**(c) The surcharge tax described in subsection (b) is imposed at the following applicable rate per surcharge gallon:**

(1) Before July 1, 2017, eleven cents ($0.11).

(2) For July 1, 2017, through June 30, 2018, sixteen cents ($0.16).

(3) For July 1, 2018, through June 30, 2019, twenty-one cents ($0.21).

(4) Beginning July 1, 2019, and each July 1 through July 1, 2024, the department shall determine an applicable rate equal to the product of:

(A) the rate in effect on June 30; multiplied by

(B) the factor determined under IC 6-6-1.6-2.

The rate shall be rounded to the nearest cent ($0.01). However, after June 30, 2019, the new applicable rate may not exceed the rate in effect on June 30 plus one cent ($0.01). The department shall publish the rate that will take effect on July 1 on the department's Internet web site not later than June 1.".

Page 27, delete lines 16 through 35, begin a new paragraph and insert:

"SECTION 50. IC 6-6-4.1-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) The department shall deposit revenue collected under sections 4 and 12 of this chapter in the state highway fund (IC 8-23-9-54).

(b) The department shall deposit revenue collected **from the first eleven cents ($0.11) of the surcharge tax rate imposed** under section 4.5 of this chapter as follows:

(1) Forty-five and one-half percent (45.5%) in the state highway fund (IC 8-23-9-54).

(2) Forty-five and one-half percent (45.5%) in the motor vehicle highway account (IC 8-14-1).

(3) Nine percent (9%) in the motor carrier regulation fund administered by the department.

(c) The department shall deposit revenue collected from that part of the surcharge tax rate imposed under section 4.5 of this chapter that exceeds eleven cents ($0.11) in the motor vehicle highway account established under IC 8-14-1.

~~(c)~~ **(d)** The department shall deposit revenue collected under section 13 of this chapter as follows:

(1) Thirty-five percent (35%) in the motor vehicle highway account (IC 8-14-1).

(2) Sixty-five percent (65%) in the state highway fund (IC 8-23-9-54).".

Page 29, delete lines 19 through 42, begin a new paragraph and insert:

"SECTION 53. IC 6-6-4.1-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 21. A ~~person~~ **carrier** subject to the taxes imposed under sections 4 through 4.5 of this chapter who fails to file a quarterly report as required by section 10 of this chapter shall pay a civil penalty of three hundred dollars ($300) for each report that is not filed.

SECTION 54. IC 6-6-4.1-22 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 22. (a) If a ~~person:~~ **carrier:**

(1) fails to file a return for taxes due under this chapter;

(2) fails to pay the full amount of tax shown on the person's return by the due date for the return or the payment; or

(3) incurs a deficiency upon a determination by the department;

the ~~person~~ **carrier** is subject to interest on the nonpayment.

(b) The interest for a failure described in subsection (a) is the rate of interest calculated under the interest provisions of the International Fuel Tax Agreement entered into by the department under IC 6-8.1-3-14.

SECTION 55. IC 6-6-13-6, AS ADDED BY P.L.288-2013, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. (a) Except as provided in section 7 of this chapter, an excise tax of ~~ten~~ **twenty** cents ~~($0.10)~~ **($0.20)** per gallon is imposed on the gross retail income received by a retailer on each gallon of aviation fuel purchased in Indiana. A retailer shall add the per gallon amount of tax to the selling price of each gallon of aviation fuel sold by the retailer so that the ultimate consumer bears the burden of the tax.

(b) For purposes of this chapter, the gross retail income received by the retailer from the sale of aviation fuel does not include the amount of any excise tax imposed upon the sale under federal law.

SECTION 56. IC 6-6-13-15, AS ADDED BY P.L.288-2013, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 15. The department shall transfer aviation fuel excise taxes collected under this chapter to the treasurer of state for deposit:

(1) before July 1, 2017, in the state general fund; **and**

(2) after June 30, 2017, as follows:

(A) Fifty percent (50%) in the state general fund.

(B) Fifty percent (50%) in the airport development grant fund established by IC 8-21-11-4.".

Page 30, delete lines 1 through 8.

Page 30, delete lines 40 through 42, begin a new paragraph and insert:

"**(c) The revenue collected from that part of a fee imposed under this section that exceeds the amount of the fee in effect on June 30, 2017, shall be deposited in the motor vehicle highway account established under IC 8-14-1.**".

Delete page 31.

Page 32, delete lines 1 through 3.

Page 33, between lines 1 and 2, begin a new paragraph and insert:

"SECTION 69. IC 8-14-1-3, AS AMENDED BY P.L.2-2014, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]: Sec. 3. The money collected for the motor vehicle highway account fund and remaining after refunds and the payment of all expenses incurred in the collection thereof, and after the deduction of the amount appropriated to the department for traffic safety, shall be allocated to and distributed among the department and subdivisions designated as follows:

(1) Of the net amount in the motor vehicle highway account the auditor of state shall set aside ~~for the cities and towns of the state fifteen percent (15%) thereof. This sum shall be allocated to the cities and towns upon the basis that the population of each city and town bears to the total population of all the cities and towns~~ and **distribute to cities and towns the amounts determined under this subdivision. The amount that each city or town is entitled to receive under this subdivision in 2018 and in each calendar year thereafter is equal to the result of:**

(A) the amount of the distribution received by the city or town under this section during the preceding calendar year; multiplied by

(B) the annual index factor determined in the manner described in IC 6-6-1-6.2(b) for the preceding year.

The amount received by a city or town under this

subdivision shall be used for the construction or reconstruction and maintenance of streets and alleys and shall be annually budgeted as now provided by law. However, no part of such sum shall be used for any other purpose than for the purposes defined in this chapter. If any funds allocated to any city or town shall be used by any officer or officers of such city or town for any purpose or purposes other than for the purposes as defined in this chapter, such officer or officers shall be liable upon their official bonds to such city or town in such amount so used for other purposes than for the purposes as defined in this chapter, together with the costs of said action and reasonable attorney fees, recoverable in an action or suit instituted in the name of the state of Indiana on the relation of any taxpayer or taxpayers resident of such city or town. A monthly distribution thereof of funds accumulated during the preceding month shall be made by the auditor of state.

(2) Of the net amount in the motor vehicle highway account, the auditor of state shall set aside ~~for the counties of the state thirty-two percent (32%) thereof. However, as to the allocation to cities and towns under subdivision (1) and as to the allocation to counties under this subdivision, in the event that the amount in the motor vehicle highway account fund remaining after refunds and after the payment of all expenses incurred in the collection thereof shall be less than twenty-two million six hundred and fifty thousand dollars ($22,650,000) in any fiscal year, then the amount so set aside in the next calendar year for distributions to counties shall be reduced fifty-four percent (54%) of such deficit and the amount so set aside for distribution in the next calendar year to cities and towns shall be reduced thirteen percent (13%) of such deficit. Such reduced distributions shall begin with the distribution January 1 of each year.~~ **and distribute to counties the amounts determined under this subdivision. The amount that each county is entitled to receive under this subdivision in 2018 and in each calendar year thereafter is equal to the result of:**

(A) the amount of the distribution received by the county under this section during the preceding calendar year; multiplied by

(B) the annual index factor determined in the manner described in IC 6-6-1-6.2(b) for the preceding year.

~~(3) The amount set aside for the counties of the state under the provisions of subdivision (2) shall be allocated monthly upon the following basis:~~

~~(A) Five percent (5%) of the amount allocated to the counties to be divided equally among the ninety-two (92) counties.~~

~~(B) Sixty-five percent (65%) of the amount allocated to the counties to be divided on the basis of the ratio of the actual miles, now traveled and in use, of county roads in each county to the total mileage of county roads in the state, which shall be annually determined, accurately, by the department and submitted to the auditor of state before April 1 of each year.~~

~~(C) Thirty percent (30%) of the amount allocated to the counties to be divided on the basis of the ratio of the motor vehicle registrations of each county to the total motor vehicle registration of the state.~~

All money so distributed to the several counties of the state shall constitute a special road fund for each of the respective counties and shall be under the exclusive supervision and direction of the board of county commissioners in the construction, reconstruction, maintenance, or repair of the county highways or bridges on such county highways within such county.

~~(4)~~ **(3)** Each month the remainder of the net amount in the motor vehicle highway account shall be credited to the state highway fund for the use of the department.

~~(5)~~ **(4)** Money in the fund may not be used for any toll road or toll bridge project.

~~(6)~~ **(5)** Notwithstanding any other provisions of this section, money in the motor vehicle highway account fund may be appropriated to the Indiana department of transportation from the ~~forty-seven percent (47%)~~ **amounts** distributed to the political subdivisions of the state **under subdivisions (2) and (3)** to pay the costs incurred by the department in providing services to those subdivisions.

~~(7)~~ **(6)** Notwithstanding any other provisions of this section or of IC 8-14-8, for the purpose of maintaining a sufficient working balance in accounts established primarily to facilitate the matching of federal and local money for highway projects, money may be appropriated to the Indiana department of transportation as follows:

(A) One-half (1/2) from the ~~forty-seven percent (47%)~~ **amounts** set aside under subdivisions (1) and (2) for counties and for those cities and towns with a population greater than five thousand (5,000).

(B) One-half (1/2) from the distressed road fund under IC 8-14-8.

(7) In the case of a municipality incorporated after December 31, 2017, the municipality's initial annual distribution under this section shall be determined based on the amount the municipality would have received under the distribution formula in this section as in effect June 30, 2017, increased by applying the annual index factor determined in the manner described in IC 6-6-1-6.2(b) for each year that is after 2017 and that precedes the year in which the municipality is incorporated.

SECTION 70. IC 8-14-1-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]: Sec. 11. (a) The

department may create a local agency revolving fund from money appropriated under section ~~3(7)~~ **3(6)** of this chapter for the purpose of maintaining a sufficient working balance in accounts established primarily to facilitate the matching of federal and local money for highway projects.

(b) The revolving fund balance must be maintained through reimbursement from a local unit for money used by that unit to match federal funds.

(c) If the local unit fails to reimburse the revolving fund, the department shall notify the local unit that the department has found the outstanding accounts receivable to be uncollectible.

(d) The attorney general shall review the outstanding accounts receivable and if the attorney general agrees with the department's assessment of the account's status, the attorney general shall certify to the auditor of state that the outstanding accounts receivable is uncollectible and request a transfer of funds as provided in subsection (e).

(e) Upon receipt of a certificate as specified in subsection (d), the auditor of state shall:

(1) immediately notify the delinquent local unit of the claim; and

(2) if proof of payment is not furnished to the auditor of state within thirty (30) days after the notification, transfer an amount equal to the outstanding accounts receivable to the department from the delinquent local unit's allocations from the motor vehicle highway account for deposit in the local agency revolving fund.

(f) Transfers shall be made under subsection (e) until the unpaid amount has been paid in full under the terms of the agreement. However, the agreement may be amended if both the department and the unit agree to amortize the transfer over a period not to exceed five (5) years.

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

Page 37, line 14, delete "shall" and insert "**may, after approval by the governor,**".

Page 37, delete lines 31 through 42, begin a new paragraph and insert:

"SECTION 76. IC 8-21-11-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. (a) The airport development grant fund and the airport development revolving loan fund are established for the purposes of this chapter. The department shall administer the two (2) funds.

(b) The department shall pay the expenses of administering the funds.

(c) The treasurer of state shall invest the money in each fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund that earns the interest.

(d) Money deposited in the airport development grant fund under IC 6-6-13-15(2)(B) may be used only to make matching grants to airports under section 5(a)(1) of this chapter for capital improvements.

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

SECTION 77. IC 8-23-29-2, AS ADDED BY P.L.208-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. The department shall contract with a third party to study transportation infrastructure funding mechanisms. The contract must include the following terms:

(1) A description of the funding mechanisms that will be studied. The funding mechanisms must include the following:

(A) An option that is based on variables, including vehicle gross weight and miles traveled.

(B) An option that accounts for variations in usage and degree of damage caused to transportation infrastructure by vehicles of different sizes and configurations.

(C) A flat per vehicle fee.

(D) Adjustments to one (1) or more of the following:

~~(i) The state gross retail tax on motor fuel imposed under IC 6-2.5-7.~~

~~(ii)~~ **(i)** The gasoline tax imposed under IC 6-6-1.1.

~~(iii)~~ **(ii)** The special fuel tax imposed under IC 6-6-2.5.

~~(iv)~~ **(iii)** The motor carrier fuel tax imposed under IC 6-6-4.1, including the surcharge tax imposed under IC 6-6-4.1-4.5.

(E) Tolls.

(F) Any other mechanism the department determines is appropriate.

(2) The duration of the study, which must be an adequate length of time to ensure that a quality and comprehensive analysis of all topics will be thoroughly reviewed, but is not to exceed two (2) years.

(3) An inventory of the transportation infrastructure that will be maintained through revenue generated by the funding mechanisms included in the study. The inventory must include state and local highways, roads, and streets.

(4) The rating system by which the maintenance of the transportation infrastructure will be evaluated.".

Delete pages 38 through 42.

Page 43, delete lines 1 through 8, begin a new paragraph and insert:

"SECTION 78. IC 8-23-9-54, AS AMENDED BY P.L.47-2006, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 54. (a) To provide funds for carrying out the provisions of this chapter, there is created a state highway fund from the following sources:

(1) All money in the general fund to the credit of the state highway account.

(2) All money that is received from the Department of

Transportation or other federal agency and known as federal aid.

(3) All money paid into the state treasury to reimburse the state for money paid out of the state highway fund.

(4) All money provided by Indiana law for the construction, maintenance, reconstruction, repair, and control of public highways, as provided under this chapter.

(5) All money that on May 22, 1933, was to be paid into the state highway fund under contemplation of any statute in force as of May 22, 1933.

(6) All money that may at any time be appropriated from the state treasury.

(7) Any part of the state highway fund unexpended at the expiration of any fiscal year, which shall remain in the fund and be available for the succeeding years.

(8) Any money credited to the state highway fund from the motor vehicle highway account under ~~IC 8-14-1-3(4).~~ **IC 8-14-1-3(3).**

(9) Any money credited to the state highway fund from the highway road and street fund under IC 8-14-2-3.

(10) Any money credited to the state highway fund under IC 6-6-1.1-801.5, IC 6-6-4.1-5, or IC 8-16-1-17.1.

(11) Any money distributed to the state highway fund under IC 8-14-14, IC 8-15.5, or IC 8-15.7.

(b) All expenses incurred in carrying out this chapter shall be paid out of the state highway fund.".

Page 43, delete lines 28 through 33.

Page 44, line 40, delete "315" and insert "**450**".

Page 44, line 41, delete "529" and insert "**756**".

Page 44, line 42, delete "756" and insert "**1,080**".

Page 45, line 1, delete "1,008" and insert "**1,440**".

Page 45, line 2, delete "1,423" and insert "**2,034**".

Page 45, line 6, delete "A" and insert "**The revenue collected from** a".

Page 45, line 7, after "(b)" insert "**and that results from the part of the fee that is equal to the amount of the fee in effect on June 30, 2017,**".

Page 45, delete lines 23 through 28.

Page 45, line 29, reset in roman "(8)".

Page 45, line 29, delete "(9)".

Page 45, between lines 30 and 31, begin a new paragraph and insert:

"**(d) The revenue collected from a fee described in subsection (a) that is not required to be distributed under subsection (b) and that results from the part of the fee that exceeds the amount of the fee in effect on June 30, 2017, shall be deposited in the motor vehicle highway account established under IC 8-14-1.**".

Page 45, line 31, delete "(d)" and insert "**(e)**".

Page 47, delete lines 8 through 9, begin a new paragraph and insert:

"**(c) The revenue that is from the fees collected under subsection (b) during each state fiscal year and that results from the part of a fee that is equal to the amount of the fee in effect on June 30, 2017, shall be distributed as follows:**".

Page 47, delete lines 12 through 15.

Page 47, line 16, delete "(3)" and insert "**(2)**".

Page 47, between lines 17 and 18, begin a new paragraph and insert:

"**(d) The revenue that is from the fees collected under subsection (b) during each state fiscal year and that results from the part of a fee that exceeds the amount of the fee in effect on June 30, 2017, shall be deposited in the motor vehicle highway account established under IC 8-14-1.**".

Page 47, line 22, after "vehicle" insert "**and hybrid vehicle**".

Page 47, between lines 29 and 30, begin a new paragraph and insert:

"**(c) As used in this section, "hybrid vehicle" means a vehicle that:**

(1) draws propulsion energy from both an internal combustion engine and an energy storage device; and

(2) employs a regenerative braking system to recover waste energy to charge the energy storage device that is providing propulsion energy.".

Page 47, line 30, delete "(c)" and insert "**(d)**".

Page 47, line 38, delete "IC 6-6-1.6-3." and insert "**IC 6-6-1.6-2.**".

Page 47, between lines 39 and 40, begin a new paragraph and insert:

"**(e) In addition to any other fee required to register a hybrid vehicle under this chapter, the supplemental fee to register a hybrid vehicle is seventy-five dollars ($75) through December 31, 2022. Before October 1, 2022, and before each October 1 of every fifth year thereafter, the bureau shall determine a new fee amount to take effect as of January 1 of the following year by determining the product of:**

(1) the fee in effect for the determination year; multiplied by

(2) the factor determined under IC 6-6-1.6-2.

The fee shall be rounded to the nearest dollar.".

Page 47, line 40, delete "(d)" and insert "**(f)**".

Page 47, line 40, delete "local road and bridge" and insert "**motor vehicle highway account established under IC 8-14-1.**".

Page 47, delete line 41.

Page 48, delete lines 6 through 10, begin a new paragraph and insert:

"**Sec. 2. (a) The following shall pay an annual transportation infrastructure improvement fee:**

(1) The owner of a motor vehicle with a declared gross weight equal to or less than twenty-six thousand (26,000) pounds that is registered in Indiana.

(2) The owner of a commercial motor vehicle with a declared gross weight greater than twenty-six thousand (26,000) pounds that is registered in Indiana.

(b) The amount of the annual fee is:

(1) fifteen dollars ($15), in the case of a motor vehicle with a declared gross weight equal to or less than twenty-six thousand (26,000) pounds; and

(2) one hundred dollars ($100), in the case of a commercial motor vehicle with a declared gross weight greater than twenty-six thousand (26,000) pounds.".

Page 48, line 13, delete "in the" and insert "**as follows:**

(1) Fees described in subsection (b)(1) shall be deposited in the local road and bridge matching grant fund established under IC 8-23-30.

(2) Fees described in subsection (b)(2) shall be deposited in the motor vehicle highway account established under IC 8-14-1.".

Page 48, delete lines 14 through 15.

Page 49, delete lines 9 through 40, begin a new paragraph and insert:

"SECTION 87. IC 13-20-13-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. (a) A fee of **five dollars and** twenty-five cents ~~($0.25)~~ **($5.25)** is imposed on the sale of the following:

(1) Each new tire that is sold at retail.

(2) Each new tire mounted on a new vehicle sold at retail.

(b) The person that sells the new tire or vehicle at retail to the ultimate consumer of the tire or vehicle shall collect the fee imposed by this section.

(c) A person that collects a fee under subsection (b):

(1) shall pay the fees collected under subsection (b):

(A) to the department of state revenue; and

(B) at the same time and in the same manner that the person pays the state gross retail tax collected by the person to the department of state revenue;

(2) shall indicate on the return:

(A) prescribed by the department of state revenue; and

(B) used for the payment of state gross retail taxes;

that the person is also paying fees collected under subsection (b); and

(3) is entitled to deduct and retain one percent (1%) of the fees required to be paid to the department of state revenue under this subsection.

(d) The department of state revenue shall deposit fees collected under this section **as follows:**

(1) Twenty-five cents ($0.25) from each fee collected shall be deposited in the waste tire management fund established by this chapter.

(2) Five dollars ($5) from each fee collected shall be deposited in the motor vehicle highway account established under IC 8-14-1.

SECTION 88. IC 13-20-13-8, AS AMENDED BY P.L.37-2012, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 8. (a) Except as provided in subsection (d)(2), (d)(3), (d)(6), and (d)(7), the waste tire management fund is established for the following purposes:

(1) The department may use not more than thirty-five percent (35%) of the money deposited in the fund each year for:

(A) the removal and disposal of waste tires from sites where the waste tires have been disposed of improperly; and

(B) operating the waste tire education program under section 15 of this chapter.

(2) The department may use the remaining money deposited in the fund each year to:

(A) provide grants and loans under section 9(b) of this chapter to entities involved in waste tire management activities; and

(B) pay the expenses of administering the programs described in:

(i) subdivision (1)(B); and

(ii) clause (A).

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

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

(d) Sources of money for the fund are the following:

(1) Fees paid under section 4(a)(6) of this chapter and IC 13-20-14-5(c).

(2) Fees ~~collected under section 7~~ **deposited under section 7(d)(1)** of this chapter. All money deposited in the fund under this subdivision may be used by the department for waste reduction, recycling, removal, or remediation projects.

(3) Costs and damages recovered from a person or other entity under section 14 of this chapter or IC 13-20-14-8. All money deposited in the fund under this subdivision may be used by the department for removal and remediation projects.

(4) Fees established by the general assembly for the purposes of this chapter.

(5) Appropriations made by the general assembly.

(6) Gifts and donations intended for deposit in the fund. A gift or donation deposited in the fund under this subdivision may be specified to be entirely for the use of the department.

(7) Civil penalties collected under IC 13-30-4 for violations of:

(A) this chapter;

(B) IC 13-20-14; and

(C) rules adopted under section 11 of this chapter and IC 13-20-14-6.

All money deposited in the fund under this subdivision may be used by the department for eligible projects.".

Page 50, line 2, strike "a county or municipality that".

Page 50, line 2, delete "is" and insert "**any entity**".

Page 50, line 3, after "through" insert "**the state or**".

Page 51, line 13, after "source" delete "." and insert "**, except as provided by federal law.**".

Page 51, line 20, after "awarded" insert "**additional**".

Page 51, delete line 21.

Page 51, line 22, after "funds" insert "**as considered necessary**".

Page 52, line 1, delete "shall" and insert "**may**".

Page 52, line 1, after "exchange" insert "**up to**".

Page 52, line 27, after "project" insert "**:**

(A) is eligible under federal law; or

(B)".

Page 52, line 30, after "(20%)" insert "**, or a match consistent with federal law,**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1002 as reprinted February 15, 2017.) and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 2.

HERSHMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1003, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 6, delete "test" and insert "**nationally recognized college entrance assessment**".

Page 1, line 7, delete "or purchased".

Page 1, line 15, delete ""Statewide" and insert "**(a) Except as provided in subsection (b), "statewide**".

Page 2, between lines 4 and 5, begin a new paragraph and insert:

"**(b) For purposes of IC 20-28-11.5 and for school years beginning after June 30, 2018, "statewide assessment program" does not include end of course assessments administered under IC 20-32-5.1.**".

Page 11, line 35, delete "(for" and insert "**(for**".

Page 12, line 34, delete "2018)," and insert "**2018),**".

Page 25, line 19, delete "a public" and insert "**each public**".

Page 25, line 19, after "school," delete "a".

Page 25, line 19, after "accredited" insert "**nonpublic**".

Page 25, line 20, delete "or an" and insert "**and**".

Page 25, line 21, delete "in at least the areas of:" and insert "**for the following:**

(1) English 10.

(2) Biology I.

(3) Algebra I.".

Page 25, delete lines 22 through 26.

Page 25, line 42, delete "education" and insert "**readiness educational**".

Page 26, line 3, after "7" insert "**or 8**".

Page 26, line 5, delete "an".

Page 26, line 5, delete "assessment" and insert "**assessments**".

Page 26, line 5, delete "16" and insert "**18**".

Page 26, line 8, delete "17" and insert "**19**".

Page 26, line 24, delete "education" and insert "**readiness educational**".

Page 26, line 31, after "(A)" insert "**subject to subsection (e),**".

Page 27, between lines 13 and 14, begin a new paragraph and insert:

"**(e) A statewide assessment described in section 7 of this chapter must be in a form that allows the department and the state board to compare the proficiency of Indiana students to the proficiency of students in other states. A statewide assessment may consist of original test items for Indiana's exclusive use if the state board determines that:**

(1) developing original test items for Indiana's exclusive use will result in cost savings; or

(2) it would be impractical to develop a statewide assessment adequately aligned to Indiana's academic standards without including original test items developed for Indiana's exclusive use.".

Page 27, line 14, delete "The" and insert "**Except as otherwise provided in this chapter and in the manner provided in section 6 of this chapter, the**".

Page 27, line 14, delete ", except as otherwise provided in this".

Page 27, line 15, delete "section and in the manner provided in section 6 of this chapter,".

Page 27, line 19, delete "10" and insert "**12**".

Page 27, line 25, delete "shall be" and insert "**as**".

Page 27, delete lines 33 through 42, begin a new paragraph and insert:

"**(d) For the statewide assessments required in grades 9 through 12 under subsection (c), each school corporation, charter school, state accredited nonpublic school, and eligible school (as defined in IC 20-51-1-4.7) shall administer a nationally recognized college entrance assessment designated by the state board unless the state board determines that designating a nationally recognized college entrance assessment is impracticable.**

(e) The nationally recognized college entrance assessment described in subsection (d) must be administered to a student at the school in which the student is enrolled and during the normal school day.

(f) The state board shall establish multiple categories of performance regarding proficiency on the nationally recognized college entrance assessment, including establishing a passing score required to qualify for graduation.".

Page 28, delete lines 1 through 12.

Page 28, line 13, delete "(e)" and insert "**(g)**".

Page 28, between lines 15 and 16, begin a new paragraph and insert:

"**Sec. 8. (a) Subject to subsections (c) and (d), the department shall require the use of computer or digital technology to complete the statewide assessment described in section 7 of this chapter.**

(b) Subject to subsections (c) and (d), each school corporation, charter school, state accredited nonpublic school, and eligible school (as defined in IC 20-51-1-4.7) shall allow a student to use computer or digital technology to complete the statewide assessment.

(c) The department may waive the requirement under subsection (a) or (b), or both. The state board shall establish the procedures and requirements for the approval or denial of a waiver under this subsection.".

Page 28, line 16, delete "(f)" and insert "**(d)**".

Page 28, line 16, delete ":".

Page 28, delete lines 17 through 19.

Page 28, line 20, delete "(2)".

Page 28, run in lines 16 through 22.

Page 28, line 23, delete "Sec 8." and insert "**Sec. 9.**".

Page 28, line 24, delete "in at least" and insert "**for the following:**

(1) English 10.

(2) Biology I.

(3) Algebra I.".

Page 28, delete lines 25 through 28.

Page 28, delete lines 33 through 42.

Page 29, delete lines 1 through 2.

Page 29, line 3, delete "(d)" and insert "**(c)**".

Page 29, line 4, delete "or" and insert "**and**".

Page 29, line 9, delete "(e)" and insert "**Sec. 10.**".

Page 29, line 9, after "under" insert "**this chapter**".

Page 29, delete lines 10 through 13.

Page 29, line 14, delete "school, or eligible school (as defined in IC 20-51-1-4.7)".

Page 29, line 23, delete "9" and insert "**11**".

Page 29, line 23, delete "," and insert "**or equivalent authority for each**".

Page 29, line 36, delete "10" and insert "**12**".

Page 29, line 39, delete "plan or individualized" and insert "**program,**".

Page 29, line 39, after "service plan" insert "**developed under 511 IAC 7-34, or choice scholarship education plan developed under 511 IAC 7-49**".

Page 29, line 41, delete "or" and insert "**,**".

Page 29, line 42, delete "individualized".

Page 29, line 42, after "plan" insert "**, or choice scholarship education plan**".

Page 30, line 13, delete "or individualized" and insert "**,**".

Page 30, line 13, after "plan" insert "**, or choice scholarship education plan**".

Page 30, line 15, delete "11" and insert "**13**".

Page 30, line 20, after "corporation" insert "**, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7)**".

Page 30, line 28, delete "12" and insert "**14**".

Page 30, line 28, delete "scores of student responses under an" and insert "**proficiency of students under a**".

Page 30, line 29, after "board" insert "**as soon as practicable but**".

Page 30, line 29, delete "July" and insert "**August 15**".

Page 30, line 30, delete "1".

Page 30, line 33, after "corporation" insert "**, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7)**".

Page 30, between lines 35 and 36, begin a new paragraph and insert:

"**(c) Subject to approval by the state board, reports of student results on computer scored items under a statewide assessment may be returned to schools regardless of whether the hand scored items are returned.**".

Page 30, line 36, delete "(c)" and insert "**(d)**".

Page 30, line 36, after "of" insert "**final**".

Page 30, line 39, delete "IC 20-19-2-14.5)," and insert "**IC 20-51-1-4.7),**".

Page 31, line 3, delete "(d)," and insert "**(e),**".

Page 31, line 4, delete "not multiple choice, gridded items," and insert "**hand scored.**".

Page 31, delete lines 5 through 6.

Page 31, line 11, delete "an" and insert "**a**".

Page 31, line 16, delete "(d)" and insert "**(e)**".

Page 31, line 18, delete "(c)(2)(A)" and insert "**(d)(2)(A)**".

Page 31, line 19, delete "However, the department may".

Page 31, delete lines 20 through 21.

Page 31, line 22, delete "(e)" and insert "**(f)**".

Page 31, delete lines 24 through 36.

Page 31, line 37, delete "13" and insert "**15**".

Page 32, line 6, delete "14" and insert "**16**".

Page 32, line 19, delete "15" and insert "**17**".

Page 32, line 36, delete "16" and insert "**18**".

Page 33, line 4, delete "or".

Page 33, line 5, after "school" insert "**, or eligible school (as defined in IC 20-51-1-4.7)**".

Page 33, line 6, delete "or" and insert "**state**".

Page 33, line 7, after "school" insert "**, or eligible school (as defined in IC 20-51-1-4.7)**".

Page 33, line 21, delete "17" and insert "**19**".
Page 33, line 29, after "administrators" insert "**on**".
Page 33, line 33, delete "defined" and insert "**described**".
Page 33, line 38, delete "18" and insert "**20**".
Page 35, line 13, delete ":".
Page 35, line 14, strike "(1)".
Page 35, line 14, delete ";" and insert ".".
Page 35, line 14, strike "or".
Page 35, strike lines 15 through 18.
Page 35, line 23, strike "either:".
Page 35, line 24, strike "(1)".
Page 35, line 24, delete ";" and insert ".".
Page 35, strike lines 25 through 26.
Page 40, line 21, strike ")".
Page 40, between lines 26 and 27, begin a new paragraph and insert:
"SECTION 39. [EFFECTIVE UPON PASSAGE] **(a) The legislative council is urged to assign to the interim study committee on education established by IC 2-5-1.3-4 for study during the 2017 interim of the general assembly the topic of Indiana's laws concerning school certificated employee evaluations.**
(b) If the topic described in subsection (a) is assigned to the interim study committee on education, the study committee shall, not later than November 1, 2017, issue a final report to the legislative council containing the study committee's findings and recommendations, including any recommended legislation concerning the topic, in an electronic format under IC 5-14-6.
(c) This SECTION expires December 31, 2017.".
Renumber all SECTIONS consecutively.
(Reference is to EHB 1003 as reprinted February 17, 2017.)
and when so amended that said bill do pass.
Committee Vote: Yeas 7, Nays 4.

KRUSE, 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 be amended as follows:
Page 3, line 30, delete "Provide" and insert "**Subject to the approval of the Indiana commission to combat drug abuse, provide**".
Page 3, line 39, after "rules" insert and "**approved by the Indiana commission to combat drug abuse and**".
Page 5, line 11, after "that" insert "**, subject to the approval of the Indiana commission to combat drug abuse,**".
Page 5, delete lines 19 through 35.
Renumber all SECTIONS consecutively.
(Reference is to EHB 1006 as printed March 24, 2017.)
and when so amended that said bill do pass.
Committee Vote: Yeas 11, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, 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 1, line 16, after "Indiana;" insert "or".
Page 2, line 1, after "list" delete "; or" and insert "**.**".
Page 2, delete lines 2 through 5.
Page 2, line 20, after "access" insert "**program**".
Page 2, line 23, after "access" insert "**program**".
Page 2, line 40, after "providers;" insert "**and**".
Page 3, line 1, after "standards" delete "; and" and insert "**.**".
Page 3, delete lines 2 through 4.
Page 5, delete lines 9 through 11.
(Reference is to EHB 1007 as printed March 24, 2017.)
and when so amended that said bill do pass.
Committee Vote: Yeas 8, Nays 3.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Engrossed House Bill 1013, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:
Delete the title and insert the following:
A BILL FOR AN ACT concerning taxation.
Delete everything after the enacting clause and insert the following:
SECTION 1. [EFFECTIVE UPON PASSAGE] **(a) The legislative council is urged to assign to the appropriate study committee during the 2017 legislative interim the topic of studying issues related to eliminating the state gross retail tax on food sold through a vending machine.**
(b) This SECTION expires January 1, 2018.
SECTION 2. **An emergency is declared for this act.**
(Reference is to EHB 1013 as printed March 14, 2017.)
and when so amended that said bill do pass.
Committee Vote: Yeas 13, Nays 0.

HERSHMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1036, 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 3-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** ARTICLE TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

ARTICLE 3.5. MARION COUNTY JUDICIAL SELECTION COMMITTEE

Chapter 1. Definitions

Sec. 1. The definitions in this chapter apply throughout this article.

Sec. 2. "City-county council" refers to the Indianapolis, Marion County city-county council.

Sec. 3. "Clerk" refers to the Marion County circuit court clerk.

Sec. 4. "Committee" refers to the Marion County judicial selection committee established by IC 33-33-49-13.1.

Sec. 5. "District" refers to a district described in IC 3-3.5-3.

Sec. 6. "Elected committee member" refers to a member of the committee required to be elected under IC 33-33-49-13.1.

Sec. 7. "GIS" refers to the geographic information system maintained by the office that contains the following information:

(1) Geographic and population information provided in the official census report to the state by the United States Department of Commerce, Bureau of the Census, in reporting the 2010 decennial census of Indiana.

(2) Election history and supplemental geographic information compiled by the legislative services agency.

Sec. 8. "Legislative services agency" refers to the legislative services agency established under IC 2-5-1.1-7.

Sec. 9. "Office" refers to the office of census data of the legislative services agency.

Chapter 2. General Provisions Relating to Establishing Districts

Sec. 1. All terms and references to geographic units made in the descriptions of districts in this article:

(1) have the same meanings as the terms have when used by the United States Department of Commerce, Bureau of the Census, in reporting the 2010 decennial census of Indiana as supplemented by geographic information compiled and documented by the legislative services agency;

(2) describe the same geographical boundaries as depicted by maps included in the GIS; and

(3) are located in Marion County, Indiana.

Sec. 2. (a) Any part of Marion County that has not been described as included in a district is included within the district that:

(1) is contiguous to the part; and

(2) contains the least population of districts contiguous to that part according to the 2010 decennial census of Indiana.

(b) If any part of Marion County is described as being in more than one (1) district, the part is included within the district that:

(1) is one (1) of the districts in which the part is listed in IC 3-3.5-3, whichever is applicable;

(2) is contiguous to the part; and

(3) contains the least population according to the 2010 decennial census of Indiana.

(c) If any part of Marion County:

(1) is described in IC 3-3.5-3 as being in one (1) district; and

(2) is entirely surrounded by another district;

the part shall be incorporated into the district that surrounds the part.

(d) If any part of Marion County:

(1) is described as being in one (1) district; and

(2) is not contiguous to another part of the district that contains the majority of the population in the district;

the part is included with the contiguous district that contains the least population according to the 2010 decennial census of Indiana.

Sec. 3. (a) As used in this section, "geographic sliver" means a polygon contained in the GIS resulting from the overlay of an existing geographic data set onto a more recent version of that geographic data set.

(b) A geographic sliver is considered to be included in the description of the larger unit of geography to which the geographic sliver belongs within the same geographic data set.

(c) If this article provides that a district includes a unit of geography in Marion County, that district contains any geographic slivers included in that unit of geography under subsection (b).

Sec. 4. The office shall make modifications in the GIS necessary to conform the GIS to the rules stated in sections 2 and 3 of this chapter.

Sec. 5. The legislative services agency shall separately maintain and preserve in the GIS the descriptions and maps included in the 2010 decennial census of Indiana. The legislative services agency shall make those descriptions and maps available for public inspection during regular office hours and on the Internet.

Sec. 6. The official report and all official documents relating to the report of the 2010 decennial census are incorporated by reference into this article.

Chapter 3. Elected Committee Member Election Districts

Sec. 1. Committee district 1 consists of the following:

Marion County TOWNSHIPS:

Decatur, Perry

Center Township PRECINCTS:

CENTER-13-01, CENTER-13-02, CENTER-13-03, CENTER-13-04, CENTER-13-05, CENTER-14-01, CENTER-14-02, CENTER-16-05, CENTER-17-01, CENTER-17-02, CENTER-17-03, CENTER-17-04, CENTER-17-05, CENTER-30-01, CENTER-30-02, CENTER-30-03, CENTER-30-04, CENTER-30-05, CENTER-30-06, CENTER-30-07, CENTER-CO-01, CENTER-CO-02

Wayne Township PRECINCTS:

WAY-24-04, WAY-24-05, WAY-WY-29, WAY-WY-30, WAY-WY-31, WAY-WY-32, WAY-WY-33, WAY-WY-38, WAY-WY-39, WAY-WY-40, WAY-WY-41, WAY-WY-43, WAY-WY-44, WAY-WY-45, WAY-WY-46, WAY-WY-47, WAY-WY-48, WAY-WY-49, WAY-WY-50, WAY-WY-51, WAY-WY-52, WAY-WY-53, WAY-WY-54, WAY-WY-55, WAY-WY-56, WAY-WY-57, WAY-WY-58, WAY-WY-59, WAY-WY-60

Sec. 2. Committee district 2 consists of the following:

Marion County TOWNSHIPS:

Pike

Center Township PRECINCTS:

CENTER-05-01, CENTER-05-02, CENTER-05-03, CENTER-05-04, CENTER-05-05, CENTER-05-06, CENTER-06-01, CENTER-06-02, CENTER-06-03, CENTER-06-04, CENTER-06-05, CENTER-06-06, CENTER-07-01, CENTER-12-01, CENTER-12-02, CENTER-12-03

Washington Township PRECINCTS:

WAS-WS-01, WAS-WS-02, WAS-WS-03, WAS-WS-11, WAS-WS-12, WAS-WS-13, WAS-WS-14, WAS-WS-23, WAS-WS-24, WAS-WS-25, WAS-WS-30, WAS-WS-31, WAS-WS-32, WAS-WS-33, WAS-WS-39, WAS-WS-40, WAS-WS-41, WAS-WS-49, WAS-WS-50, WAS-WS-51, WAS-WS-52, WAS-WS-53, WAS-WS-54, WAS-WS-55, WAS-WS-57, WAS-WS-58, WAS-WS-59, WAS-WS-64, WAS-WS-67, WAS-WS-68

Wayne Township PRECINCTS:

WAY-19-01, WAY-19-02, WAY-19-03, WAY-19-04, WAY-19-05, WAY-19-06, WAY-24-01, WAY-24-02, WAY-24-03, WAY-29-01, WAY-29-02, WAY-29-03, WAY-29-04, WAY-29-05, WAY-29-06, WAY-29-07, WAY-29-08, WAY-29-09, WAY-29-10, WAY-29-11, WAY-29-12, WAY-29-13, WAY-29-14, WAY-29-15, WAY-29-16, WAY-29-17, WAY-29-18, WAY-WY-01, WAY-WY-02, WAY-WY-03, WAY-WY-04, WAY-WY-05, WAY-WY-06, WAY-WY-07, WAY-WY-08, WAY-WY-09, WAY-WY-10, WAY-WY-11, WAY-WY-12, WAY-WY-13, WAY-WY-14, WAY-WY-15, WAY-WY-16, WAY-WY-17, WAY-WY-18, WAY-WY-19, WAY-WY-20, WAY-WY-21, WAY-WY-22, WAY-WY-23, WAY-WY-24, WAY-WY-25, WAY-WY-26, WAY-WY-27, WAY-WY-28, WAY-WY-34, WAY-WY-35, WAY-WY-36, WAY-WY-37, WAY-WY-42

Sec. 3. Committee district 3 consists of the following:

Center Township PRECINCTS:

CENTER-01-01, CENTER-01-02, CENTER-01-03, CENTER-01-04, CENTER-01-05, CENTER-01-06, CENTER-01-07, CENTER-01-08, CENTER-01-09, CENTER-01-10, CENTER-02-01, CENTER-02-02, CENTER-02-03, CENTER-02-04, CENTER-03-01, CENTER-03-02, CENTER-03-03, CENTER-03-04, CENTER-03-05, CENTER-04-01, CENTER-04-02, CENTER-04-03, CENTER-04-04, CENTER-04-05, CENTER-07-02, CENTER-07-03, CENTER-08-01, CENTER-08-02, CENTER-08-03, CENTER-09-01, CENTER-09-02, CENTER-09-03, CENTER-09-04, CENTER-09-05, CENTER-09-06, CENTER-09-07, CENTER-10-01, CENTER-10-02, CENTER-10-03, CENTER-10-04, CENTER-10-05, CENTER-11-01, CENTER-11-02, CENTER-11-03, CENTER-11-04, CENTER-11-05, CENTER-15-01, CENTER-15-02, CENTER-16-01, CENTER-16-02, CENTER-16-03, CENTER-16-04, CENTER-23-01, CENTER-23-02, CENTER-23-03, CENTER-23-04, CENTER-23-05, CENTER-23-06, CENTER-23-07, CENTER-23-08, CENTER-23-09, CENTER-25-01, CENTER-25-02, CENTER-25-03, CENTER-25-04, CENTER-25-05

Lawrence Township PRECINCTS:

LAW-27-01, LAW-27-02, LAW-27-03, LAW-27-04, LAW-27-05, LAW-27-06, LAW-27-07, LAW-27-13, LAW-LA-20, LAW-LA-30, LAW-LA-31, LAW-LA-37, LAW-LA-38, LAW-LA-39, LAW-LA-43, LAW-LA-44, LAW-LA-50, LAW-LA-51, LAW-LA-52, LAW-LA-57

Warren Township PRECINCTS:

WAR-18-01, WAR-18-02, WAR-18-03, WAR-18-04, WAR-18-05, WAR-18-06, WAR-18-07, WAR-28-01, WAR-28-02, WAR-28-03, WAR-28-04, WAR-28-06, WAR-28-07, WAR-28-09, WAR-28-11

Washington Township PRECINCTS:

WAS-20-01, WAS-20-02, WAS-20-03, WAS-20-04, WAS-20-05, WAS-20-06, WAS-20-07, WAS-20-08, WAS-20-09, WAS-20-10, WAS-20-11, WAS-20-12, WAS-21-01, WAS-21-02, WAS-21-03, WAS-21-04, WAS-21-05, WAS-21-06, WAS-21-07, WAS-21-08, WAS-21-09, WAS-21-10, WAS-21-11, WAS-21-12, WAS-21-13, WAS-22-01, WAS-22-02, WAS-22-03, WAS-22-04, WAS-22-05, WAS-22-06, WAS-22-07,

WAS-22-08, WAS-31-01, WAS-31-02, WAS-31-03, WAS-31-04, WAS-WS-04, WAS-WS-05, WAS-WS-06, WAS-WS-07, WAS-WS-08, WAS-WS-09, WAS-WS-10, WAS-WS-15, WAS-WS-16, WAS-WS-17, WAS-WS-18, WAS-WS-19, WAS-WS-20, WAS-WS-21, WAS-WS-22, WAS-WS-26, WAS-WS-27, WAS-WS-28, WAS-WS-29, WAS-WS-34, WAS-WS-35, WAS-WS-36, WAS-WS-37, WAS-WS-38, WAS-WS-42, WAS-WS-43, WAS-WS-44, WAS-WS-45, WAS-WS-46, WAS-WS-47, WAS-WS-48, WAS-WS-56, WAS-WS-60, WAS-WS-61, WAS-WS-62, WAS-WS-63, WAS-WS-65, WAS-WS-66, WAS-WS-69

Sec. 4. Committee district 4 consists of the following:

Marion County TOWNSHIPS:

Franklin

Lawrence Township PRECINCTS:

LAW-27-08, LAW-27-09, LAW-27-10, LAW-27-11, LAW-27-12, LAW-27-14, LAW-LA-01, LAW-LA-02, LAW-LA-03, LAW-LA-04, LAW-LA-05, LAW-LA-06, LAW-LA-07, LAW-LA-08, LAW-LA-09, LAW-LA-10, LAW-LA-11, LAW-LA-12, LAW-LA-13, LAW-LA-14, LAW-LA-15, LAW-LA-16, LAW-LA-17, LAW-LA-18, LAW-LA-19, LAW-LA-21, LAW-LA-22, LAW-LA-23, LAW-LA-24, LAW-LA-25, LAW-LA-26, LAW-LA-27, LAW-LA-28, LAW-LA-29, LAW-LA-32, LAW-LA-33, LAW-LA-34, LAW-LA-35, LAW-LA-36, LAW-LA-40, LAW-LA-41, LAW-LA-42, LAW-LA-45, LAW-LA-46, LAW-LA-47, LAW-LA-48, LAW-LA-49, LAW-LA-53, LAW-LA-54, LAW-LA-55, LAW-LA-56, LAW-LA-58, LAW-LA-59, LAW-LA-60, LAW-LA-61, LAW-LA-62, LAW-LA-63, LAW-LA-64, LAW-LA-65, LAW-LA-66, LAW-LA-67

Warren Township PRECINCTS:

WAR-28-05, WAR-28-08, WAR-28-10, WAR-28-12, WAR-28-13, WAR-28-14, WAR-28-15, WAR-28-16, WAR-28-17, WAR-WR-01, WAR-WR-02, WAR-WR-03, WAR-WR-04, WAR-WR-05, WAR-WR-06, WAR-WR-07, WAR-WR-08, WAR-WR-09, WAR-WR-10, WAR-WR-11, WAR-WR-12, WAR-WR-13, WAR-WR-14, WAR-WR-15, WAR-WR-16, WAR-WR-17, WAR-WR-18, WAR-WR-19, WAR-WR-20, WAR-WR-21, WAR-WR-22, WAR-WR-23

Chapter 3.5. Transitional Provisions

Sec. 1. As used in this chapter, "minority leader" refers to the minority leader of the city-county council.

Sec. 2. As used in this chapter, "president" refers to the president of the city-county council.

Sec. 3. (a) Before July 1, 2017, the president shall appoint two (2) members of the city-county council to serve as members of the committee. The members appointed under this subsection become committee members on July 1, 2017.

(b) Before July 1, 2017, the minority leader shall appoint two (2) members of the city-county council to serve as members of the committee. The members appointed under this subsection become committee members on July 1, 2017.

(c) The president and the minority leader shall file a written notice of the appointments made under this section with the clerk.

(d) If a vacancy occurs in a position appointed under this section before January 1, 2019, the appointing authority who originally appointed the member under this section shall fill the vacancy by appointing another member of the city-county council to fill the vacancy. A member of the city-county council appointed to fill a vacancy under this subsection serves the remainder of the term.

Sec. 4. The term of a committee member appointed under section 3 of this chapter expires January 1, 2019.

Sec. 5. This chapter expires January 1, 2019.

Chapter 4. Election of Committee Members

Sec. 1. The 2018 general election is the first election of the elected committee members.

Sec. 2. Except as provided in section 2.2 of this chapter, the term of each elected committee member is four (4) years, beginning January 1 after the elected committee member's election.

Sec. 2.2. (a) The committee members elected at the 2018 general election serve the following terms:

(1) The member first elected from committee district 1 serves a term of four (4) years, beginning January 1, 2019. The successor of the member elected under this subdivision shall be elected at the 2022 general election and serve a term of four (4) years, beginning January 1, 2023.

(2) The member first elected from committee district 2 serves a term of two (2) years, beginning January 1, 2019. The successor of the member elected under this subdivision shall be elected at the 2020 general election and serve a term of four (4) years, beginning January 1, 2021.

(3) The member first elected from committee district 3 serves a term of two (2) years, beginning January 1, 2019. The successor of the member elected under this subdivision shall be elected at the 2020 general election and serve a term of four (4) years, beginning January 1, 2021.

(4) The member first elected from committee district 4 serves a term of four (4) years, beginning January 1, 2019. The successor of the member elected under this subdivision shall be elected at the 2022 general election and serve a term of four (4) years, beginning January 1, 2023.

(b) This section expires July 1, 2023.

SECTION 2. IC 3-5-2-29 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 29. **(a)** "Local office" means a circuit office, county office, city office, town office, township office, or other civil office for which the

electorate of a political subdivision votes.

(b) The term includes ~~all elected offices other than~~ **the following:**

(1) An elected member of the Marion County judicial selection committee established by IC 33-33-49-13.1.

(2) Any other elected office that is not a federal, state, legislative, ~~and~~ **or** school board ~~offices.~~ **office.**

SECTION 3. IC 3-8-1-25.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 25.5. (a) As used in this section, "elected member" refers to an elected member of the Marion County judicial selection committee established by IC 33-33-49-13.1.**

(b) In addition to the qualifications established by this chapter, a candidate for an elected member must meet the qualifications established for any other appointed member of the Marion County judicial selection committee under IC 33-33-49-13.1.".

Page 1, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 5. IC 3-10-1-19, AS AMENDED BY P.L.21-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 19. (a) The ballot for a primary election shall be printed in substantially the form described in this section for all the offices for which candidates have qualified under IC 3-8.

(b) The following shall be printed as the heading for the ballot for a political party:

"OFFICIAL PRIMARY BALLOT

_____ Party (insert the name of the political party)".

(c) The following shall be printed immediately below the heading required by subsection (b) or be posted in each voting booth as provided in IC 3-11-2-8(b):

(1) For paper ballots, print: To vote for a person, make a voting mark (X or ✓) on or in the box before the person's name in the proper column.

(2) For optical scan ballots, print: To vote for a person, darken or shade in the circle, oval, or square (or draw a line to connect the arrow) that precedes the person's name in the proper column.

(3) For optical scan ballots that do not contain a candidate's name, print: To vote for a person, darken or shade in the oval that precedes the number assigned to the person's name in the proper column.

(4) For electronic voting systems, print: To vote for a person, touch the screen (or press the button) in the location indicated.

(d) Local public questions shall be placed on the primary election ballot after the heading and the voting instructions described in subsection (c) (if the instructions are printed on the ballot) and before the offices described in subsection (g).

(e) The local public questions described in subsection (d) shall be placed as follows:

(1) In a separate column on the ballot if voting is by paper ballot.

(2) After the heading and the voting instructions described in subsection (c) (if the instructions are printed on the ballot) and before the offices described in subsection (g), in the form specified in IC 3-11-13-11 if voting is by ballot card.

(3) As provided by either of the following if voting is by an electronic voting system:

(A) On a separate screen for a public question.

(B) After the heading and the voting instructions described in subsection (c) (if the instructions are printed on the ballot) and before the offices described in subsection (g), in the form specified in IC 3-11-14-3.5.

(f) A public question shall be placed on the primary election ballot in the following form:

(The explanatory text for the public question, if required by law.)

"Shall (insert public question)?"

[] YES

[] NO

(g) The offices with candidates for nomination shall be placed on the primary election ballot in the following order:

(1) Federal and state offices:

(A) President of the United States.

(B) United States Senator.

(C) Governor.

(D) United States Representative.

(2) Legislative offices:

(A) State senator.

(B) State representative.

(3) Circuit offices and county judicial offices:

(A) Judge of the circuit court, and unless otherwise specified under IC 33, with each division separate if there is more than one (1) judge of the circuit court.

(B) Judge of the superior court, and unless otherwise specified under IC 33, with each division separate if there is more than one (1) judge of the superior court.

(C) Judge of the probate court.

(D) Prosecuting attorney.

(E) Circuit court clerk.

(4) County offices:

(A) County auditor.

(B) County recorder.

(C) County treasurer.

(D) County sheriff.

(E) County coroner.

(F) County surveyor.

(G) County assessor.

(H) County commissioner. This clause applies only to a county that is not subject to IC 36-2-2.5.

(I) Single county executive. This clause applies only to a county that is subject to IC 36-2-2.5.

(J) County council member.

(K) Elected member of the Marion County judicial selection committee.

(5) Township offices:

(A) Township assessor (only in a township referred to in IC 36-6-5-1(d)).

(B) Township trustee.

(C) Township board member.

(D) Judge of the small claims court.

(E) Constable of the small claims court.

(6) City offices:

(A) Mayor.

(B) Clerk or clerk-treasurer.

(C) Judge of the city court.

(D) City-county council member or common council member.

(7) Town offices:

(A) Clerk-treasurer.

(B) Judge of the town court.

(C) Town council member.

(h) The political party offices with candidates for election shall be placed on the primary election ballot in the following order after the offices described in subsection (g):

(1) Precinct committeeman.

(2) State convention delegate.

(i) The local offices to be elected at the primary election shall be placed on the primary election ballot after the offices described in subsection (h).

(j) The offices described in subsection (i) shall be placed as follows:

(1) In a separate column on the ballot if voting is by paper ballot;

(2) After the offices described in subsection (h) in the form specified in IC 3-11-13-11 if voting is by ballot card.

(3) Either:

(A) on a separate screen for each office or public question; or

(B) after the offices described in subsection (h) in the form specified in IC 3-11-14-3.5;

if voting is by an electronic voting system.

SECTION 6. IC 3-10-2-17 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017] **Sec. 17. (a) As used in this section, "selection committee" refers to the Marion County judicial selection committee established by IC 33-33-49-13.1.**

(b) As used in this section, "elected member" refers to a member of the selection committee elected under IC 3-3.5-4.

(c) An elected member shall be elected at the general election held immediately before the term of office for that position on the selection committee expires.".

Page 3, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 9. IC 3-11-2-12, AS AMENDED BY P.L.21-2016, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. The following offices shall be placed on the general election ballot in the following order after the public questions described in section 10(a) of this chapter:

(1) Federal and state offices:

(A) President and Vice President of the United States.

(B) United States Senator.

(C) Governor and lieutenant governor.

(D) Secretary of state.

(E) Auditor of state.

(F) Treasurer of state.

(G) Attorney general.

(H) Superintendent of public instruction.

(I) United States Representative.

(2) Legislative offices:

(A) State senator.

(B) State representative.

(3) Circuit offices and county judicial offices:

(A) Judge of the circuit court, and unless otherwise specified under IC 33, with each division separate if there is more than one (1) judge of the circuit court.

(B) Judge of the superior court, and unless otherwise specified under IC 33, with each division separate if there is more than one (1) judge of the superior court.

(C) Judge of the probate court.

(D) Prosecuting attorney.

(E) Clerk of the circuit court.

(4) County offices:

(A) County auditor.

(B) County recorder.

(C) County treasurer.

(D) County sheriff.

(E) County coroner.

(F) County surveyor.

(G) County assessor.

(H) County commissioner. This clause applies only to a county that is not subject to IC 36-2-2.5.

(I) Single county executive. This clause applies only to a county that is subject to IC 36-2-2.5.

(J) County council member, except as provided in section 12.4 of this chapter.

(K) Elected member of the Marion County judicial selection committee.

(5) Township offices:

(A) Township assessor (only in a township referred to in IC 36-6-5-1(d)).

(B) Township trustee.
(C) Township board member, except as provided in section 12.4 of this chapter.
(D) Judge of the small claims court.
(E) Constable of the small claims court.
(6) City offices:
(A) Mayor.
(B) Clerk or clerk-treasurer.
(C) Judge of the city court.
(D) City-county council member or common council member, except as provided in section 12.4 of this chapter.
(7) Town offices:
(A) Clerk-treasurer.
(B) Judge of the town court.
(C) Town council member, except as provided in section 12.4 of this chapter.".

Page 4, line 39, after "fill" insert "**an open judicial seat or**".
Page 5, line 41, delete ":".
Page 5, line 42, delete "(1)".
Page 5, line 42, after "select" insert "**judges and**".
Page 5, line 42, delete "; and" and insert "**.**".
Page 5, run in lines 41 through 42.
Page 6, delete lines 1 through 2.
Page 6, delete lines 17 through 26, begin a new line block indented and insert:

"**(2) Four (4) members:**
(A) appointed under IC 3-3.5-3.5, before January 1, 2019; and
(B) elected under IC 3-3.5-4, beginning with the 2018 general election.".

Page 6, line 27, delete "(6)" and insert "**(3)**".
Page 6, line 30, delete "County, and at least one (1)" and insert "**County.**".
Page 6, delete lines 31 through 32.
Page 6, line 33, delete "(7)" and insert "**(4)**".
Page 6, line 37, delete "(8)" and insert "**(5)**".
Page 6, line 42, after "appointed" insert "**or elected**".
Page 7, line 12, delete "subsection (c)(7) or (c)(8)." and insert "**subsection (c)(4) or (c)(5).**".
Page 7, line 15, after "officio" insert "**or elected**".
Page 7, line 29, delete "(c)(6)" and insert "**(c)(3)**".
Page 7, delete lines 33 through 36.
Page 7, line 37, delete "(l)" and insert "**(k)**".
Page 7, line 38, delete "(m)" and insert "**(l)**".
Page 7, line 41, delete "(n)" and insert "**(m)**".
Page 7, line 41, delete ":".
Page 7, line 42, delete "(1)".
Page 7, line 42, after "nominate" insert "**and appoint**".
Page 7, run in line 41 through page 8, line 1.
Page 8, line 1, delete "; and" and insert "**.**".
Page 8, delete lines 2 through 3.
Page 8, line 4, delete "(o)" and insert "**(n)**".
Page 8, line 5, delete "(p)" and insert "**(o)**".
Page 8, line 8, delete "(q)" and insert "**(p)**".
Page 8, line 8, delete "subsection (r)" and insert "**subsection (q)**".
Page 8, line 12, after "vacancy" insert "**or open judicial seat**".
Page 8, line 18, delete "(r)" and insert "**(q)**".
Page 8, line 21, delete "or retention on".
Page 8, line 26, delete "(s)" and insert "**(r)**".
Page 8, line 37, delete "retention or".
Page 8, line 40, delete "filed and".
Page 9, line 14, delete "(t)" and insert "**(s)**".
Page 9, line 14, delete "subsection (s)(3)" and insert "**subsection (r)(3)**".
Page 9, line 17, delete "(u)" and insert "**(t)**".
Page 9, line 17, after "nominated" insert "**or appointed**".
Page 9, line 34, delete "(not including" and insert "**;**".
Page 9, line 35, delete "the transitional period described in subsection (h));".
Page 10, line 2, delete "(not including the transitional period described in" and insert "**;**".
Page 10, line 3, delete "subsection (h));".
Page 10, line 18, delete "2021," and insert "**2019,**".
Page 10, line 19, delete "2027," and insert "**2025,**".
Page 10, line 21, delete "2023," and insert "**2021,**".
Page 10, line 22, delete "2029," and insert "**2027,**".
Page 10, line 24, delete "2025," and insert "**2023,**".
Page 10, line 25, delete "2031," and insert "**2029,**".
Page 10, line 31, delete "subsection (c)" and insert "**subsection (d)(2)**".
Page 10, line 31, after "2020;" insert "**and**".
Page 10, line 32, delete "subsection (d)" and insert "**subsection (e)**".
Page 10, line 32, delete "; and" and insert "**.**".
Page 10, delete line 33.
Page 10, line 41, after "clerk" insert "**and the secretary of state**".
Page 11, line 22, after "subsection" insert "**with both the clerk and the secretary of state**".
Page 11, line 27, delete "a statement" and insert "**statements**".
Page 12, delete lines 8 through 42, begin a new paragraph and insert:

"SECTION 11. IC 33-33-49-13.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 13.4. (a) The following definitions apply throughout this section:**
(1) "Open judicial seat" means a judicial office that cannot be filled by a sitting judge because:
(A) the sitting judge:
(i) is retiring after completing the judge's term;
(ii) has lost a retention election;

(iii) was appointed to fill a vacancy and has completed the vacant term; or

(iv) is otherwise leaving office after completing the judge's full term; or

(B) a new court has been created.

(2) "Vacancy" refers to an unfilled judicial office that is created because a judge leaves office before the judge's term has expired.

(b) When the committee learns that an open judicial seat exists or will exist in the court, the committee shall appoint a judge to fill the open judicial seat in accordance with subsection (e).

(c) When the committee learns that a vacancy exists or will exist in the court, the committee shall nominate three (3) candidates for appointment by the governor, in accordance with subsection (f).

(d) In making an appointment or nomination under this section, the committee shall consider the following factors with respect to a candidate:

(1) Law school record, including any academic honors and achievements.

(2) Contribution to scholarly journals and publications, legislative drafting, and legal briefs.

(3) Activities in public service, including:

(A) writings and speeches concerning public or civic affairs that are on public record, including but not limited to campaign speeches or writing, letters to newspapers, and testimony before public agencies;

(B) efforts and achievements in improving the administration of justice; and

(C) other conduct relating to the candidate's profession.

(4) Legal experience, including the number of years of practicing law, the kind of practice involved, and reputation as a trial lawyer or judge.

(5) Probable judicial temperament.

(6) Physical condition, including age, stamina, and possible substance abuse issues.

(7) Personality traits, including the exercise of sound judgment, ability to compromise and conciliate patience, decisiveness, and dedication.

(8) Membership on boards of directors, financial interest, and any other consideration that might create conflict of interest with a judicial office.

(9) Any other pertinent information that the committee considers important in selecting the best qualified candidates for judicial office.

(e) This subsection applies only to an open judicial seat. As soon as practicable after the committee learns of an open judicial seat, the committee shall publicly announce that it is accepting applications from qualified individuals wishing to fill the open judicial seat. The committee shall determine the form and content of the application, establish a timetable for the appointment of the new judge, and schedule one (1) or more hearings to interview qualified applicants and select the individual who will be appointed as judge. To the extent practicable, the committee shall endeavor to interview as many qualified applicants as possible. However, if a large number of applicants have applied for an open judicial seat, the committee may limit itself to interviewing only the most qualified applicants. The committee may conduct multiple interviews. At the conclusion of the interview process, the committee shall appoint the most qualified applicant as judge. The judge serves a term as described in section 13.2 of this chapter and may serve additional continuous terms as long as the judge is retained in office by the electorate.

(f) This subsection applies only to a vacancy. As soon as practicable after the committee learns of a vacancy, the committee shall publicly announce that it is accepting applications from qualified individuals wishing to fill the vacancy. The committee shall determine the form and content of the application, establish a timetable for nominations, and schedule one (1) or more hearings to interview qualified applicants and select nominees to fill the vacancy. To the extent practicable, the committee shall endeavor to interview as many qualified applicants as possible. However, if a large number of applicants have applied to fill a vacancy, the committee may limit itself to interviewing only the most qualified applicants. The committee may conduct multiple interviews. At the conclusion of the interview process, the committee shall nominate the three (3) most qualified candidates and forward their names to the governor, who shall appoint one (1) of the nominees as judge. The judge appointed by the governor under this subsection serves only until the term of the judge's predecessor in office expires and is not eligible to stand for retention at the end of the term. When the term expires, the seat becomes an open judicial seat and shall be filled by the committee in accordance with subsection (e).

(g) In no event may more than fifty-two percent (52%) of the judges serving on the court be members of the same political party.".

Delete pages 13 through 14.

Page 15, delete lines 1 through 18.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1036 as printed January 27, 2017.)

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 Appropriations, to which was referred Engrossed House Bill 1053, has had the same under consideration and begs leave to report the same back

to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 11, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1071, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning criminal law and procedure.

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

"SECTION 1. [EFFECTIVE UPON PASSAGE] **(a) The general assembly urges the legislative council to assign to an appropriate study committee for study during the 2017 legislative interim the topic of permitting persons protected by a civil protection order to carry a handgun without a license for a period of time sufficient to permit the person to obtain a license to carry a handgun.**

(b) This SECTION expires November 1, 2017.".

Delete page 2.

Page 3, delete lines 1 through 39.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1071 as printed February 15, 2017.)
and when so amended that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Engrossed House Bill 1085, 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 17, after "Sec. 1." insert "**(a)**".

Page 2, line 12, delete "A person who removes a domestic animal from a motor" and insert "**(a) Except as provided in subsection (b), a person who forcibly enters a motor vehicle to remove a domestic animal from the motor vehicle is liable for all motor vehicle repair costs directly caused by the forcible entry. The person**".

Page 2, line 13, delete "vehicle".

Page 2, line 13, after "from" insert "**any other criminal or**".

Page 2, line 13, delete "property" and insert "**other**".

Page 2, line 15, delete "from the motor vehicle".

Page 2, after line 36, begin a new paragraph and insert:

"**(b) A law enforcement officer, fire department officer, animal control officer, or other emergency responder who, acting in the course and scope of employment, forcibly enters a motor vehicle to remove a domestic animal from the motor vehicle, is not liable for motor vehicle repair costs under subsection (a).**

Sec. 4. If:

(1) a person forcibly removes a domestic animal from a motor vehicle as described in section 3 of this chapter; and

(2) the domestic animal bites or otherwise physically injures the person during the removal;

the owner of the domestic animal is immune from civil liability for any injuries sustained by the person during the forcible removal of the domestic animal.".

(Reference is to EHB 1085 as printed February 7, 2017.)
and when so amended that said bill do pass.
Committee Vote: Yeas 6, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, 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, line 6, after "is" insert "**designed to be**".

Page 2, line 8, delete "The term includes the following substances:".

Page 2, delete lines 9 through 25.

Page 2, delete line 42.

Delete page 3.

(Reference is to EHB 1104 as reprinted February 22, 2017.)
and when so amended that said bill do pass.
Committee Vote: Yeas 6, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Engrossed House Bill 1144, 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, delete lines 17 through 42, begin a new paragraph and insert:

"SECTION 2. IC 8-16-3.1-4, AS AMENDED BY P.L.182-2009(ss), SECTION 265, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. (a) The

executive of any eligible county may provide a major bridge fund in compliance with IC 6-1.1-41 to make available funding for the following purposes:

(1) The construction of major bridges.

(2) In Allen County, the construction, maintenance, and repair of bridges, approaches, and grade separations with respect to structures other than major bridges.

(3) For an eligible county that is a member of a commuter transportation district established under IC 8-5-15:

(A) making grants to a commuter transportation system (as defined in IC 8-5-15-1) only for the benefit of the commuter transportation system (as defined in IC 8-5-15-1);

(B) making debt service payments for revenue bonds issued under IC 8-5-15-5.4 for a railroad project of a commuter transportation system (as defined in IC 8-5-15-1); and

(C) making grants to the northwest Indiana regional development authority established by IC 36-7.5-2-1 for the benefit of a commuter transportation system (as defined in IC 8-5-15-1), if the northwest Indiana regional development authority has issued bonds for a railroad project of a commuter transportation system (as defined in IC 8-5-15-1).

(b) The executive of any eligible county may levy a tax in compliance with IC 6-1.1-41 not to exceed three and thirty-three hundredths cents ($0.0333) on each one hundred dollars ($100) assessed valuation of all taxable personal and real property within the county to provide for the major bridge fund.

(c) The general assembly finds the following:

(1) Allen County eliminated its levy for a cumulative bridge fund to use its levy authority to fund a juvenile center.

(2) Allen County has more bridges than any other county in Indiana, outside of Marion County: Marion County has five hundred twenty-two (522), Allen County has three hundred fifty-one (351), and Hamilton County has two hundred seventy-seven (277).

(3) Allen County has the largest land area of any county in Indiana.

(4) Allen County is the third largest populated county in Indiana.

(5) Allen County has a heavy manufacturing and industrial base, increasing traffic and wear and tear on streets, roads, and bridges.

(6) Allen County has large temperature fluctuations, leading to increased maintenance costs.

(7) Allen County has three (3) major rivers that come together in the heart of Fort Wayne, which means more bridges are needed in the area due to the infrastructure that accommodates Fort Wayne, the second largest city in Indiana.

(8) Allen County dissolved its cumulative bridge fund in 2002 to provide room in the levy for judicial mandates to build two (2) detention facilities, as the former jail was overcrowded due to the large population.

(9) Allen County has a major bridge fund that is provided to maintain major bridges, but can be used to fund smaller bridges and will not harm the ability of Allen County to pay for obligations caused by judicial mandates.

(10) Expansion of the purposes for Allen County's major bridge fund may be used in Allen County to meet the critical needs in Allen County for the maintenance of bridges other than major bridges in the unincorporated areas of the county.

(d) Because of the findings set forth in subsection (c), except as provided in subsection (e), beginning after June 30, 2009, in Allen County the county executive is responsible for providing funds for the following:

(1) All bridges in unincorporated areas of the county.

(2) All bridges in each municipality in the county that has entered into an interlocal agreement under IC 36-1-7 with the county to provide bridge funds.

(e) Subsection (d) does not apply to providing funds for bridges on the state highway system.".

Page 5, delete lines 1 through 33.

Page 12, line 6, delete "a" and insert "**the**".

Page 12, line 7, after "chapter" insert "**establishing the particular district**".

Page 12, line 27, delete "a retail merchant" and insert "**retail merchants**".

Page 12, line 33, delete "a retail merchant" and insert "**retail merchants**".

Page 12, line 34, delete "merchant's" and insert "**merchants'**".

Page 13, line 8, delete "budget agency." and insert "**department.**".

Page 13, line 21, delete "as".

Page 13, line 22, delete "determined by the department".

Page 13, line 23, after "district" insert "**, as determined by the department**".

Page 13, line 27, delete "state fiscal" and insert "**calendar**".

Page 13, line 29, delete "the" and insert "**a**".

Page 13, line 36, after "line" insert "**, which includes the West Lake corridor project once the preferred alignment has been determined**".

Page 13, delete lines 37 through 38.

Page 13, between lines 40 and 41, begin a new paragraph and insert:

"**Sec. 16. (a) A county that is not a member of the development authority, along with municipalities within the county, may financially participate in the mainline double tracking project and receive the same benefits a member would receive under this chapter. To financially participate,**

a county may become an associate member of the development authority or a cash participant. The county fiscal body must adopt a resolution to make the county a financial participant. The resolution must specify whether the county is choosing to be an associate member of the development authority or a cash participant. If the county chooses to be a cash participant, the resolution must specify whether the county will make a cash payment to the development authority for the county's share of the local part of the state and local cost of the project or will commit to making debt service payments annually for the life of the bonds used to finance the rail project.

(b) The following apply to an associate member county:

(1) The county is a not a full member of the development authority.

(2) The executive of the largest municipality in the county may appoint an individual to serve as a nonvoting member on the development authority board.

(3) The county agrees to pay two million five hundred thousand dollars ($2,500,000) annually to the development authority to cover the following expenses:

(A) The county's share of the cost of the rail project under the final financing plan agreed to by the development authority and the Indiana finance authority, estimated to be one million five hundred thousand dollars ($1,500,000) in annual debt service.

(B) A debt service coverage ratio of one hundred thirty-three percent (133%).

(C) A reserve of five hundred thousand dollars ($500,000) for administrative and issuance costs.

(4) The county must pledge revenue for the membership payment from only property tax revenue or local income tax revenue, or both.

(c) The following apply to a cash participant county:

(1) The county is not an associate or a full member of the development authority.

(2) The county is not entitled to appoint an individual to serve as a voting or nonvoting member on the development authority board.

(3) The county shall make either a cash payment to the development authority for the county's share of the local portion of the state and local cost of the project or shall commit to making debt service payments annually for the life of the bonds.

(4) If the cash payment option is chosen, within one hundred twenty (120) days after the final financing plan is agreed to by the development authority and the Indiana finance authority, the county shall pay to the development authority or the Indiana finance authority the amount of the county's share of the rail project's cost, estimated to be eighteen million two hundred fifty thousand dollars ($18,250,000).

(5) If the annual debt service payments for the life of the bonds option is chosen, before December 31 of each year, the county shall pay to the development authority or the Indiana finance authority the amount of the county's annual share of the project's cost under the final financing plan negotiated by the development authority and the Indiana finance authority, estimated to be two million dollars ($2,000,000) annually, to cover the following expenses:

(A) An estimated one million five hundred thousand dollars ($1,500,000) in annual debt service.

(B) A debt service coverage ratio of one hundred thirty-three percent (133%).

The county must pledge revenue for the debt service payment from only property tax revenue or local income tax revenue, or both. The property tax and local income tax incremental revenues from a district located in a municipality shall be distributed to the municipality's redevelopment commission.

(6) Money in a fund of a redevelopment commission established by a county or municipality that is not otherwise committed for other purposes may be used to make payments required by this subsection.

(d) The following apply to a county that is an associate member of the development authority or a cash participant county:

(1) By becoming an associate member or a cash participant, the county agrees to a state intercept provision that will remain in force for the life of the state bonds used to fund the rail project construction.

(2) The amount attributable to any debt service coverage reserve provided by a county shall be returned to the county at the end of the first ten (10) year period less the issuance and administrative costs incurred by the development authority and the Indiana finance authority.

(3) The property tax increment revenue and local income tax increment revenue within a district shall be used by the development authority and the municipality's redevelopment commission only to fund development projects within that district.

(4) Each year, the development authority or the Indiana finance authority shall reconcile the total actual costs of the rail project compared to the total costs of the rail project used to determine a county's payments under this section. To the extent the total actual costs of the rail project are less than the total rail project costs used to determine payment amounts, the development authority or the Indiana finance authority shall distribute twenty-five percent (25%) of the total amount to the county. To the extent the total actual rail project costs are greater than the total rail project costs used to determine payment amounts, the county shall

pay to the development authority or the Indiana finance authority twenty-five percent (25%) of the total amount.

(5) The state shall capture state sales tax revenue and state income tax revenue within the district for the duration of the district's existence.

(e) The development authority shall report annually to the budget agency and to all the members and participating counties on the amount of the issuance costs and administrative costs incurred in the preceding year.".

Page 13, line 41, delete "16." and insert "**17.**".

Page 13, line 42, after "district." insert "**Before establishing a transit development district, the development authority shall consult with the municipality in which the district will be located.**".

Page 14, between lines 3 and 4, begin a new line block indented and insert:

"**(1) Only one (1) district may be established with regard to each train station or regular train stop.**".

Page 14, line 4, delete "(1)" and insert "**(2)**".

Page 14, line 4, after "member" insert "**or associate member**".

Page 14, line 5, after "authority" insert "**or a financially participating county under this chapter**".

Page 14, line 6, delete "(2)" and insert "**(3)**".

Page 14, line 6, delete "one (1)" and insert "**five-tenths (0.5) of a**".

Page 14, line 8, delete "(3)" and insert "**(4)**".

Page 14, line 8, after "regular" insert "**train**".

Page 14, line 9, delete "contiguous to" and insert "**located within**".

Page 14, line 11, delete "(4)" and insert "**(5)**".

Page 14, between lines 11 and 12, begin a new line blocked left and insert:

"**The area of a district may include a tax area established under IC 36-7-14 before January 1, 2017.**".

Page 14, line 19, after "expanded" insert "**up to seventy-five hundredths (0.75) of a square mile**".

Page 14, line 19, after "the" insert "**other**".

Page 14, between lines 28 and 29, begin a new paragraph and insert:

"**(e) The establishment of a district does not provide the development authority with any powers or preempt any authority of a political subdivision having jurisdiction in the district concerning the regulation of property or its uses, including planning and zoning provisions of the political subdivision.**".

Page 14, line 29, delete "(e)" and insert "**(f)**".

Page 14, between lines 33 and 34, begin a new paragraph and insert:

"**Sec. 18. If a district is established, the following apply to the administration and use of incremental property tax revenue in the district:**

(1) The department of local government finance shall adjust the base assessed value to neutralize any effect of a reassessment and the annual adjustment of the real property in the district in the same manner as provided in IC 36-7-14-39(h).

(2) Proceeds of the property taxes approved by the voters in a referendum or local public question shall be allocated to and, when collected, paid into the funds of the taxing unit for which the referendum or local public question was conducted in the same manner as provided in IC 36-7-14-39(b)(2).

(3) Incremental property tax revenue may be used only for one (1) or more of the following purposes for a district:

(A) To finance the improvement, construction, reconstruction, renovation, and acquisition of real and personal property improvements within a district.

(B) To pay the principal of and interest on any obligations that are incurred by the development authority for the purpose of financing or refinancing development in the district, including local public improvements that are physically located in or physically connected to the district.

(C) To establish, augment, or restore the debt service reserve for bonds payable solely or in part from incremental property tax revenue from the district.

(D) To pay premiums on the redemption before maturity of bonds payable solely or in part from incremental property tax revenue from the district.

(E) To make payments on leases payable from incremental property tax revenue from the district.

(F) To reimburse a municipality in which a district is located for expenditures made by the municipality for local public improvements that are physically located in or physically connected to the district.

(G) To reimburse a municipality for rentals paid by the municipality for a building or parking facility that is physically located in or physically connected to the district under any lease entered into under IC 36-1-10.

(H) To pay expenses incurred by the development authority for local public improvements that are in the district or serving the district.

Sec. 19. (a) There is established a steering committee to provide information and guidance to the development authority on development within the districts.

(b) The steering committee is comprised of one (1) individual appointed by the executive of each municipality in which a district could be established. A member of the steering committee serves a one (1) year term that ends December 31 each year. A member may serve additional

terms. The appointing executive may replace a member at the executive's discretion.

(c) A chairperson of the steering committee shall be selected annually by the members.

(d) The steering committee shall meet quarterly or upon the call of the chairperson. At each quarterly meeting:

(1) the development authority shall present a progress report on development within the district to the steering committee; and

(2) the steering committee shall provide the development authority with information and guidance on development within the district.".

Page 14, line 34, delete "17." and insert "**20.**".

Page 14, line 35, after "fund." insert "**The development authority shall establish a separate account in the fund for each district. If more than one (1) municipality has territory within the district, a subaccount shall be established for each municipality.**".

Page 14, line 37, after "deposit" insert "**in the appropriate district account**".

Page 15, line 1, after "income tax" insert "**increment**".

Page 15, line 1, after "property tax" insert "**increment**".

Page 15, line 2, delete "transit".

Page 15, line 3, delete "development district" and insert "**district**".

Page 15, line 6, delete "18." and insert "**21.**".

Page 15, line 8, after "authority" insert "**, or the redevelopment commission that would otherwise receive the incremental property tax revenues under IC 36-7-14 in the case of a cash participant county,**".

Page 15, line 9, delete "amount of the".

Page 15, line 10, after "district" insert "**in the amount**".

Page 15, line 15, delete "must enter into" and insert "**and the redevelopment commission receiving property tax revenues under IC 36-7-14 shall use their best efforts to come to an agreement on how much property tax increment revenue will be allocated between the development authority and the redevelopment commission, recognizing that any existing obligations of the redevelopment commission would have priority over any later obligations of the development authority. The county auditor**".

Page 15, delete lines 16 through 19.

Page 15, line 20, delete "agreed upon".

Page 15, line 24, after "received" insert "**in the appropriate district account**".

Page 15, line 26, delete "19." and insert "**22. The development authority shall use its best efforts to maximize the amount of local income tax increment revenue and property tax increment revenue that will be distributed to the political subdivisions that would otherwise receive the revenue, taking into consideration the revenue needed by the development authority for debt service, debt service coverage ratio requirements, excess reserve requirements, and anticipated cash needs for the near term.**".

Page 15, line 27, delete "each" and insert "**every**".

Page 15, line 39, delete "20." and insert "**23.**".

Page 16, line 1, after "funding" insert "**and pay costs**".

Page 16, line 5, after "chapter." insert "**Costs may be incurred for one (1) or more of the following:**

(1) Planning and development of the improvement and all buildings, facilities, structures, and improvements related to the improvement.

(2) Acquisition of a site and clearing and preparing the site for construction.

(3) Equipment, facilities, structures, and improvements that are necessary or desirable to make the capital improvement suitable for use and operations.

(4) Architectural, engineering, consultant, and attorney's fees.

(5) Incidental expenses in connection with the issuance and sale of bonds.

(6) Reserves for principal and interest.

(7) Interest during construction.

(8) Financial advisory fees.

(9) Insurance during construction.

(10) Bond insurance, debt service reserve insurance, letters of credit, or other credit enhancement.

(11) In the case of refunding or refinancing, payment of the principal of, redemption premiums (if any) for, and interest on the bonds being refunded or refinanced.".

Page 16, line 10, delete "21." and insert "**24.**".

Page 16, line 24, delete "provided".

Page 16, line 26, delete "22." and insert "**25.**".

Page 16, line 29, delete "for the budget agency".

Page 16, line 29, after "tax" insert "**increment revenue**".

Page 16, line 40, delete "provide the budget agency with" and insert "**use**".

Page 17, line 1, delete "23." and insert "**26.**".

Page 17, line 4, after "or" insert "**gross retail tax**".

Page 17, line 7, delete "corridor" and insert "**district**".

Page 17, line 11, after "or" insert "**gross retail tax**".

Page 17, line 13, delete "corridor" and insert "**district**".

Page 17, line 20, after "the" insert "**gross retail tax**".

Page 17, delete lines 21 through 28, begin a new paragraph and insert:

"**Sec. 27. (a) If a district is established, the treasurer of state shall establish a local income tax increment fund and an account for each district established under this chapter for deposit of local income tax increment revenue for that district.**".

Page 18, line 1, delete "25." and insert "**28.**".

Page 18, line 12, delete "base".

Page 18, line 16, delete "budget agency" and insert "**department**".

Page 18, between lines 21 and 22, begin a new line block indented and insert:

"**(4) The extent to which the state income tax increment revenue and gross retail tax increment revenue certified under this subsection for all districts exceed the sum of the amounts previously appropriated by the general assembly to the development authority for rail projects (including any amounts appropriated for debt service payments made by the Indiana finance authority for a rail project).**".

Page 18, line 23, delete "do the following:" and insert "**distribute from a district's account within the local income tax increment fund to the development authority on or before the twentieth day of each month one-twelfth (1/12) of the lesser of:**

(1) the amount of local income tax increment revenue specified by the development authority; or

(2) the certified local income tax increment revenue amount for that district.".

Page 18, delete lines 24 through 40.

Page 18, line 42, after "receives" insert "**in the appropriate district account**".

Page 19, line 2, delete "26." and insert "**29.**".

Page 19, line 7, delete "beyond" and insert "**that is greater than**".

Page 19, line 9, delete "27." and insert "**30.**".

Page 19, delete lines 16 through 21.

Page 19, line 22, delete "(b)" and insert "**Sec. 31.**".

Page 19, line 26, after "remaining in" insert "**each district's account (or municipality's subaccount) in**".

Page 19, delete lines 28 through 29 and insert "**distributed to the redevelopment commission of the municipality in which each district is located, or to the municipality if a redevelopment commission does not exist.**".

Page 19, line 30, delete "29." and insert "**32.**".

Page 19, line 34, delete "30." and insert "**33.**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1144 as printed February 20, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

HERSHMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Engrossed House Bill 1148, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 5, begin a new paragraph and insert:

"SECTION 1. IC 4-13-18-6, AS ADDED BY P.L.160-2006, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) A contractor's employee drug testing program must satisfy all of the following:

(1) Each of the contractor's employees must be subject to a drug test at least one (1) time each year.

(2) Subject to subdivision (1), the contractor's employees must be tested randomly. At least two percent (2%) of the contractor's employees must be randomly selected each month for testing.

(3) The program must contain at least a five (5) drug panel that tests for the following:

(A) Amphetamines.

(B) Cocaine.

(C) Opiates (2000 ng/ml).

(D) PCP.

(E) THC.

(4) The program must impose progressive discipline on an employee who fails a drug test. The discipline must have at least the following progression:

(A) After the first positive test, an employee must be:

(i) suspended from work for thirty (30) days;

(ii) directed to a program of treatment or rehabilitation; and

(iii) subject to unannounced drug testing for one (1) year, beginning the day the employee returns to work.

(B) After a second positive test, an employee must be:

(i) suspended from work for ninety (90) days;

(ii) directed to a program of treatment or rehabilitation; and

(iii) subject to unannounced drug testing for one (1) year, beginning the day the employee returns to work.

(C) After a third or subsequent positive test, an employee must be:

(i) suspended from work for one (1) year;

(ii) directed to a program of treatment or rehabilitation; and

(iii) subject to unannounced drug testing for one (1) year, beginning the day the employee returns to work.

The program may require dismissal of the employee after any positive drug test or other discipline more severe than is described in this subdivision.

(b) An employer complies with the requirement of subsection (a) to direct an employee to a program of treatment or rehabilitation if the employer does either of the following:

(1) Advises the employee of any program of treatment or rehabilitation covered by insurance provided by the employer.

(2) If the employer does not provide insurance that covers drug treatment or rehabilitation programs, the employer advises the employee of agencies known to the employer that provide drug treatment or rehabilitation programs.

(c) A positive result on a drug test due solely to an employee's use of cannabidiol (as defined in IC 16-42-28-2) in compliance with IC 16-42-28 is not considered a positive test for purposes of this section.

SECTION 2. IC 16-18-2-45.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 45.5. "Cannabidiol", for purposes of IC 16-42-28, has the meaning set forth in IC 16-42-28-2.**

SECTION 3. IC 16-18-2-48.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 48.7. "Caregiver", for purposes of IC 16-42-28, has the meaning set forth in IC 16-42-28-1.**

SECTION 4. IC 16-18-2-163, AS AMENDED BY P.L.117-2015, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 163. (a) "Health care provider", for purposes of IC 16-21 and IC 16-41, means any of the following:

(1) An individual, a partnership, a corporation, a professional corporation, a facility, or an institution licensed or legally authorized by this state to provide health care or professional services as a licensed physician, a psychiatric hospital, a hospital, a health facility, an emergency ambulance service (IC 16-31-3), a dentist, a registered or licensed practical nurse, a midwife, an optometrist, a pharmacist, a podiatrist, a chiropractor, a physical therapist, a respiratory care practitioner, an occupational therapist, a psychologist, a paramedic, an emergency medical technician, an advanced emergency medical technician, an athletic trainer, or a person who is an officer, employee, or agent of the individual, partnership, corporation, professional corporation, facility, or institution acting in the course and scope of the person's employment.

(2) A college, university, or junior college that provides health care to a student, a faculty member, or an employee, and the governing board or a person who is an officer, employee, or agent of the college, university, or junior college acting in the course and scope of the person's employment.

(3) A blood bank, community mental health center, community intellectual disability center, community health center, or migrant health center.

(4) A home health agency (as defined in IC 16-27-1-2).

(5) A health maintenance organization (as defined in IC 27-13-1-19).

(6) A health care organization whose members, shareholders, or partners are health care providers under subdivision (1).

(7) A corporation, partnership, or professional corporation not otherwise qualified under this subsection that:

(A) provides health care as one (1) of the corporation's, partnership's, or professional corporation's functions;

(B) is organized or registered under state law; and

(C) is determined to be eligible for coverage as a health care provider under IC 34-18 for the corporation's, partnership's, or professional corporation's health care function.

Coverage for a health care provider qualified under this subdivision is limited to the health care provider's health care functions and does not extend to other causes of action.

(b) "Health care provider", for purposes of IC 16-35, has the meaning set forth in subsection (a). However, for purposes of IC 16-35, the term also includes a health facility (as defined in section 167 of this chapter).

(c) "Health care provider", for purposes of IC 16-36-5 and IC 16-36-6, means an individual licensed or authorized by this state to provide health care or professional services as:

(1) a licensed physician;

(2) a registered nurse;

(3) a licensed practical nurse;

(4) an advanced practice nurse;

(5) a certified nurse midwife;

(6) a paramedic;

(7) an emergency medical technician;

(8) an advanced emergency medical technician; or

(9) an emergency medical responder, as defined by section 109.8 of this chapter.

The term includes an individual who is an employee or agent of a health care provider acting in the course and scope of the individual's employment.

(d) "Health care provider", for purposes of section 1.5 of this chapter and IC 16-40-4, means any of the following:

(1) An individual, a partnership, a corporation, a professional corporation, a facility, or an institution licensed or authorized by the state to provide health care or professional services as a licensed physician, a psychiatric hospital, a hospital, a health facility, an emergency ambulance service (IC 16-31-3), an ambulatory outpatient surgical center, a dentist, an optometrist, a pharmacist, a podiatrist, a chiropractor, a psychologist, or a person who is an officer, employee, or agent of the individual, partnership, corporation, professional corporation, facility, or institution acting in the course and scope of the person's employment.

(2) A blood bank, laboratory, community mental health center, community intellectual disability center, community health center, or migrant health center.

(3) A home health agency (as defined in IC 16-27-1-2).

(4) A health maintenance organization (as defined in IC 27-13-1-19).

(5) A health care organization whose members, shareholders, or partners are health care providers under

subdivision (1).

(6) A corporation, partnership, or professional corporation not otherwise specified in this subsection that:

(A) provides health care as one (1) of the corporation's, partnership's, or professional corporation's functions;

(B) is organized or registered under state law; and

(C) is determined to be eligible for coverage as a health care provider under IC 34-18 for the corporation's, partnership's, or professional corporation's health care function.

(7) A person that is designated to maintain the records of a person described in subdivisions (1) through (6).

(e) "Health care provider", for purposes of IC 16-42-28, has the meaning set forth in subsection (a). However, for purposes of IC 16-42-28, the term also includes a pharmacy and an advanced practice nurse.

~~(e)~~ **(f)** "Health care provider", for purposes of IC 16-45-4, has the meaning set forth in 47 CFR 54.601(a).

SECTION 5. IC 16-18-2-191.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 191.7. "Treatment resistant epilepsy", for purposes of IC 16-42-28, has the meaning set forth in IC 16-42-28-3.**

SECTION 6. IC 16-18-2-253.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 253.6. "Nurse", for purposes of IC 16-42-28, has the meaning set forth in IC 16-42-28-4.**

SECTION 7. IC 16-18-2-272 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 272. (a) "Patient", for purposes of IC 16-27-1, has the meaning set forth in IC 16-27-1-6.

(b) "Patient", for ~~the~~ purposes of IC 16-28 and IC 16-29, means an individual who has been accepted and assured care by a health facility.

(c) "Patient", for purposes of IC 16-36-1.5, has the meaning set forth in IC 16-36-1.5-3.

(d) "Patient", for purposes of IC 16-39, means an individual who has received health care services from a provider for the examination, treatment, diagnosis, or prevention of a physical or mental condition.

(e) "Patient", for purposes of IC 16-42-28, has the meaning set forth in IC 16-42-28-5.

SECTION 8. IC 16-18-2-282, AS AMENDED BY P.L.6-2012, SECTION 111, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 282. (a) "Physician", except as provided in subsections (b) ~~and (c),~~ **through (d),** means a licensed physician (as defined in section 202 of this chapter).

(b) "Physician", for purposes of IC 16-41-12, has the meaning set forth in IC 16-41-12-7.

(c) "Physician", for purposes of IC 16-37-1-3.1 and IC 16-37-3-5, means an individual who:

(1) was the physician last in attendance (as defined in section 282.2 of this chapter); or

(2) is licensed under IC 25-22.5.

(d) "Physician", for purposes of IC 16-42-28, has the meaning set forth in IC 16-42-28-6.

~~(d)~~ **(e)** "Physician", for purposes of IC 16-48-1, is subject to IC 16-48-1-2.

SECTION 9. IC 16-42-28 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 28. Drugs: Use of Cannabidiol for the Treatment of Epilepsy

Sec. 1. As used in this chapter, "caregiver" refers to a parent, legal guardian, health care representative, or custodian of an individual who has been diagnosed with treatment resistant epilepsy by a physician.

Sec. 2. As used in this chapter, "cannabidiol" means an extract from a cannabis plant or a mixture or preparation containing cannabis plant material that:

(1) is composed of not more than three-tenths percent (0.3%) tetrahydrocannabinol (THC) by weight, based on the dry weight of the plant;

(2) is composed of at least five percent (5%) cannabidiol by weight, based on the dry weight of the plant; and

(3) contains no other controlled substances.

Sec. 3. As used in this chapter, "treatment resistant epilepsy" means:

(1) Dravet syndrome;

(2) Lennox-Gastaut syndrome; or

(3) another seizure disorder in a patient who has not responded to at least two (2) other seizure disorder treatment options that have been provided in good faith;

if the syndrome or disorder has been examined and diagnosed by a physician.

Sec. 4. As used in this chapter, "nurse" means an individual licensed under IC 25-23.

Sec. 5. As used in this chapter, "patient" refers to an individual

who has been diagnosed with treatment resistant epilepsy by a physician.

Sec. 6. As used in this chapter, "physician" means an individual who:

(1) is licensed under IC 25-22.5; and

(2) is board certified in neurology.

Sec. 7. (a) The state department shall develop and implement a cannabidiol registry for the registration of:

(1) physicians;

(2) patients;

(3) caregivers; and

(4) nurses;

for the use of cannabidiol in the treatment of patients who have been diagnosed with treatment resistant epilepsy.

(b) The cannabidiol registry must include a secure, electronic online data base that is accessible by law enforcement agencies in order to verify the registration of an individual.

(c) The state department shall register a physician or nurse who:

(1) meets the requirements of this chapter;

(2) submits a completed registration form issued by the state department; and

(3) pays the registration fee.

(d) The state department shall register and issue an individual described in subsection (a)(2) or (a)(3) a registration card under this section only if the individual meets the following requirements:

(1) The individual is:

(A) a caregiver at least eighteen (18) years of age; or

(B) a patient.

(2) The individual is an Indiana resident.

(3) The individual provides a certified statement by a physician registered under this section that a patient in the care of the caregiver meets the following requirements:

(A) The patient has been examined and diagnosed by the physician to have treatment resistant epilepsy.

(B) The patient has been recommended by the physician for treatment by cannabidiol for the treatment resistant epilepsy.

(4) The patient submits a completed registration application.

(5) The patient pays the registration fee set by the state department.

(e) The state department shall develop the cannabidiol registration application. The registration application for a caregiver must ask for the following information:

(1) The caregiver's name and address.

(2) The patient's name and address.

(3) A copy of the caregiver's valid government issued photo identification card.

(4) Any other relevant information the state department considers necessary to implement this section.

(f) The state department shall charge a registration fee of not more than fifty dollars ($50) for an individual's initial registration under this section to cover the costs of implementing and administering the cannabidiol registry. The state department may adopt rules under IC 4-22-2 permitting a fee reduction or fee waiver for a patient who is indigent.

(g) Registration under this section is valid for one (1) year from the date of issuance, unless the physician requests a shorter expiration date. The state department shall renew registration under this section for an individual if the initial registration is current or has been updated by the individual and the individual continues to meet the registration requirements under this chapter. The state department shall charge a renewal fee of not more than twenty-five dollars ($25). The state department may adopt rules under IC 4-22-2 permitting a fee reduction or fee waiver for a patient who is indigent.

Sec. 8. When a patient or caregiver registers for the cannabidiol registry, the state department shall contact and provide the local department of health where the patient or caregiver resides with the following information:

(1) The name and address of the patient or caregiver.

(2) Identifying information contained on the patient's or caregiver's registration card.

(3) Any other information the state department determines is necessary to disclose.

Sec. 9. (a) The state department shall establish and maintain a pilot study registry for the monitoring of research performed by a state educational institution as described in IC 21-45-7 concerning the safety and efficacy of using cannabidiol in the treatment of treatment resistant epilepsy.

(b) A physician or the state educational institution seeking to conduct research described in subsection (a) shall submit to the state department an application to be included in the pilot study registry that includes the following information:

(1) The name of the pilot study.

(2) The name of the affiliated state educational institution.

(3) The scientific and clinical parameters of the pilot study.

(4) The protocols established to ensure patient safety.

(5) The name and address of any physician associated with the pilot study.

(6) Any other information considered necessary by the state department in order to determine the safety and evidence based nature of the pilot study.

A physician may not conduct the research described in subsection (a) until the pilot study has been certified by the state department under subsection (c).

(c) The state department shall review each application submitted under subsection (b) and include the pilot study on the registry described in subsection (a) only after the state department determines and certifies that the proposed pilot study does the following:

(1) Adheres to minimum scientific methods.

(2) Protects patient safety.

(d) The state department may monitor a registered pilot study under this section to ensure that the physician adheres to the requirements set forth in subsection (c).

(e) A physician who has been approved for the pilot study registry shall do the following while conducting the pilot study research approved under this section:

(1) Maintain records of the evaluations and observations of a patient participating in the pilot study, including the patient's response to the cannabidiol treatment.

(2) Transmit the records described in subdivision (1) to the state department upon the state department's request.

(f) The state department may charge a fee to cover implementation and administration of the registry established under this section.

Sec. 10. The state department shall maintain any medical records obtained under this chapter as confidential, and the medical records may not be disclosed to the public.

Sec. 11. (a) A physician who is registered and conducting a registered pilot study under this chapter may approve the dispensing or use of cannabidiol to a registered caregiver or registered patient for the treatment of treatment resistant epilepsy.

(b) A physician or nurse registered under this chapter and any health care provider, entity, or state educational institution assisting in or collaborating with the physician in regard to the pilot study permitted under this chapter are immune from civil, criminal, and administrative liability for approving or making use of cannabidiol in the treatment of a patient diagnosed with treatment resistant epilepsy if the patient is validly registered under this chapter.

Sec. 12. (a) The state department shall study whether the registration under section 7 of this chapter should, based on sound medical findings, be extended to other individuals with treatment resistant medical conditions.

(b) Before November 1, 2018, the state department shall provide its findings under subsection (a) to the general assembly in an electronic format under IC 5-14-6.

Sec. 13. A health care provider is immune from civil and criminal liability if the patient who possesses the cannabidiol or the parent, guardian, or caretaker of the patient who possesses the cannabidiol presents and shows to a health care provider:

(1) a registration card authorized under this chapter; or

(2) an equivalent authorization from another jurisdiction and the health care provider reasonably relies in good faith on the representation from the patient or the parent, guardian, or caretaker of the patient that the authorization is valid in that jurisdiction.

Sec. 14. If a patient or the parent, guardian, or caretaker of the patient presents at a facility of a health care provider and shows to the health care provider:

(1) a registration card authorized under this chapter; or

(2) an equivalent authorization from another jurisdiction and the health care provider reasonably relies in good faith on the representation from the patient or the parent, guardian, or caretaker of the patient that the authorization is valid in that jurisdiction;

the health care provider is not required to administer the cannabidiol and, instead, may require the patient or the parent, guardian, or caretaker of the patient to self administer the cannabidiol.

Sec. 15. The department shall review the practices used in other states that permit the use of cannabidiol by patients suffering from treatment resistant epilepsy, and shall approve, for purposes of IC 35-48-4-10 through IC 35-48-4-11 a state having the same standards for and safeguards concerning cannabidiol as Indiana.

Sec. 16. The state department may adopt rules under IC 4-22-2 necessary to implement this chapter.

SECTION 10. IC 21-45-7 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 7. Research on Cannabidiol for Treatment of Epilepsy

Sec. 1. As used in this chapter, "cannabidiol" has the meaning set forth in IC 16-42-28-2.

Sec. 2. As used in this chapter, "treatment resistant epilepsy" has the meaning set forth in IC 16-42-28-3.

Sec. 3. The state encourages state educational institutions that perform medical research and that are affiliated with a physician registered under IC 16-42-28 to:

(1) conduct research by the physician; and

(2) participate in clinical studies or trials;

concerning the safety and efficacy of using cannabidiol in the treatment of treatment resistant epilepsy.

SECTION 11. IC 25-26-24 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 24. Dispensing Cannabidiol

Sec. 1. As used in this chapter, "cannabidiol" has the meaning set forth in IC 16-42-28-2.

Sec. 2. A pharmacist may dispense cannabidiol if all of the following conditions are met:

(1) The pharmacist stores the cannabidiol behind the counter.

(2) The pharmacist dispenses the cannabidiol only to a person holding a valid registration card issued by the Indiana state department of health, as described in IC 16-42-28-7.

(3) The pharmacist dispenses the cannabidiol only to a person who possesses a valid government issued photo identification.

(4) The pharmacist dispenses no more than one (1) thirty (30) day supply of cannabidiol in any one (1) thirty (30) day period to any one (1) person who meets the requirements of subdivisions (2) and (3).

(5) The cannabidiol is packaged in a container labeled with the origin, volume, and concentration by weight of total THC, including its precursors and derivatives, and cannabidiol.

(6) The pharmacist is in compliance with all other state and federal laws.

Sec. 3. Notwithstanding any other law, a pharmacist and any person employing the pharmacist is immune from civil, criminal, and administrative liability based on dispensing cannabidiol if the:

(1) pharmacist complies with section 2 of this chapter; and

(2) dispensing of cannabidiol does not constitute gross negligence or willful or wanton misconduct.

For purposes of this section, dispensing cannabidiol does not constitute gross negligence or willful or wanton misconduct solely because cannabidiol has not been approved by a state or federal agency or is not legal in another jurisdiction.

SECTION 12. IC 34-30-2-83.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 83.9. (a) IC 16-42-28-11 (Concerning making use of cannabidiol in the treatment of treatment resistant epilepsy).**

(b) IC 16-42-28-13 (Concerning possession of cannabidiol).

SECTION 13. IC 34-30-2-101.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 101.9. IC 25-26-24-3 (Concerning a pharmacist who dispenses cannabidiol under IC 25-26-24).**

SECTION 14. IC 35-48-1-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. **(a) Except as provided in subsection (b),** "controlled substance" means a drug, substance, or immediate precursor in schedule I, II, III, IV, or V under:

(1) IC 35-48-2-4, IC 35-48-2-6, IC 35-48-2-8, IC 35-48-2-10, or IC 35-48-2-12, if IC 35-48-2-14 does not apply; or

(2) a rule adopted by the board, if IC 35-48-2-14 applies.

(b) For the following purposes, the term does not include cannabidiol used in compliance with IC 16-42-28:

(1) A condition of a probation.

(2) A condition of parole.

(3) A condition of a pretrial diversion program.

(4) A condition of participation in a community corrections program.

(5) A condition of participation in a forensic diversion program.

(6) A condition of a community transition program under IC 11-10-11.5.

(7) An order in a dispositional decree under IC 31-34-20 to participate in a family dependency drug court if the individual is a parent, guardian, or another household member of a child adjudicated a child in need of services.

(8) A condition of an informal adjustment program.

(9) A condition of a program authorized by the:

(A) judge of a problem solving court; and

(B) department of correction or the county sheriff.

(10) A condition of pretrial release.

SECTION 15. IC 35-48-4-8.5, AS AMENDED BY P.L.208-2015, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8.5. (a) A person who keeps for sale, offers for sale, delivers, or finances the delivery of a raw material, an instrument, a device, or other object that is intended to be or that is designed or marketed to be used primarily for:

(1) ingesting, inhaling, or otherwise introducing into the human body marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance;

(2) testing the strength, effectiveness, or purity of marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance;

(3) enhancing the effect of a controlled substance;

(4) manufacturing, compounding, converting, producing, processing, or preparing marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance;

(5) diluting or adulterating marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance by individuals; or

(6) any purpose announced or described by the seller that is in violation of this chapter;

commits a Class A infraction for dealing in paraphernalia.

(b) A person who knowingly or intentionally violates subsection (a) commits a Class A misdemeanor. However, the offense is a Level 6 felony if the person has a prior unrelated judgment or conviction under this section.

(c) This section does not apply to the following:

(1) Items marketed for use in the preparation, compounding, packaging, labeling, or other use of marijuana, hash oil, hashish, salvia, a synthetic drug, or a controlled substance as an incident to lawful research, teaching, or chemical analysis and not for sale.

(2) Items marketed for or historically and customarily used in connection with the planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, or inhaling of tobacco or any other lawful substance.

(3) A qualified entity (as defined in IC 16-41-7.5-3) that provides a syringe or needle as part of a program under IC 16-41-7.5.

(4) Any entity or person that provides funding to a qualified entity (as defined in IC 16-41-7.5-3) to operate a

program described in IC 16-41-7.5.

(5) A physician described in IC 16-42-28 who:

(A) has been approved by the state department of health under IC 16-42-28 to make use of cannabidiol in the treatment of a patient for treatment resistant epilepsy in a pilot study research described in IC 16-42-28; and

(B) is making use of the cannabidiol in the treatment of the registered individual diagnosed with treatment resistant epilepsy.

(6) A physician, patient, nurse, or caregiver who is registered under IC 16-42-28 for the use of cannabidiol in the treatment of treatment resistant epilepsy only if the cannabidiol is being used:

(A) for the person; and

(B) in the manner;

approved by the state department of health for the purposes of the registry.

SECTION 16. IC 35-48-4-10, AS AMENDED BY P.L.44-2016, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) A person who:

(1) knowingly or intentionally:

(A) manufactures;

(B) finances the manufacture of;

(C) delivers; or

(D) finances the delivery of;

marijuana, hash oil, hashish, or salvia, pure or adulterated; or

(2) possesses, with intent to:

(A) manufacture;

(B) finance the manufacture of;

(C) deliver; or

(D) finance the delivery of;

marijuana, hash oil, hashish, or salvia, pure or adulterated; commits dealing in marijuana, hash oil, hashish, or salvia, a Class A misdemeanor, except as provided in subsections (b) through (d).

(b) A person may be convicted of an offense under subsection (a)(2) only if:

(1) there is evidence in addition to the weight of the drug that the person intended to manufacture, finance the manufacture of, deliver, or finance the delivery of the drug; or

(2) the amount of the drug involved is at least:

(A) ten (10) pounds, if the drug is marijuana; or

(B) three hundred (300) grams, if the drug is hash oil, hashish, or salvia.

(c) The offense is a Level 6 felony if:

(1) the person has a prior conviction for a drug offense and the amount of the drug involved is:

(A) less than thirty (30) grams of marijuana; or

(B) less than five (5) grams of hash oil, hashish, or salvia; or

(2) the amount of the drug involved is:

(A) at least thirty (30) grams but less than ten (10) pounds of marijuana; or

(B) at least five (5) grams but less than three hundred (300) grams of hash oil, hashish, or salvia.

(d) The offense is a Level 5 felony if:

(1) the person has a prior conviction for a drug dealing offense and the amount of the drug involved is:

(A) at least thirty (30) grams but less than ten (10) pounds of marijuana; or

(B) at least five (5) grams but less than three hundred (300) grams of hash oil, hashish, or salvia; or

(2) the:

(A) amount of the drug involved is:

(i) at least ten (10) pounds of marijuana; or

(ii) at least three hundred (300) grams of hash oil, hashish, or salvia; or

(B) offense involved a sale to a minor.

(e) This section does not apply to the following:

(1) A physician described in IC 16-42-28 who:

(A) has been approved by the state department of health under IC 16-42-28 to make use of cannabidiol in the treatment of a patient for treatment resistant epilepsy in a pilot study research described in IC 16-42-28; and

(B) is making use of the cannabidiol in the treatment of the registered individual diagnosed with treatment resistant epilepsy.

(2) A physician, patient, nurse, or caregiver who is registered under IC 16-42-28 for the use of cannabidiol in the treatment of treatment resistant epilepsy only if the cannabidiol is being used:

(A) for the person; and

(B) in the manner;

approved by the state department of health for the purposes of the registry.

(f) It is a defense to a prosecution under this section that:

(1) the person is a physician, patient, nurse, or caregiver registered under IC 16-42-28 for the use of cannabidiol;

(2) the person reasonably believed that the substance possessed by the person was cannabidiol as defined by IC 16-42-28-2;

(3) the person obtained the substance from a pharmacy or other entity authorized by a governmental agency in:

(A) Indiana, Kentucky, or Missouri to dispense cannabidiol; or

(B) another state approved by the state department of health as having the same standards for and safeguards concerning cannabidiol as Indiana; and

(4) the substance is packaged in a container labeled with the origin, volume, and concentration by weight of total THC, including its precursors and derivatives, and cannabidiol.".

Page 2, delete lines 6 through 35, begin a new paragraph and insert:

"**(d) This section does not apply to the following:**

(1) A physician described in IC 16-42-28 who:

(A) has been approved by the state department of health under IC 16-42-28 to make use of cannabidiol in the treatment of a patient for treatment resistant epilepsy in a pilot study research described in IC 16-42-28; and

(B) is making use of the cannabidiol in the treatment of the registered individual diagnosed with treatment resistant epilepsy.

(2) A physician, patient, nurse, or caregiver who is validly registered under IC 16-42-28 for the use of cannabidiol in the treatment of treatment resistant epilepsy only if the cannabidiol is being used:

(A) for the person; and

(B) in the manner;

approved by the state department of health for the purposes of the registry.

(e) It is a defense to a prosecution under this section that:

(1) the person is a physician, patient, nurse, or caregiver registered under IC 16-42-28 for the use of cannabidiol;

(2) the person reasonably believed that the substance possessed by the person was cannabidiol as defined by IC 16-42-28-2;

(3) the person obtained the substance from a pharmacy or other entity authorized by a governmental agency in:

(A) Indiana, Kentucky, or Missouri to dispense cannabidiol; or

(B) another state approved by the state department of health as having the same standards for and safeguards concerning cannabidiol as Indiana; and

(4) the substance is packaged in a container labeled with the origin, volume, and concentration by weight of total THC, including its precursors and derivatives, and cannabidiol.

SECTION 17. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1148 as printed February 17, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 2.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Engrossed House Bill 1218, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 17, delete "(6);" and insert "**(5);**".

Page 2, line 18, delete "Alternative" and insert "**Alternatives**".

Page 6, line 10, strike "and".

Page 6, line 12, delete "." and insert "; **and**

(6) funding a court appointed forensic advocate program (as described in IC 35-36-12) for persons who are on probation, are supervised by a community corrections program, or are participating in a pretrial diversion program.".

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

"SECTION 3. IC 31-9-2-133.1, AS ADDED BY P.L.46-2016, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 133.1. "Victim of human or sexual trafficking", for purposes of IC 31-34-1-3.5, refers to a child who is recruited, harbored, transported, or engaged in:

(1) forced labor;

(2) involuntary servitude;

(3) prostitution;

(4) juvenile prostitution, as defined in IC 35-31.5-2-178.5;

~~(4)~~ **(5)** child exploitation, as defined in IC 35-42-4-4(b);

~~(5)~~ **(6)** marriage, unless authorized by a court under IC 31-11-1-6; or

~~(6)~~ **(7)** trafficking for the purpose of prostitution, **juvenile prostitution,** or participation in sexual conduct as defined in IC 35-42-4-4(a)(4).".

Page 7, line 36, delete "may" and insert "**shall**".

Page 8, line 12, delete "may" and insert "**shall**".

Page 8, line 19, after "similar" insert "**human trafficking**".

Page 8, line 28, delete "that the child was a trafficked" and insert: "**that:**

(1) the child was a trafficked child at the time the child performed the delinquent act that resulted in the adjudication;

(2) the delinquent act did not result in bodily injury to another person; and

(3) at the time the child committed the delinquent act, the child was:

(A) coerced by; or

(B) under the control of;

another person.".

Page 8, delete lines 29 through 31.

Page 9, delete lines 2 through 14.

Page 10, line 22, delete "(a) Subject to".

Page 10, line 23, delete "subsections (b) and (c), the" and insert "The".

Page 10, delete lines 26 through 32.

Page 10, after line 32, begin a new paragraph and insert:

"SECTION 10. IC 35-31.5-2-178.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 178.5. "Juvenile prostitution" means an act by a person less than eighteen (18) years of age that would be a crime described in IC 35-45-4-2(a) if committed by an individual at least eighteen (18) years of age.**

SECTION 11. IC 35-38-10 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 10. Convictions of Trafficked Persons

Sec. 1. As used in this chapter, "trafficked person" means a person who was the victim of human trafficking (IC 35-42-3.5), or a substantially similar human trafficking offense committed in another jurisdiction, regardless of whether the person who committed the human trafficking offense was charged, tried, or convicted.

Sec. 2. A person who committed an offense that did not result in bodily injury to another person is entitled to have the person's conviction vacated if the person proves by a preponderance of the evidence that:

(1) the person was a trafficked person at the time the person committed the offense;

(2) the offense did not result in bodily injury to another person; and

(3) at the time the person committed the offense, the person was:

(A) coerced; or

(B) under the control of;

another person.

Sec. 3. A person may bring an action to enforce the right described in section 2 of this chapter in accordance with the Indiana rules of postconviction relief.

SECTION 12. IC 35-42-3.5-1, AS AMENDED BY P.L.13-2016, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) A person who, by force, threat of force, or fraud, knowingly or intentionally recruits, harbors, or transports another person:

(1) to engage the other person in:

(A) forced labor; or

(B) involuntary servitude; or

(2) to force the other person into:

(A) marriage;

(B) prostitution; or

(C) participating in sexual conduct (as defined by IC 35-42-4-4);

commits promotion of human trafficking, a Level 4 felony.

(b) A person who knowingly or intentionally recruits, harbors, or transports a child less than:

(1) eighteen (18) years of age with the intent of:

(A) engaging the child in:

(i) forced labor; or

(ii) involuntary servitude; or

(B) inducing or causing the child to:

(i) engage in prostitution **or juvenile prostitution;** or

(ii) engage in a performance or incident that includes sexual conduct in violation of IC 35-42-4-4(b) or IC 35-42-4-4(c) (child exploitation); or

(2) sixteen (16) years of age with the intent of inducing or causing the child to participate in sexual conduct (as defined by IC 35-42-4-4);

commits promotion of human trafficking of a minor, a Level 3 felony. Except as provided in subsection (e), it is not a defense to a prosecution under this subsection that the child consented to engage in prostitution **or juvenile prostitution** or to participate in sexual conduct.

(c) A person who is at least eighteen (18) years of age who knowingly or intentionally sells or transfers custody of a child less than eighteen (18) years of age for the purpose of prostitution, **juvenile prostitution,** or participating in sexual conduct (as defined by IC 35-42-4-4) commits sexual trafficking of a minor, a Level 2 felony.

(d) A person who knowingly or intentionally pays, offers to pay, or agrees to pay money or other property to another person for an individual who the person knows has been forced into:

(1) forced labor;

(2) involuntary servitude; or

(3) prostitution **or juvenile prostitution;**

commits human trafficking, a Level 5 felony.

(e) It is a defense to a prosecution under subsection (b)(2) if:

(1) the child is at least fourteen (14) years of age but less than sixteen (16) years of age and the person is less than eighteen (18) years of age; or

(2) all the following apply:

(A) The person is not more than four (4) years older than the victim.

(B) The relationship between the person and the victim was a dating relationship or an ongoing personal relationship. The term "ongoing personal relationship" does not include a family relationship.

(C) The crime:

(i) was not committed by a person who is at least twenty-one (21) years of age;

(ii) was not committed by using or threatening the use of deadly force;

(iii) was not committed while armed with a deadly weapon;

(iv) did not result in serious bodily injury;

(v) was not facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing

that the victim was furnished with the drug or controlled substance without the victim's knowledge; and

(vi) was not committed by a person having a position of authority or substantial influence over the victim.

(D) The person has not committed another sex offense (as defined in IC 11-8-8-5.2), including a delinquent act that would be a sex offense if committed by an adult, against any other person.

SECTION 13. IC 35-45-1-5, AS ADDED BY P.L.59-2016, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) As used in this section, "common nuisance" means a building, structure, vehicle, or other place that is used for (1) or more of the following purposes:

(1) To buy an alcoholic beverage in violation of IC 7.1-5-10-5.

(2) To unlawfully use, keep, or sell a legend drug.

(3) To unlawfully:

(A) use;

(B) manufacture;

(C) keep;

(D) offer for sale;

(E) sell;

(F) deliver; or

(G) finance the delivery of;

a controlled substance or an item of drug paraphernalia (as described in IC 35-48-4-8.5).

(4) To provide a location for a person to pay, offer to pay, or agree to pay money or other property to another person for an individual whom the person knows has been forced into:

(A) forced labor;

(B) involuntary servitude; or

(C) prostitution **or juvenile prostitution.**

(5) To provide a location for a person to commit a violation of IC 35-42-3.5-1(a) through IC 35-42-3.5-1(d) (human trafficking).

(b) A person who knowingly or intentionally visits a common nuisance described in subsections (a)(1) through (a)(4) commits visiting a common nuisance. The offense is a:

(1) Class B misdemeanor if the common nuisance is used for the unlawful:

(A) sale of an alcoholic beverage as set forth in subsection (a)(1); ~~or~~

(B) use, keeping, or sale of a legend drug as set forth in subsection (a)(2); or

(C) use, manufacture, keeping, offer for sale, sale, delivery, or financing the delivery of a controlled substance or item of drug paraphernalia (as described in IC 35-48-4-8.5), as set forth in subsection (a)(3);

(2) Class A misdemeanor if:

(A) the common nuisance is used as a location for a person to pay, offer to pay, or agree to pay for a person who has been forced into forced labor, involuntary servitude, ~~or~~ prostitution, **or juvenile prostitution** as set forth in subsection (a)(4); or

(B) the person knowingly, intentionally, or recklessly takes a person less than eighteen (18) years of age or an endangered adult (as defined in IC 12-10-3-2) into a common nuisance used to unlawfully:

(i) use;

(ii) manufacture;

(iii) keep;

(iv) offer for sale;

(v) sell;

(vi) deliver; or

(vii) finance the delivery of;

a controlled substance or an item of drug paraphernalia, as set forth in subsection (a)(3); and

(3) Level 6 felony if the person:

(A) knowingly, intentionally, or recklessly takes a person less than eighteen (18) years of age or an endangered adult (as defined in IC 12-10-3-2) into a common nuisance used to unlawfully:

(i) use;

(ii) manufacture;

(iii) keep;

(iv) offer for sale;

(v) sell;

(vi) deliver; or

(vii) finance the delivery of;

a controlled substance or an item of drug paraphernalia, as set forth in subsection (a)(3); and

(B) has a prior unrelated conviction for a violation of this section involving a controlled substance or drug paraphernalia.

(c) A person who knowingly or intentionally maintains a common nuisance commits maintaining a common nuisance, a Level 6 felony.

SECTION 14. IC 35-45-4-2, AS AMENDED BY P.L.23-2015, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) A person **at least eighteen (18) years of age** who knowingly or intentionally:

(1) performs, or offers or agrees to perform, sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5); or

(2) fondles, or offers or agrees to fondle, the genitals of another person;

for money or other property commits prostitution, a Class A misdemeanor. However, the offense is a Level 6 felony if the person has two (2) prior convictions under this section.

(b) It is a defense to a prosecution under this section that the person was

~~(1) a child (as defined in IC 35-47-10-3); and~~

~~(2)~~ a victim or an alleged victim of an offense under IC 35-42-3.5-1

at the time the person engaged in the prohibited conduct.

SECTION 15. IC 35-45-4-4, AS AMENDED BY P.L.158-2013, SECTION 528, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. **(a) As used in this section, "juvenile prostitution victim" means a person less than eighteen (18) years of age who engages in juvenile prostitution.**

(b) A person who:

(1) knowingly or intentionally entices or compels another person to become a prostitute **or juvenile prostitution victim;**

(2) knowingly or intentionally procures, or offers or agrees to procure, a person for another person for the purpose of prostitution **or juvenile prostitution;**

(3) having control over the use of a place, knowingly or intentionally permits another person to use the place for prostitution **or juvenile prostitution;**

(4) receives money or other property from a prostitute **or juvenile prostitution victim,** without lawful consideration, knowing it was earned in whole or in part from prostitution **or juvenile prostitution;** or

(5) knowingly or intentionally conducts or directs another person to a place for the purpose of prostitution **or juvenile prostitution;**

commits promoting prostitution, a Level 5 felony. However, the offense is a Level 4 felony under subdivision (1) if the person enticed or compelled is ~~under~~ **less than** eighteen (18) years of age.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1218 as printed February 10, 2017.)

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 Health and Provider Services, to which was referred Engrossed House Bill 1337, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 5, delete "and facility costs related" and insert ":".

Page 2, delete line 6.

Page 2, line 20, after "provider," insert "**as**".

Page 2, line 20, delete "office, who meets the" and insert "**office to be eligible, providing a covered telemedicine service.**".

Page 2, delete lines 21 through 22.

Page 2, after line 42, begin a new paragraph and insert:

"SECTION 2. IC 25-1-9.5-1, AS ADDED BY P.L.78-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) This chapter does not prohibit a provider, **prescriber,** insurer, or patient from agreeing to an alternative location of the patient ~~or~~ provider, **or prescriber** to conduct telemedicine.

(b) This chapter does not supersede any other statute concerning a provider **or prescriber** who provides health care to a patient.

SECTION 3. IC 25-1-9.5-2, AS ADDED BY P.L.78-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. As used in this chapter, "distant site" means a site at which a ~~provider~~ **prescriber** is located while providing health care services through telemedicine.".

Page 3, line 3, strike ""provider"" and insert "**"prescriber"**".

Page 3, delete lines 13 through 23, begin a new paragraph and insert:

"SECTION 5. IC 25-1-9.5-5, AS ADDED BY P.L.78-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. As used in this chapter, "store and forward" means the transmission of a patient's medical information from an originating site to the ~~provider~~ **prescriber** at a distant site without the patient being present.".

Page 3, line 26, strike "provider" and insert "**prescriber**".

Page 3, line 30, strike "provider" and insert "**prescriber**".

Page 3, line 32, after "between the" strike "provider" and insert "**prescriber**".

Page 3, line 33, strike "provider" and insert "**prescriber**".

Page 3, line 37, strike "provider" and insert "**prescriber**".

Page 4, line 2, strike "provider's" and insert "**prescriber's**".

Page 4, line 3, strike "provider" and insert "**prescriber**".

Page 4, line 4, strike "or".

Page 4, line 4, delete "." and insert ", **or podiatrist.**".

Page 4, line 15, after "the" strike "provider" and insert "**prescriber**".

Page 4, line 19, strike "provider" and insert "**prescriber**".

Page 4, line 21, delete "provider" and insert "**prescriber**".

Page 4, line 25, delete "provider" and insert "**prescriber**".

Page 4, line 26, delete "may" and insert "**shall**".

Page 4, line 34, delete "UPON PASSAGE]:" and insert "JULY 1, 2017]:".

Page 4, line 34, after "8." insert "**(a)**".

Page 4, line 34, strike "provider" and insert "**prescriber**".

Page 4, line 36, strike "provider" and insert "**prescriber**".

Page 4, line 38, strike "provider" and insert "**prescriber**".

Page 4, line 40, strike "provider" and insert "**prescriber**".

Page 4, line 41, strike "provider's" and insert "**prescriber's**".

Page 4, line 42, after "prescription" insert ":

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

(B)".

Page 5, delete line 10, begin a new paragraph and insert:

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

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

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

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

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

(5) The prescriber complies with the requirements of the INSPECT program (IC 35-48-7).

(c) A prescription for a controlled substance under this section must be prescribed and dispensed in accordance with IC 35-48-7.

SECTION 7. IC 25-1-9.5-9, AS ADDED BY P.L.78-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. (a) A ~~provider~~ **prescriber** who is physically located outside Indiana is engaged in the provision of health care services in Indiana when the ~~provider:~~ **prescriber:**

(1) establishes a provider-patient relationship under this chapter with; or

(2) determines whether to issue a prescription under this chapter for;

an individual who is located in Indiana.

(b) A ~~provider~~ **prescriber** described in subsection (a) may not establish a provider-patient relationship under this chapter with or issue a prescription under this chapter for an individual who is located in Indiana unless the ~~provider~~ **prescriber** and the ~~provider's~~ **prescriber's** employer or the ~~provider's~~ **prescriber's** contractor, for purposes of providing health care services under this chapter, have certified in writing to the Indiana professional licensing agency, in a manner specified by the Indiana professional licensing agency, that the ~~provider~~ **prescriber** and the ~~provider's~~ **prescriber's** employer or ~~provider's~~ **prescriber's** contractor agree to be subject to:

(1) the jurisdiction of the courts of law of Indiana; and

(2) Indiana substantive and procedural laws;

concerning any claim asserted against the ~~provider,~~ **prescriber,** the ~~provider's~~ **prescriber's** employer, or the ~~provider's~~ **prescriber's** contractor arising from the provision of health care services under this chapter to an individual who is located in Indiana at the time the health care services were provided. The filing of the certification under this subsection shall constitute a voluntary waiver by the ~~provider,~~ **prescriber,** the ~~provider's~~ **prescriber's** employer, or the ~~provider's~~ **prescriber's** contractor of any respective right to avail themselves of the jurisdiction or laws other than those specified in this subsection concerning the claim. However, a ~~provider~~ **prescriber** that practices predominately in Indiana is not required to file the certification required by this subsection.

(c) A ~~provider~~ **prescriber** shall renew the certification required under subsection (b) at the time the ~~provider~~ **prescriber** renews the ~~provider's~~ **prescriber's** license.

(d) A ~~provider's~~ **prescriber's** employer or a ~~provider's~~ **prescriber's** contractor is required to file the certification required by this section only at the time of initial certification.

SECTION 8. IC 25-1-9.5-10, AS ADDED BY P.L.78-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. (a) A ~~provider~~ **prescriber** who violates this chapter is subject to disciplinary action under IC 25-1-9.

(b) A ~~provider's~~ **prescriber's** employer or a ~~provider's~~ **prescriber's** contractor that violates this section commits a Class B infraction for each act in which a certification is not filed as required by section 9 of this chapter.

SECTION 9. IC 25-1-9.5-11, AS ADDED BY P.L.78-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. A pharmacy does not violate this chapter if the pharmacy fills a prescription for ~~a controlled substance~~ **an opioid** and the pharmacy is unaware that the prescription was written by a ~~provider~~ **prescriber** providing telemedicine services under this chapter.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1337 as reprinted February 22, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Environmental Affairs, to which was referred Engrossed House Bill 1344, 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 14, delete "(a) In each calendar year:" and insert "**The department shall conduct testing of the water supply for East Chicago. Testing shall be conducted in such a way as to determine whether the water supply for East Chicago is in compliance with the requirements of 40 CFR 141, Subpart I, the national primary drinking water regulations for lead and copper.**".

Page 3, delete lines 15 through 29.

(Reference is to EHB 1344 as printed February 10, 2017.)
and when so amended that said bill do pass.
Committee Vote: Yeas 6, Nays 0.

ECKERTY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1382, 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, after "corporation" insert "**that is incorporated or**".

Page 2, line 6, delete "(a)".

Page 2, delete lines 20 through 21.

Page 2, line 34, after "transfer" insert "**of all charter school records, including student records, to the department, and**".

Page 7, line 35, delete "any".

Page 7, line 37, delete "," and insert "**that is not otherwise the protected intellectual property of the education service provider; and**".

Page 7, delete line 38.

Page 9, delete lines 29 through 38.

Page 9, line 41, delete "An" and insert "**(a) Subject to subsection (b),** an".

Page 10, between lines 5 and 6, begin a new paragraph and insert:

"**(b) If an authorizer and an organizer mutually agree in writing to an extension under subsection (a), the extension may be for not more than fifteen (15) days.**".

Page 13, line 25, delete "30" and insert "**1**".

Page 13, line 28, delete "30" and insert "**1**".

Page 16, delete lines 38 through 42, begin a new paragraph and insert:

"SECTION 19. IC 20-24-6-5, AS AMENDED BY P.L.6-2012, SECTION 129, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) At least ninety percent (90%) of the individuals who teach full time in a charter school must either:

(1) hold ~~a~~ **any** license **or permit** to teach in a public school in Indiana ~~under~~ **described in:**

(A) IC 20-28-5; or

(B) rules adopted by the state board concerning the licensing of teachers; or

(2) be in the process of obtaining a license to teach in a public school in Indiana under the transition to teaching program established by IC 20-28-4-2.

~~unless the charter school requests and the state board approves a waiver for a lower percentage.~~

~~(b) An individual who does not qualify under subsection (a) may teach full time in a charter school if the individual meets one (1) of the following criteria:~~

~~(1) The individual is in the process of obtaining a license to teach in a charter school in Indiana under IC 20-28-5-16.~~

~~(2) The individual holds at least a bachelor's degree with a grade point average of at least three (3.0) on a four (4.0) point scale from an accredited postsecondary educational institution in the content or related area in which the individual teaches.~~

~~Individuals qualifying under this subsection may not exceed ten percent (10%) of the full time teaching staff unless the charter school requests and the state board approves a waiver for a higher percentage.~~

~~(c)~~ **(b)** An individual described in subsection (a)(2) must complete the transition to teaching program not later than three (3) years after beginning to teach at a charter school.

~~(d) An individual who holds a part-time teaching position in a charter school must hold at least a bachelor's degree with a grade point average of at least three (3.0) on a four (4.0) point scale from an accredited postsecondary educational institution in the content or related area in which the individual teaches.~~

~~(e)~~ **(c)** An individual who provides to students in a charter school a service:

(1) that is not teaching; and

(2) for which a license is required under Indiana law;

must have the appropriate license to provide the service in Indiana.".

Page 17, delete lines 1 through 38.

Page 18, line 30, delete "seventy-five percent (75%)" and insert "**fifty percent (50%)**".

Page 20, line 8, after "applicable" insert "**federal and state**".

Page 20, line 19, after "order" insert "**any**".

Page 20, line 20, delete "deficiency, including, but not limited" and insert "**deficiency; or**".

Page 20, delete lines 21 through 23.

Page 20, line 24, delete "(3)" and insert "**(2)**".

Page 20, delete lines 25 through 30, begin a new paragraph and insert:

"SECTION 23. IC 20-24-9-4.5, AS ADDED BY P.L.280-2013, SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4.5. (a) Before any charter school closure decision, an authorizer shall develop a charter school closure protocol to ensure timely notification to parents, orderly transition of:

(1) all charter school records, including student records, to the department; and

(2) students and student records to new schools;

and proper disposition of school funds, property, and assets.

(b) If a charter school closes for any reason, the authorizer shall oversee and work with the closing charter school to ensure a smooth and orderly closure and transition for students and

parents, as guided by the closure protocol.

SECTION 24. IC 20-24-9-4.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 4.6. In addition to the transfer of student records to new schools as described in section 4.5(a)(2) of this chapter, if a charter school closes for any reason, the organizer shall ensure the transfer of all charter school records, including student records, to the department.**".

Page 21, line 39, strike "subsection" and insert "**subsections**".

Page 21, line 39, delete "," and insert "**and (d),**".

Page 22, between lines 18 and 19, begin a new paragraph and insert:

"**(d) A participating innovation network charter school with a curriculum that includes study in a foreign country may deny admission to a student if:**

(1) the student:

(A) has completed fewer than twenty-two (22) academic credits required for graduation; and

(B) will be in the grade 11 cohort during the school year in which the student seeks to enroll in the participating innovation network charter school; or

(2) the student has been suspended (as defined in IC 20-33-8-7) or expelled (as defined in IC 20-33-8-3) during the twelve (12) months immediately preceding the student's application for enrollment for:

(A) ten (10) or more school days;

(B) a violation under IC 20-33-8-16;

(C) causing physical injury to a student, a school employee, or a visitor to the school; or

(D) a violation of a school corporation's drug or alcohol rules.

For purposes of subdivision (2)(A), student discipline received under IC 20-33-8-25(b)(7) for a violation described in subdivision (2)(B) through (2)(D) shall be included in the calculation of the number of school days that a student has been suspended.".

Page 22, line 19, strike "(d)" and insert "**(e)**".

Page 22, line 28, strike "(e)" and insert "**(f)**".

Page 26, after line 27, begin a new paragraph and insert:

"SECTION 31. IC 20-31-4-1.1, AS ADDED BY P.L.169-2016, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1.1. ~~Other than sections 1, 2, 3, 4, and 17 of this chapter, this chapter does not apply to a~~ **(a) The state board shall accredit a school that:**

(1) becomes a charter school **under IC 20-24; and**

(2) complies with the requirements under IC 20-24.

(b) An authorizer (as defined in IC 20-24-1-2.5) of a charter school shall be responsible for ensuring that the charter school is in compliance with applicable legal standards as determined by the state board.

(c) This chapter, with the exception of this section, does not apply to a charter school.

SECTION 32. IC 20-51-4-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 3.5. An eligible school shall annually submit to the department, as evidence of the eligible school's financial stability, a financial report concerning the eligible school in a form and manner prescribed by the department.**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1382 as reprinted February 7, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 3.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1384, 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 22 through 42.

Page 4, delete lines 1 through 26, begin a new paragraph and insert:

"SECTION 5. IC 20-26-13-11, AS AMENDED BY P.L.229-2007, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. (a) A student who has left school is not included in clauses (A) through (I) of STEP THREE of the formula established in section 10 of this chapter unless the school ~~corporation~~ can provide written proof that the student has left the school for one (1) of the reasons set forth in clauses (A) through (I) of STEP THREE of section 10 of this chapter. If the location of the student is unknown to the school, the principal of the school shall send a certified letter to the last known address of the student, inquiring about the student's whereabouts and status. If the student is not located after the certified letter is delivered or if no response is received, the principal may submit the student's information, including last known address, parent or guardian name, student testing number, and other pertinent data to the state attendance officer. The state attendance officer, using all available state data and any other means available, shall attempt to locate the student and report the student's location and school enrollment status to the principal so that the principal can appropriately send student records to the new school or otherwise document the student's status.

(b) The department shall conduct a review of each school's graduation cohort on a schedule determined by the department.

~~(b)~~ **(c)** If a school ~~corporation~~ cannot provide written proof that a student should be included in clauses (A) through (I) of STEP THREE of section 10 of this chapter, the student is considered a dropout.

SECTION 6. IC 20-26-13-11.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 11.3. (a) A public school may not classify a student as, or apply an exit code or description to a student that indicates that the student is, leaving a cohort for the reason described in section 10 STEP THREE clause (B) of this chapter unless the public school has substantial evidence that the parent or guardian of the student initiated the student leaving the cohort.**

(b) Upon request by the department, the public school shall provide a copy of evidence described in subsection (a) for any student the school classifies, or to whom the school applies an exit code or description, as described in subsection (a).

(c) The state board shall adopt rules under IC 4-22-2 to implement this section.

SECTION 7. IC 20-26-13-12, AS AMENDED BY P.L.45-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. For each high school, the department shall calculate an estimated graduation rate that is determined by the total number of graduates for the reporting year divided by the total number of students enrolled in grade 9 at the school three (3) years before the reporting year. ~~For any school where the difference between the estimated graduation rate and the number determined under STEP FIVE of section 10 of this chapter is more than five percent (5%), the department shall request the data used in determining that the missing students are classified under one (1) or more of clauses (A) through (I) of STEP THREE of section 10 of this chapter.~~".

Page 5, delete lines 10 through 18.

Page 6, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 11. IC 20-31-8-3, AS AMENDED BY P.L.239-2015, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) The state board shall establish a number of categories, using an "A" through "F" grading scale, to designate performance based on the individual student academic performance and growth to proficiency in each school.

(b) The state board, in consultation with the department, shall define "low population schools" and shall determine the criteria for placing low population schools in categories established under subsection (a). In setting the definition and criteria for low population schools, the state board shall not penalize schools based on population. An eligible school (as defined in IC 20-51-1-4.7) may not be penalized under IC 20-51-4-9 for the sole reason that the eligible school is considered a low population school under this subsection. The state board's definition and criteria may include the placement of a school that fits the state board's definition in a "null" or "no letter grade" category.

(c) In developing metrics for the categories established under subsection (a), the state board, in consultation with the department, to the extent not inconsistent with federal law, shall consider the severity of tested students' disabilities when using ISTEP scores as a means of assessing school performance.

(d) In developing metrics for the categories established under subsection (a), the state board shall consider the mobility of high school students who are credit deficient and whether any high school should be rewarded for enrolling credit deficient students or penalized for transferring out credit deficient students.".

Page 6, delete lines 21 through 32, begin a new paragraph and insert:

"**(b) For each school year beginning after June 30, 2018, the department shall make a report regarding the performance of high mobility schools. The report must indicate for each high mobility school the performance of the mobile students and the performance of students who are determined not to be mobile. The report shall be posted on the department's Internet web site each year on a date determined by the department.**".

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

"SECTION 16. IC 20-51-4-7, AS AMENDED BY P.L.106-2016, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. (a) The department shall administer this chapter.

(b) The department shall approve an application for an eligible school within fifteen (15) days after the date the school requests to participate in the choice scholarship program.

(c) The department shall approve an application for a choice scholarship student within fifteen (15) days after the date the student requests to participate in the choice scholarship program.

(d) Each year, at a minimum, the department shall accept applications from March 1 through September 1 for eligible schools for the upcoming school year.

(e) Each year, at a minimum, the department shall accept applications for choice scholarship students from:

(1) March 1 through September 1 for the upcoming school year; and

(2) ~~September 2~~ **November 1** through January 15 for the spring semester of the current school year.

(f) This chapter may not be construed in a manner that would impose additional requirements for approving an application for an eligible school placed in a "null" or "no letter grade" category established under IC 20-31-8-3(b).

(g) The department shall adopt rules under IC 4-22-2 to implement this chapter.

(h) The department may adopt emergency rules under IC 4-22-2-37.1 to implement this chapter.".

Page 9, between lines 31 and 32, begin a new paragraph and insert:

"SECTION 19. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "legislative council" refers to the legislative council created by IC 2-5-1.1-1.**

(b) Before December 1, 2017, the department of workforce development shall commission the Indiana Literacy Association to do the following:

(1) Prepare and submit a report as described in subsection (c) to the legislative council in an electronic format under IC 5-14-6.

(2) Present the report required under this SECTION to the state workforce innovation council.

(c) The report must identify reading and math literacy programs (or the portion of programs) that serve adults who are at least eighteen (18) years of age that exist throughout Indiana and identify for each program:

(1) the types of services offered;

(2) the number of people served on an annual basis through each service offered;

(3) the source and amount of funding;

(4) the number of staff;

(5) the estimated unmet need;

(6) to what extent the program tracks employment and further job training and higher education outcomes; and

(7) the extent to which low literacy is a barrier to future employment and career advancement.

(d) This SECTION expires December 1, 2018.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1384 as reprinted February 23, 2017.)
and when so amended that said bill do pass.
Committee Vote: Yeas 7, Nays 4.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1391, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 35, delete "subcontractor" and insert "**contractor**".

Page 2, line 37, after "Commission" insert "**,**".

Page 2, line 37, after "Accreditation" insert "**,**".

(Reference is to EHB 1391 as printed February 7, 2017.)
and when so amended that said bill do pass.
Committee Vote: Yeas 7, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

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

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

"SECTION 1. IC 25-1-8-2, AS AMENDED BY P.L.197-2007, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) Notwithstanding any other provision regarding the fees to be assessed by a board **and except as provided in section 9 of this chapter,** a board shall establish by rule and cause to be collected fees for the following:

(1) Examination of applicants for licensure, registration, or certification.

(2) Issuance, renewal, or transfer of a license, registration, or certificate.

(3) Restoration of an expired license, registration, or certificate when such action is authorized by law.

(4) Issuance of licenses by reciprocity or endorsement for out-of-state applicants.

(5) Issuance of board or committee reciprocity or endorsements for practitioners licensed, certified, or registered in Indiana who apply to another state for a license.

No fee shall be less than ten dollars ($10) unless the fee is collected under a rule adopted by the board which sets a fee for miscellaneous expenses incurred by the board on behalf of the practitioners the board regulates.

(b) Fees established by statute shall remain in effect until replaced by a new fee adopted by rule under this section.

(c) In no case shall the fees be less than are required to pay all of the costs, both direct and indirect, of the operation of the board.

(d) For the payment of fees, a board shall accept cash, a draft, a money order, a cashier's check, and a certified or other personal check. If a board receives an uncertified personal check for the payment of a fee and if the check does not clear the bank, the board may void the license, registration, or certificate for which the check was received.

(e) Unless designated by rule, a fee is not refundable.

(f) A board shall charge a fee of not more than twenty-five dollars ($25) for the issuance of a duplicate license, registration, or certificate.

SECTION 2. IC 25-1-8-6, AS AMENDED BY P.L.3-2014, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. (a) As used in this section, "board" means any of the entities described in IC 25-0.5-10.

(b) This section does not apply to a license, certificate, or registration that has been revoked or suspended.

(c) Notwithstanding any other law regarding the reinstatement of a delinquent or lapsed license, certificate, or registration and except as provided in ~~section~~ **sections** 8 **and 9** of this chapter, the holder of a license, certificate, or registration that was issued by the board that is three (3) years or less delinquent must be reinstated upon meeting the following requirements:

(1) Submission of the holder's completed renewal application.

(2) Payment of the current renewal fee established by the board under section 2 of this chapter.

(3) Payment of a reinstatement fee established by the Indiana professional licensing agency.

(4) If a law requires the holder to complete continuing education as a condition of renewal, the holder:

(A) shall provide the board with a sworn statement, signed by the holder, that the holder has fulfilled the continuing education requirements required by the board; or

(B) shall, if the holder has not complied with the continuing education requirements, meet any requirements imposed under IC 25-1-4-5 and IC 25-1-4-6.

(d) Notwithstanding any other law regarding the reinstatement of a delinquent or lapsed license, certificate, or registration and except as provided in ~~section~~ **sections** 8 **and 9** of this chapter, unless a statute specifically does not allow a license, certificate, or registration to be reinstated if it has lapsed for more than three (3) years, the holder of a license, certificate, or registration that was issued by the board that is more than three (3) years delinquent must be reinstated upon meeting the following requirements:

(1) Submission of the holder's completed renewal application.

(2) Payment of the current renewal fee established by the board under section 2 of this chapter.

(3) Payment of a reinstatement fee equal to the current initial application fee.

(4) If a law requires the holder to complete continuing education as a condition of renewal, the holder:

(A) shall provide the board with a sworn statement, signed by the holder, that the holder has fulfilled the continuing education requirements required by the board; or

(B) shall, if the holder has not complied with the continuing education requirements, meet any requirements imposed under IC 25-1-4-5 and IC 25-1-4-6.

(5) Complete such remediation and additional training as deemed appropriate by the board given the lapse of time involved.

(6) Any other requirement that is provided for in statute or rule that is not related to fees.

SECTION 3. IC 25-1-8-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 9. (a) This section applies to fees assessed by a board after June 30, 2017, for an action described in section 2(a) of this chapter related to the initial issuance or reinstatement of a license, registration, or certification, including tests, inspections, and other activities that are a condition of the initial issuance or reinstatement of a license, registration, or certification.**

(b) After June 30, 2017, a board shall waive fees related to the initial issuance or reinstatement of a license, registration, or certification, including tests, inspections, and other activities that are a condition of the initial issuance or reinstatement of a license, registration, or certification, if:

(1) the combined adjusted gross income (as defined in Section 62 of the Internal Revenue Code) of:

(A) the applicant and the applicant's spouse; and

(B) any other individuals living together with the applicant at one (1) residence as a domestic unit with mutual economic dependency;

for the calendar year preceding the year in which an application to issue, or reinstate is made did not exceed one hundred twenty percent (120%) of the federal poverty level;

(2) the applicant, at the time of submitting an application for the initial issuance or reinstatement of a license, is enrolled in a state or federal public assistance program;

(3) the applicant is a veteran (as defined in IC 10-17-15-3) or the spouse of a veteran; or

(4) the applicant is a member of the armed forces of the United States (as defined in IC 5-9-4-3) or national guard (as defined in IC 5-9-4-4) on active duty or the spouse of the member.

(c) After June 30, 2017, a board shall waive fifty percent (50%) of the fees related to the initial issuance and reinstatement of a license, registration, or certification, including tests, inspections, and other activities that are a condition of the initial issuance or reinstatement of a license, registration, or certification, if the combined adjusted gross income (as defined in Section 62 of the Internal Revenue Code) of:

(1) the applicant and the applicant's spouse; and

(2) any other individuals living together with the applicant at one (1) residence as a domestic unit with mutual economic dependency;

for the calendar year preceding the year in which an application to issue, or reinstate is made equaled or exceeded one hundred twenty percent (120%) of the federal poverty level and did not exceed one hundred eighty-five percent (185%) of the federal poverty level.".

Page 1, line 1, delete "IC 36-1-3-11" and insert "IC 36-1-3-11.2".

Page 1, line 3, delete "11." and insert "**11.2.**".
Page 1, line 14, delete "(including" and insert "**, including**".
Page 1, line 16, delete "license)" and insert "**license,**".
Page 2, line 22, delete "(including" and insert "**, including**".
Page 2, line 23, delete "license)" and insert "**license,**".
Renumber all SECTIONS consecutively.
(Reference is to EHB 1394 as reprinted February 24, 2017.)
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 1406, 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 11, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 5. IC 33-23-1-4.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 4.5. "Drug related felony" has the meaning set forth in IC 35-48-1-16.3.**

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

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

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

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

(B) The methods of procedure in the courts.

(C) The work accomplished by the courts.

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

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

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

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

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

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

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

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

(B) at the option of the county prosecuting attorney, for:

(i) a prosecuting attorney's case management system;

(ii) a county court case management system; and

(iii) a county court case management system developed and operated by the division of state court administration;

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

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

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

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

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

(A) Provide NPLEx with the following information:

(i) The convicted individual's full name.

(ii) The convicted individual's date of birth.

(iii) The convicted individual's driver's license number, state personal identification number, or other unique number, if available.

(iv) The date the individual was convicted of the felony.

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

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

(i) set aside;

(ii) reversed;

(iii) expunged; or

(iv) vacated.

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

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

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

(c) The division may adopt rules to implement this section.".

Page 17, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 10. IC 35-42-2-9, AS AMENDED BY P.L.158-2013, SECTION 432, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. (a) This section does not apply to a medical procedure.

(b) As used in this section, "torso" means any part of the upper body from the collarbone to the hips.

~~(b)~~ **(c)** A person who, in a rude, angry, or insolent manner, knowingly or intentionally:

(1) applies pressure to the throat or neck of another person; ~~or~~

(2) obstructs the nose or mouth of the another person; **or**

(3) applies pressure to the torso of another person;

in a manner that impedes the normal breathing or the blood circulation of the other person commits strangulation, a Level 6 felony.

(d) However, the offense under subsection (c) is a Level 5 felony if:

(1) the offense is committed against a pregnant woman; and

(2) the person who committed the offense knew the victim was pregnant at the time of the offense.".

Page 19, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 12. IC 35-43-1-2.1, AS AMENDED BY P.L.158-2013, SECTION 454, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2.1. (a) This section does not apply to the following:

(1) A person who acts in a proper and acceptable manner as authorized by IC 14-21 other than a person who disturbs the earth for an agricultural purpose under the exemption to IC 14-21 that is provided in IC 14-21-1-24.

(2) A person who acts in a proper and acceptable manner as authorized by IC 23-14.

(b) A person who recklessly, knowingly, or intentionally:

(1) damages a cemetery, a burial ground (as defined in IC 14-21-1-3), or a facility used for memorializing the dead;

(2) damages the grounds owned or rented by a cemetery or facility used for memorializing the dead; or

(3) disturbs, defaces, or damages a cemetery monument, grave marker, grave artifact, grave ornamentation, or cemetery enclosure;

commits cemetery mischief, a Class A misdemeanor. However, the offense is a Level 6 felony if the pecuniary loss is at least ~~two thousand five hundred dollars ($2,500).~~ **seven hundred fifty dollars ($750) but less than fifty thousand dollars ($50,000), and a Level 5 felony if the pecuniary loss is at least fifty thousand dollars ($50,000).**

SECTION 13. IC 35-43-4-2.5, AS AMENDED BY P.L.168-2014, SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2.5. (a) As used in this section, "motor vehicle" has the meaning set forth in IC 9-13-2-105(a).

(b) A person who knowingly or intentionally exerts unauthorized control over the motor vehicle of another person, with intent to deprive the owner of:

(1) the vehicle's value or use; or

(2) a component part (as defined in IC 9-13-2-34) of the vehicle;

commits auto theft, a Level 6 felony.

(c) A person who knowingly or intentionally receives, retains, or disposes of a motor vehicle or any part of a motor vehicle of another person that has been the subject of theft commits receiving stolen auto parts, a Level 6 felony. **However, the offense is a Level 5 felony if the person has a prior conviction under this subsection or under subsection (b).**

SECTION 14. IC 35-44.1-2-2, AS AMENDED BY P.L.158-2013, SECTION 502, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) A person who:

(1) knowingly or intentionally induces, by threat, coercion, false statement, or offer of goods, services, or anything of value, a witness or informant in an official proceeding or investigation to:

(A) withhold or unreasonably delay in producing any testimony, information, document, or thing;

(B) avoid legal process summoning the person to testify or supply evidence; or

(C) absent the person from a proceeding or investigation to which the person has been legally summoned;

(2) knowingly or intentionally in an official criminal proceeding or investigation:

(A) withholds or unreasonably delays in producing any testimony, information, document, or thing after a court orders the person to produce the testimony, information, document, or thing;

(B) avoids legal process summoning the person to testify or supply evidence; or

(C) absents the person from a proceeding or investigation to which the person has been legally summoned;

(3) alters, damages, or removes any record, document, or thing, with intent to prevent it from being produced or used as evidence in any official proceeding or investigation;

(4) makes, presents, or uses a false record, document, or thing with intent that the record, document, or thing, material to the point in question, appear in evidence in an official proceeding or investigation to mislead a public servant; or

(5) communicates, directly or indirectly, with a juror otherwise than as authorized by law, with intent to influence the juror regarding any matter that is or may be brought before the juror;

commits obstruction of justice, a Level 6 felony, **except as provided in subsection (b).**

(b) Except as provided in subsection (e), the offense described in subsection (a) is a Level 5 felony if, during the investigation or pendency of a domestic violence or child abuse case under subsection (c), a person knowingly or intentionally:

(1) offers, gives, or promises any benefit to;

(2) communicates a threat as defined by IC 35-45-2-1(c) to; or

(3) intimidates, unlawfully influences, or unlawfully persuades;

any witness to abstain from attending or giving testimony at any hearing, trial, deposition, probation, or other criminal proceeding or from giving testimony or other statements to a court or law enforcement officer under IC 35-31.5-2-185.

(c) As used in this section, "domestic violence or child abuse case" means any case involving an allegation of:

(1) the commission of a crime involving domestic or family violence under IC 35-31.5-2-76 involving a family or household member under IC 35-31.5-2-128;

(2) the commission of a crime of domestic violence under IC 35-31.5-2-78 involving a family or household member under IC 35-31.5-2-128; or

(3) physical abuse, sexual abuse, or child neglect, including crimes listed under IC 35-31.5-2-76 involving a victim who was less than eighteen (18) years of age at the time of the offense, whether or not the person is a family or household member under IC 35-31.5-2-128.

~~(b)~~ **(d)** Subsection (a)(2)(A) does not apply to:

(1) a person who qualifies for a special privilege under IC 34-46-4 with respect to the testimony, information, document, or thing; or

(2) a person who, as:

(A) an attorney;

(B) a physician;

(C) a member of the clergy; or

(D) a husband or wife;

is not required to testify under IC 34-46-3-1.

(e) Subsection (b) does not apply to:

(1) an attorney;

(2) an investigator;

(3) a law enforcement officer; or

(4) a judge;

engaged in that person's professional or official duties.".

Page 25, between lines 21 and 22, begin a new paragraph and insert:

"SECTION 19. IC 35-48-1-16.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 16.3. "Drug related felony" means a felony conviction for an offense described in:**

(1) IC 35-48-4-1 through IC 35-48-4-11.5; or

(2) IC 35-48-4-13 through IC 35-48-4-14.7.".

Page 26, line 24, delete "who:" and insert "**who knowingly or intentionally manufactures or finances the manufacture of methamphetamine, pure or adulterated,**".

Page 26, delete lines 25 through 32.

Page 26, run in lines 24 through 33.

Page 27, delete lines 8 through 42, begin a new paragraph, and insert:

"SECTION 23. IC 35-48-4-14.5, AS AMENDED BY P.L.168-2014, SECTION 105, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 14.5. (a) As used in this section, "chemical reagents or precursors" refers to one (1) or more of the following:

(1) Ephedrine.

(2) Pseudoephedrine.

(3) Phenylpropanolamine.

(4) The salts, isomers, and salts of isomers of a substance identified in subdivisions (1) through (3).

(5) Anhydrous ammonia or ammonia solution (as defined in IC 22-11-20-1).

(6) Organic solvents.

(7) Hydrochloric acid.

(8) Lithium metal.

(9) Sodium metal.

(10) Ether.

(11) Sulfuric acid.

(12) Red phosphorous.

(13) Iodine.

(14) Sodium hydroxide (lye).

(15) Potassium dichromate.
(16) Sodium dichromate.
(17) Potassium permanganate.
(18) Chromium trioxide.
(19) Benzyl cyanide.
(20) Phenylacetic acid and its esters or salts.
(21) Piperidine and its salts.
(22) Methylamine and its salts.
(23) Isosafrole.
(24) Safrole.
(25) Piperonal.
(26) Hydriodic acid.
(27) Benzaldehyde.
(28) Nitroethane.
(29) Gamma-butyrolactone.
(30) White phosphorus.
(31) Hypophosphorous acid and its salts.
(32) Acetic anhydride.
(33) Benzyl chloride.
(34) Ammonium nitrate.
(35) Ammonium sulfate.
(36) Hydrogen peroxide.
(37) Thionyl chloride.
(38) Ethyl acetate.
(39) Pseudoephedrine hydrochloride.

(b) A person who possesses more than ten (10) grams of ephedrine, pseudoephedrine, or phenylpropanolamine, pure or adulterated, commits a Level 6 felony. However, the offense is a Level 5 felony if the person possessed:

(1) a firearm while possessing more than ten (10) grams of ephedrine, pseudoephedrine, or phenylpropanolamine, pure or adulterated; or

(2) more than ten (10) grams of ephedrine, pseudoephedrine, or phenylpropanolamine, pure or adulterated, in, on, or within five hundred (500) feet of:

(A) school property while a person under eighteen (18) years of age was reasonably expected to be present; or

(B) a public park while a person under eighteen (18) years of age was reasonably expected to be present.

(c) A person who possesses anhydrous ammonia or ammonia solution (as defined in IC 22-11-20-1) with the intent to manufacture methamphetamine or amphetamine, schedule II controlled substances under IC 35-48-2-6, commits a Level 6 felony. However, the offense is a Level 5 felony if the person possessed:

(1) a firearm while possessing anhydrous ammonia or ammonia solution (as defined in IC 22-11-20-1) with intent to manufacture methamphetamine or amphetamine, schedule II controlled substances under IC 35-48-2-6; or

(2) anhydrous ammonia or ammonia solution (as defined in IC 22-11-20-1) with intent to manufacture methamphetamine or amphetamine, schedule II controlled substances under IC 35-48-2-6, in, on, or within five hundred (500) feet of:

(A) school property while a person under eighteen (18) years of age was reasonably expected to be present; or

(B) a public park while a person under eighteen (18) years of age was reasonably expected to be present.

(d) Subsection (b) does not apply to a:

(1) licensed health care provider, pharmacist, retail distributor, wholesaler, manufacturer, warehouseman, or common carrier or an agent of any of these persons if the possession is in the regular course of lawful business activities; or

(2) person who possesses more than ten (10) grams of a substance described in subsection (b) if the substance is possessed under circumstances consistent with typical medicinal or household use, including:

(A) the location in which the substance is stored;

(B) the possession of the substance in a variety of:

(i) strengths;

(ii) brands; or

(iii) types; or

(C) the possession of the substance:

(i) with different expiration dates; or

(ii) in forms used for different purposes.

(e) A person who possesses two (2) or more chemical reagents or precursors with the intent to manufacture a controlled substance commits a Level 6 felony.

(f) An offense under subsection (e) is a Level 5 felony if the person possessed:

(1) a firearm while possessing two (2) or more chemical reagents or precursors with intent to manufacture a controlled substance; or

(2) two (2) or more chemical reagents or precursors with intent to manufacture a controlled substance in, on, or within five hundred (500) feet of:

(A) school property while a person under eighteen (18) years of age was reasonably expected to be present; or

(B) a public park while a person under eighteen (18) years of age was reasonably expected to be present.

(g) A person who sells, transfers, distributes, or furnishes a chemical reagent or precursor to another person with knowledge or the intent that the recipient will use the chemical reagent or precursors to manufacture a controlled substance commits unlawful sale of a precursor, a Level 6 felony. However, the offense is a Level 5 felony if the person sells, transfers, distributes, or furnishes more than ten (10) grams of ephedrine, pseudoephedrine, or phenylpropanolamine.

(h) This subsection does not apply to a drug containing ephedrine, pseudoephedrine, or phenylpropanolamine that is dispensed under a prescription. A person who:

(1) has been convicted of **a drug related felony (as defined in IC 35-48-1-16.3); and**

~~(A) dealing in methamphetamine (IC 35-48-4-1.1);~~

~~(B) possession of more than ten (10) grams of ephedrine, pseudoephedrine, or phenylpropanolamine (subsection (b));~~

~~(C) possession of anhydrous ammonia or ammonia solution (as defined in IC 22-11-20-1) with intent to manufacture methamphetamine or amphetamine (subsection (c));~~

~~(D) possession of two (2) or more chemical reagents or precursors with the intent to manufacture a controlled substance (subsection (e)); or~~

~~(E) unlawful sale of a precursor (subsection (g)); and~~

(2) not later than seven (7) years from the date the person was sentenced for the offense;

knowingly or intentionally possesses ephedrine, pseudoephedrine, or phenylpropanolamine, pure or adulterated, commits possession of a precursor by a ~~methamphetamine~~ **drug** offender, a Level 6 felony.

SECTION 24. IC 35-48-4-14.7, AS AMENDED BY P.L.5-2016, SECTION 6, AND AS AMENDED BY P.L.9-2016, SECTION 3, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 14.7. (a) This section does not apply to the following:

(1) Ephedrine or pseudoephedrine dispensed pursuant to a prescription. *Nothing in this section prohibits a person who is denied the sale of a nonprescription product containing pseudoephedrine or ephedrine from obtaining pseudoephedrine or ephedrine pursuant to a prescription.*

(2) The sale of a drug containing ephedrine or pseudoephedrine to a licensed health care provider, pharmacist, retail distributor, wholesaler, manufacturer, or an agent of any of these persons if the sale occurs in the regular course of lawful business activities. However, a retail distributor, wholesaler, or manufacturer is required to report a suspicious order to the state police department in accordance with subsection (g).

(3) The sale of a drug containing ephedrine or pseudoephedrine by a person who does not sell exclusively to walk-in customers for the personal use of the walk-in customers. However, if the person described in this subdivision is a retail distributor, wholesaler, or manufacturer, the person is required to report a suspicious order to the state police department in accordance with subsection (g).

(b) The following definitions apply throughout this section:

(1) "Constant video monitoring" means the surveillance by an automated camera that:

(A) records at least one (1) photograph or digital image every ten (10) seconds;

(B) retains a photograph or digital image for at least seventy-two (72) hours;

(C) has sufficient resolution and magnification to permit the identification of a person in the area under surveillance; and

(D) stores a recorded photograph or digital image at a location that is immediately accessible to a law enforcement officer.

(2) "Convenience package" means a package that contains a drug having as an active ingredient not more than sixty (60) milligrams of ephedrine or pseudoephedrine, or both.

(3) "Ephedrine" means pure or adulterated ephedrine.

(4) "Pharmacy or NPLEx retailer" means:

(A) a pharmacy, as defined in IC 25-26-13-2;

(B) a retailer containing a pharmacy, as defined in IC 25-26-13-2; or

(C) a retailer that electronically submits the required information to the National Precursor Log Exchange (NPLEx).

(5) "Pseudoephedrine" means pure or adulterated pseudoephedrine.

(6) "Retailer" means a grocery store, general merchandise store, or other similar establishment. The term does not include a pharmacy or NPLEx retailer.

(7) "Suspicious order" means a sale or transfer of a drug containing ephedrine or pseudoephedrine if the sale or transfer:

(A) is a sale or transfer that the retail distributor, wholesaler, or manufacturer is required to report to the United States Drug Enforcement Administration;

(B) appears suspicious to the retail distributor, wholesaler, or manufacturer in light of the recommendations contained in Appendix A of the report to the United States attorney general by the suspicious orders task force under the federal Comprehensive Methamphetamine Control Act of 1996; or

(C) is for cash or a money order in a total amount of at least two hundred dollars ($200).

(8) "Unusual theft" means the theft or unexplained disappearance from a particular pharmacy or NPLEx retailer of drugs containing ten (10) grams or more of ephedrine, pseudoephedrine, or both in a twenty-four (24) hour period.

(c) A drug containing ephedrine or pseudoephedrine may be sold only by a pharmacy or NPLEx retailer. ~~*Except as provided in subsection (f), a retailer may not sell a drug containing ephedrine or pseudoephedrine.*~~

(d) A pharmacy or NPLEx retailer may sell a drug that contains the active ingredient of ephedrine, pseudoephedrine, or both only if the pharmacy or NPLEx retailer complies with the following conditions:

(1) The pharmacy or NPLEx retailer does not sell the drug to a person less than eighteen (18) years of age.

(2) The pharmacy or NPLEx retailer does not sell drugs containing more than:

(A) three and six-tenths (3.6) grams of ephedrine or pseudoephedrine, or both, to one (1) individual on one (1) day;

(B) seven and two-tenths (7.2) grams of ephedrine or pseudoephedrine, or both, to one (1) individual in a thirty (30) day period; or

(C) sixty-one and two-tenths (61.2) grams of ephedrine or pseudoephedrine, or both, to one (1) individual in a three hundred sixty-five (365) day period.

(3) Except as provided in subsection (f), before the sale occurs the pharmacist or the pharmacy technician (as defined by IC 25-26-19-2) has determined that the purchaser has a relationship on record with the pharmacy, in compliance with rules adopted by the board under IC 25-26-13-4. If it has been determined that the purchaser does not have a relationship on record with the pharmacy, the pharmacist shall make a professional determination as to whether there is a legitimate medical or pharmaceutical need for ephedrine or pseudoephedrine before selling ephedrine or pseudoephedrine to an individual. The pharmacist's professional determination must comply with the rules adopted under IC 25-26-13-4 and may include the following:

(A) Prior medication filling history of the individual.

(B) Consulting with the individual.

(C) Other tools that provide professional reassurance to the pharmacist that a legitimate medical or pharmaceutical need for ephedrine or pseudoephedrine exists.

A pharmacist who in good faith does not sell ephedrine or pseudoephedrine to an individual under this subdivision is immune from civil liability unless the refusal to sell constitutes gross negligence or intentional, wanton, or willful misconduct.

~~(3)~~ *(4)* The pharmacy or NPLEx retailer requires:

(A) the purchaser to produce a valid government issued photo identification card showing the date of birth of the person;

(B) the purchaser to sign a written or electronic log attesting to the validity of the information; and

(C) the clerk who is conducting the transaction to initial or electronically record the clerk's identification on the log.

Records from the completion of a log must be retained for at least two (2) years. A law enforcement officer has the right to inspect and copy a log or the records from the completion of a log in accordance with state and federal law. A pharmacy or NPLEx retailer may not sell or release a log or the records from the completion of a log for a commercial purpose. The Indiana criminal justice institute may obtain information concerning a log or the records from the completion of a log from a law enforcement officer if the information may not be used to identify a specific individual and is used only for statistical purposes. A pharmacy or NPLEx retailer that in good faith releases information maintained under this subsection is immune from civil liability unless the release constitutes gross negligence or intentional, wanton, or willful misconduct.

~~(4)~~ *(5)* The pharmacy or NPLEx retailer maintains a record of information for each sale of a nonprescription product containing pseudoephedrine or ephedrine. Required information includes:

(A) the name and address of each purchaser;

(B) the type of identification presented;

(C) the governmental entity that issued the identification;

(D) the identification number; and

(E) the ephedrine or pseudoephedrine product purchased, including the number of grams the product contains and the date and time of the transaction.

~~(5)~~ *(6)* ~~*Beginning January 1, 2012,*~~ A pharmacy or NPLEx retailer shall, except as provided in subdivision ~~(6),~~ *(7),* before completing a sale of an over-the-counter product containing pseudoephedrine or ephedrine, electronically submit the required information to the National Precursor Log Exchange (NPLEx), if the NPLEx system is available to pharmacies or NPLEx retailers in the state without a charge for accessing the system. The pharmacy or NPLEx retailer may not complete the sale if the system generates a stop sale alert, including a stop sale alert for a person convicted of a **drug related** felony reported under IC 33-24-6-3.

~~(6)~~ *(7)* If a pharmacy or NPLEx retailer selling an over-the-counter product containing ephedrine or pseudoephedrine experiences mechanical or electronic failure of the electronic sales tracking system and is unable to comply with the electronic sales tracking requirement, the pharmacy or NPLEx retailer shall maintain a written log or an alternative electronic ~~recordkeeping~~ **record keeping** mechanism until the pharmacy or NPLEx retailer is able to comply with the electronic sales tracking requirement.

~~(7)~~ *(8)* The pharmacy or NPLEx retailer stores the drug behind a counter in an area inaccessible to a customer or in a locked display case that makes the drug unavailable to a customer without the assistance of an employee.

(e) A person may not purchase drugs containing more than:

(1) three and six-tenths (3.6) grams of ephedrine or pseudoephedrine, or both, on one (1) day;

(2) seven and two-tenths (7.2) grams of ephedrine or pseudoephedrine, or both, in a thirty (30) day period; or

(3) sixty-one and two-tenths (61.2) grams of ephedrine or pseudoephedrine, or both, in a three hundred sixty-five (365) day period.

These limits apply to the total amount of base ephedrine and pseudoephedrine contained in the products and not to the overall weight of the products.

~~*(f) This subsection only applies to convenience packages. A retailer may sell convenience packages under this section without complying with the conditions listed in subsection (d):*~~

~~*(1) after June 30, 2013; and*~~

~~*(2) before January 1, 2014.*~~

~~*A retailer may not sell drugs containing more than sixty (60) milligrams of ephedrine or pseudoephedrine, or both in any one (1) transaction. A retailer who sells convenience packages must secure the convenience packages behind the counter in an area inaccessible to a customer or in a locked display case that makes the drug unavailable to a customer without the assistance of an employee. A retailer may not sell a drug containing ephedrine or pseudoephedrine after December 31, 2013.*~~

(f) If a purchaser does not have a relationship on record with the pharmacy, as determined by rules adopted by the board under IC 25-26-13-4, or the pharmacist has made a professional determination that there is not a legitimate medical or pharmaceutical need for ephedrine or pseudoephedrine under subsection (d), the purchaser may, at the pharmacist's discretion, purchase only the following:

(1) A product that has been determined under section 14.3 of this chapter to be an extraction resistant or a conversion resistant form of ephedrine or pseudoephedrine.

(2) A product that contains not more than:

(A) a total of seven hundred twenty (720) milligrams of ephedrine or pseudoephedrine per package; and

(B) thirty (30) milligrams of ephedrine or pseudoephedrine per tablet.

The pharmacist may not sell more than one (1) package of ephedrine or pseudoephedrine to a purchaser under this subdivision per day.

However, if the pharmacist believes that the ephedrine or pseudoephedrine purchase will be used to manufacture methamphetamine, the pharmacist may refuse to sell ephedrine or pseudoephedrine to the purchaser.

(g) A retail distributor, wholesaler, or manufacturer shall report a suspicious order to the state police department in writing.

(h) Not later than three (3) days after the discovery of an unusual theft at a particular retail store, the pharmacy or NPLEx retailer shall report the unusual theft to the state police department in writing. If three (3) unusual thefts occur in a thirty (30) day period at a particular pharmacy or NPLEx retailer, the pharmacy or NPLEx retailer shall, for at least one hundred eighty (180) days after the date of the last unusual theft, locate all drugs containing ephedrine or pseudoephedrine at that particular pharmacy or NPLEx retailer behind a counter in an area inaccessible to a customer or in a locked display case that makes the drug unavailable to customers without the assistance of an employee.

(i) A unit (as defined in IC 36-1-2-23) may not adopt an ordinance after February 1, 2005, that is more stringent than this section.

(j) A person who knowingly or intentionally violates this section commits a Class C misdemeanor. However, the offense is a Class A misdemeanor if the person has a prior unrelated conviction under this section.

(k) A pharmacy or NPLEx retailer that uses the electronic sales tracking system in accordance with this section is immune from civil liability for any act or omission committed in carrying out the duties required by this section, unless the act or omission was due to ~~*negligence,*~~ recklessness or deliberate or wanton misconduct. A pharmacy or NPLEx retailer is immune from liability to a third party unless the pharmacy or NPLEx retailer has violated a provision of this section and the third party brings an action based on the pharmacy's or NPLEx retailer's violation of this section.

(l) The following requirements apply to the NPLEx:

(1) Information contained in the NPLEx may be shared only with law enforcement officials.

(2) A law enforcement official may access Indiana transaction information maintained in the NPLEx for investigative purposes.

(3) NADDI may not modify sales transaction data that is shared with law enforcement officials.

(4) At least one (1) time per day, Indiana data contained in the NPLEx for the previous calendar day shall be forwarded to the state police department.

(m) A person or corporate entity may not mandate a protocol or procedure that interferes with the pharmacist's ability to exercise the pharmacist's independent professional judgment under this section, including whether to deny the sale of ephedrine or pseudoephedrine under subsection (f).".

Delete pages 28 through 29.

Page 30, delete lines 1 through 18.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1406 as printed February 3, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 1.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1407, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete pages 3 through 5.

Page 6, delete lines 1 through 17, begin a new paragraph, and insert:

"SECTION 3. IC 29-1-8-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. The person paying, delivering, transferring, or issuing personal property or the evidence thereof pursuant to affidavit is discharged and released to the same extent as if ~~he~~ **the person** dealt with a personal representative of the decedent. ~~He~~ **The person** is not required to see to the application of the personal property or evidence thereof or to inquire into the truth of any statement in the affidavit. If any person to whom an affidavit is delivered refuses to pay, deliver, transfer, or issue any personal property or evidence thereof, it may be recovered or its payment, delivery, transfer, or issuance compelled upon proof of their right in a proceeding brought for the purpose by or on behalf of the persons entitled thereto. Any person to whom payment, delivery, transfer, or issuance is made is answerable and accountable therefor to any personal representative of the estate or to any other person having a superior right.

SECTION 4. IC 29-1-8-3, AS AMENDED BY P.L.220-2011, SECTION 473, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) If ~~it appears that~~ the value of a decedent's gross probate estate, less liens and encumbrances, does not exceed the sum of:

(1) twenty-five thousand dollars ($25,000), for the estate of an individual who dies before July 1, 2007, and fifty thousand dollars ($50,000), for the estate of an individual who dies after June 30, 2007;

(2) the costs and expenses of administration; and

(3) reasonable funeral expenses;

the personal representative **of an unsupervised estate** or a person acting on behalf of the distributees, without giving notice to creditors, may immediately disburse and distribute the estate to the persons entitled to it and file a closing statement as provided in section 4 of this chapter.

(b) If an estate described in subsection (a) includes real property, an affidavit may be recorded in the office of the recorder in the county in which the real property is located. The affidavit must contain the following:

(1) The legal description of the real property.

(2) The following statement:

(A) If the individual dies after June 30, 2007, the following statement: "It appears that the decedent's gross probate estate, less liens and encumbrances, does not exceed the sum of the following: fifty thousand dollars ($50,000), the costs and expenses of administration, and reasonable funeral expenses.".

(B) If the individual dies before July 1, 2007, the following statement: "It appears that the decedent's gross probate estate, less liens and encumbrances, does not exceed the sum of the following: twenty-five thousand dollars ($25,000), the costs and expenses of administration, and reasonable funeral expenses.".

(3) The name of each person entitled to at least a part interest in the real property as a result of a decedent's death, the share to which each person is entitled, and whether the share is a divided or undivided interest.

(4) A statement which explains how each person's share has been determined.

SECTION 5. IC 29-1-8-4, AS AMENDED BY P.L.220-2011, SECTION 474, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. (a) Unless prohibited by order of the court and except for estates being administered by supervised personal representatives, a personal representative or a person acting on behalf of the distributees may close an estate administered under the summary procedures of section 3 of this chapter by filing with the court, at any time after disbursement and distribution of the estate, a verified statement stating that:

(1) to the best knowledge of the personal representative or person acting on behalf of the distributees the value of the gross probate estate, less liens and encumbrances, did not exceed the sum of:

(A) twenty-five thousand dollars ($25,000), for the estate of an individual who dies before July 1, 2007, and fifty thousand dollars ($50,000), for the estate of an individual who dies after June 30, 2007;

(B) the costs and expenses of administration; and

(C) reasonable funeral expenses;

(2) the personal representative or person acting on behalf of the distributees has fully administered the estate by disbursing and distributing it to the persons entitled to it; and

(3) the personal representative **of an unsupervised estate** or person acting on behalf of the distributees has sent a copy of the closing statement to all distributees of the estate and to all creditors or other claimants of whom the personal representative or person acting on behalf of the distributees is aware and has furnished a full ~~account~~ **accounting** in writing of the administration to the distributees whose interests are affected.

(b) If no actions, claims, objections, or proceedings involving the personal representative **of an unsupervised estate** or person acting on behalf of the distributees are filed in the court within three (3) months after the closing statement is filed, the appointment of the personal representative or the duties of the person acting on behalf of the distributees terminate.

(c) A closing statement filed under this section has the same effect as one (1) filed under IC 29-1-7.5-4.

(d) A copy of any affidavit recorded under section 3(b) of this chapter must be attached to the closing statement filed under this section.

SECTION 6. IC 29-1-8-4.5, AS AMENDED BY P.L.51-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4.5. (a) A distributee entitled to payment or delivery of the property belonging to the decedent or someone acting on a distributee's behalf may present to the court having jurisdiction over the decedent's estate an affidavit containing a statement of the conditions required under section 1(b) of this chapter. Upon receipt of the affidavit, the court may, without notice and hearing, enter an order that the distributees identified in the affidavit are entitled to payment or delivery of the property.

(b) A court may, upon notice and hearing, award attorney's fees and costs to a person bringing an action under subsection (a) if the person indebted to the decedent or holding property of the decedent, other than an insurer regulated under IC 27:

(1) acted in bad faith in refusing to pay or deliver the property belonging to the decedent; or

(2) refused **or otherwise failed** to respond within thirty (30) business days after receiving an affidavit from the person bringing an action under this section, if the affidavit is consistent with section 1 of this chapter.

(c) A court may, upon notice and hearing, award attorney's fees and costs to a person bringing an action under subsection (a) against an insurer regulated under IC 27 if:

(1) the insurer failed to respond pursuant to IC 27 after receiving an affidavit from the person; and

(2) the affidavit is consistent with section 1 of this chapter.".

Page 9, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 11. IC 30-4-5-12, AS AMENDED BY P.L.137-2014, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. ~~(Accounting by Trustees)~~

(a) Unless the terms of the trust provide otherwise or unless waived in writing by an adult, competent beneficiary, the trustee shall deliver a written statement of accounts to each income beneficiary or the income beneficiary's personal representative annually. The statement shall contain at least:

(1) all receipts and disbursements since the last statement; and

(2) all items of trust property held by the trustee on the date of the statement at their inventory value.

(b) This subsection applies to a charitable trust with assets of at least five hundred thousand dollars ($500,000). The trustee of a charitable trust shall annually file a verified written certification with the attorney general stating that a written statement of accounts has been prepared showing at least the items listed in section 13(a) of this chapter. The certification must state that the statement of accounts is available to the attorney general and any member of the general public upon request. A charitable trust may not be exempted from this requirement by a provision in a will, trust agreement, indenture, or other governing instrument. This subsection does not prevent a trustee from docketing a charitable trust to finalize a written statement of account or any other lawful purpose in the manner provided in this article. However, this subsection does not apply to an organization that is not required to file a federal information return under Section 6033(a)(3)(A)(1) of the Internal Revenue Code.

(c) Upon petition by the settlor, a beneficiary or the beneficiary's personal representative, a person designated by the settlor to have advisory or supervisory powers over the trust, or any other person having an interest in the administration or the benefits of the trust, including the attorney general in the case of a trust for a benevolent public purpose, the court may direct the trustee to file a verified written statement of accounts showing the items listed in section 13(a) of this chapter. The petition may be filed at any time; however, the court may not, in the absence of good cause shown, require the trustee to file a statement more than once a year.

(d) If the court's jurisdiction is of a continuing nature as provided in IC 30-4-6-2, the trustee shall file a verified written statement of accounts containing the items shown in section 13(a) of this chapter with the court biennially, and the court may, on its own motion, require the trustee to file such a statement at any other time if there is good cause for requiring a statement to be filed.

(e) Receipt of a statement or accounting by a beneficiary or other interested person is presumed if the trustee has procedures in place requiring the mailing or delivery of an account to the beneficiary or other interested person. This presumption applies to the mailing or delivery of a statement or accounting by electronic delivery or access (as described in IC 30-4-6-6.5), if the beneficiary or other interested person has agreed to receive the statement or accounting by electronic delivery or access.

SECTION 12. IC 30-4-6-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 6.5. (a) The sending of notice or a document to a beneficiary, a trustee, or another interested person under this article or under IC 30-2-14 must be accomplished in a manner reasonably suitable under the circumstances and that is likely to result in receipt of the notice or document. Permissible methods for sending notice or a document include first class mail, personal delivery, delivery to the person's last known place of residence or place of business, or electronic delivery, including access to information by electronic means, if the intended recipient has agreed to receive the electronic delivery or to access a properly directed electronic message.**

(b) An electronic message meets the requirements of this chapter if the sender transmits the message to the intended recipient by a method that:

(1) the sender and the recipient have previously agreed to in writing or in a previous electronic communication; or

(2) is reasonably calculated to prevent unauthorized access to the content of the electronic message or to nonpublic identifying or personal information of the sender or recipient, such as encryption of the electronic message itself or sending the recipient a link to a password protected or encrypted web site that stores the electronic message and any related documents.".

Page 10, after line 18, begin a new paragraph and insert:

"SECTION 17. IC 33-37-4-7, AS AMENDED BY P.L.136-2012, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. (a) Except as provided under subsection (c), the clerk shall collect from the party filing the action a probate costs fee of one hundred twenty dollars ($120) for each action filed under any of the following:

(1) IC 6-4.1-5 (determination of inheritance tax).

(2) IC 29 (probate).

(3) IC 30 (trusts and fiduciaries).

(b) In addition to the probate costs fee collected under subsection (a), the clerk shall collect from the party filing the action the following fees, if they are required under IC 33-37-5:

(1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or IC 33-37-5-4).

(2) A document storage fee (IC 33-37-5-20).

(3) An automated record keeping fee (IC 33-37-5-21).

(4) A public defense administration fee (IC 33-37-5-21.2).

(5) A judicial insurance adjustment fee (IC 33-37-5-25).

(6) A judicial salaries fee (IC 33-37-5-26).

(7) A court administration fee (IC 33-37-5-27).

(8) Before July 1, 2017, a pro bono legal services fee (IC 33-37-5-31).

(c) A clerk may not collect a court costs fee for the filing of the following exempted actions:

(1) Petition to open a safety deposit box.

(2) Filing an inheritance tax return, unless proceedings other than the court's approval of the return become necessary.

(3) Offering a will for probate under IC 29-1-7, unless proceedings other than admitting the will to probate become necessary.

(4) Filing a closing statement for an estate described in IC 29-1-8-4.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1407 as printed January 24, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1439, 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 22, line 39, delete "." and insert "**and must be budget neutral to the state as determined by the state budget agency.**".

(Reference is to EHB 1439 as printed March 24, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1441, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Engrossed House Bill 1444, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

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

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

"SECTION 1. IC 24-4.7-2-5, AS AMENDED BY P.L.226-2011, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. **(a)** "Doing business in Indiana" means:

(1) making; or

(2) causing others to make;

telephone sales calls to consumers located in Indiana whether the telephone sales calls are made from a location in Indiana or outside Indiana.

(b) A person that controls, directly or indirectly, one (1) or more persons that make or cause another person to make a telephone call to a consumer located in Indiana is "doing business in Indiana", no matter where the person is located or domiciled.

SECTION 2. IC 24-4.7-2-7.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 7.3. "Person" means:**

(1) an individual, a firm, an organization, a partnership, an association, or a corporation, including affiliates and subsidiaries; or

(2) any other legal entity.

SECTION 3. IC 24-4.7-2-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. "Telephone solicitor" means ~~an individual, a firm, an organization, a partnership, an association, or a corporation, including affiliates and subsidiaries,~~ **a person** doing business in Indiana. **The term includes a person that controls, directly or indirectly, one (1) or more other persons.**

SECTION 4. IC 24-4.7-4-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. A telephone solicitor who makes a telephone sales call to a telephone number shall immediately disclose the following information upon making contact with the consumer:

(1) The solicitor's true first and last name.

(2) The name of the business **or person** on whose behalf the telephone solicitor is soliciting.

(3) The person with which the solicitor is employed or has contracted.

SECTION 5. IC 24-4.7-5-1, AS AMENDED BY P.L.61-2014, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. A telephone solicitor, a supplier, or a caller who fails to comply with any provision of IC 24-4.7-4 commits a deceptive act that is actionable by the attorney general under this chapter. **A person who directly or indirectly controls a person that fails to comply with any provision of IC 24-4.7-4 commits a separate deceptive act that is actionable by the attorney general under this chapter.** In addition, a contractor who contracts or seeks to contract with the state:

(1) may be prohibited from contracting with the state; or

(2) may have an existing contract with the state voided;

if the contractor, an affiliate or principal of the contractor, **a person that directly or indirectly controls the contractor,** ~~or~~ any agent acting on behalf of the contractor or an affiliate or principal of the contractor, **or a person that directly or indirectly controls the agent** does not **comply** or has not complied with the terms of this article, even if this article is preempted by federal law.

SECTION 6. IC 24-4.7-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. **(a)** In an action under this chapter, the attorney general may obtain any or all of the following:

(1) An injunction to enjoin future violations of IC 24-4.7-4.

(2) A civil penalty of not more than the following:

(A) Ten thousand dollars ($10,000) for the first violation of IC 24-4.7-4.

(B) Twenty-five thousand ($25,000) dollars for each violation after the first violation.

For purposes of this subdivision, each telephone call in violation of IC 24-4.7-4-1 is considered a separate violation.

(3) All money the defendant obtained through violation of IC 24-4.7-4.

(4) The attorney general's reasonable costs in:

(A) the investigation of the deceptive act; and

(B) maintaining the action.

(5) Reasonable attorney's fees.

(6) Costs of the action.

(b) Except as provided in subsection (c), the attorney general may obtain the remedies described in subsection (a) separately against or from each person that violates IC 24-4.7-4-1, including a person that directly or indirectly controls a person that violates IC 24-4.7-4-1.

(c) This subsection applies only to a person that directly or indirectly controls a person that violates IC 24-4.7-4-1. A person to which this subsection applies is not liable for a civil penalty under subsection (a)(2) if the person establishes by a preponderance of the evidence that the person:

(1) did not know; and

(2) in the exercise of reasonable care could not have known;

of the violation.".

Page 1, delete lines 6 through 17, begin a new paragraph, and insert:

"SECTION 2. IC 35-37-4-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. **(a) Except as provided in subsection (b),** whenever an element of an offense involves a pecuniary loss or a pecuniary gain, then the element shall be established by proof of the fair market value of the property at the time of the offense.

(b) For purposes of IC 35-43-1-8, "pecuniary loss" includes:

(1) damage to the victim's property caused, directly or indirectly, by commission of the offense, based on the actual cost of securing, repairing, or replacing a computer, a computer system, computer software, a network, and data; and

(2) revenue, salary, or wages lost by the victim as a result of the crime.

SECTION 3. IC 35-43-1-8, AS ADDED BY P.L.158-2013, SECTION 459, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 8. (a) A person who knowingly or intentionally and who without authorization:

(1) disrupts, denies, or causes the disruption or denial of computer system services to an authorized user of the computer system services that are:

(A) owned by;

(B) under contract to; or

(C) operated for, on behalf of, or in conjunction with; another person in whole or part;

(2) destroys, takes, or damages equipment or supplies used or intended to be used in a computer, computer system, or computer network;

(3) destroys or damages a computer, computer system, or computer network; or

(4) introduces a computer contaminant into a computer, computer system, or computer network;

commits an offense against computer users, a Level 6 felony.

(b) However, the offense is:

(1) a Level 5 felony if:

(A) the pecuniary loss caused by the offense is at least ~~five thousand dollars ($5,000)~~ **seven hundred fifty dollars ($750) but less than fifty thousand dollars ($50,000)**;

(B) the offense was committed for the purpose of devising or executing any scheme or artifice to defraud or obtain property; or

(C) the offense interrupts or impairs:

(i) a governmental operation; or

(ii) the public communication, transportation, or supply of water, gas, or another public service; and

(2) a Level 4 felony if:

(A) the pecuniary loss caused by the offense is at least fifty thousand dollars ($50,000); or

(B) the offense endangers human life.

(c) In addition to any criminal penalties imposed for a violation of this section, a person who commits an offense described in subsection (b) commits a deceptive act that is actionable by the attorney general under IC 24-5-0.5 and is subject to the remedies and penalties under IC 24-5-0.5.".

Delete pages 2 through 3.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1444 as reprinted February 22, 2017.) and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1449, 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 35, delete ";" and insert "**who apply to be staff mentors;**".

Page 4, line 8, delete "mentor teachers." and insert "**staff mentors.**".

Page 4, line 19, delete "assessment" and insert "**assessments**".

Page 4, line 24, delete "established" and insert "**selected**".

Page 4, line 36, after "of a" insert "**staff**".

Page 5, line 23, delete "The" and insert "**A plan selected under the**".

Page 6, line 7, delete "an" and insert "**a highly effective or**".

Page 6, line 9, delete "concurrent".

Page 6, line 9, after "instruction" insert "**and mentoring of the prospective teacher**".

Page 6, line 11, after "the" insert "**prospective**".

Page 6, line 16, after "fund" insert "**, or any other funds available,**".

Page 6, line 26, after "assign to" insert "**the education interim study committee established by IC 2-5-1.3-4(5)**".

Page 6, line 26, delete "an appropriate".

Page 6, line 27, delete "study committee".

Page 6, line 28, delete "whether it is appropriate to require teachers to participate" and insert "**new teacher induction programs.**".

Page 6, delete lines 29 through 30.

Page 6, line 33, after "assign to" insert "**the education interim study committee established by IC 2-5-1.3-4(5)**".

Page 6, line 33, delete "an appropriate".

Page 6, line 34, delete "study committee".

(Reference is to EHB 1449 as reprinted February 23, 2017.) 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 Tax and Fiscal Policy, to which was referred Engrossed House Bill 1450, 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, 2017]:" and insert "JUNE 30, 2017]:".

Page 2, line 5, delete "may" and insert "**shall**".

Page 2, delete lines 26 through 37, begin a new paragraph and insert:

"SECTION 2. IC 6-1.1-1-3.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 3.1. "Assisted living services" means the array of services that may be provided to a recipient residing in a facility eligible to provide home and community based services, including any and all of the following:**

(1) Personal care services.

(2) Homemaker services.

(3) Chore services.

(4) Attendant care services.

(5) Companion services.

(6) Medication oversight (to the extent permitted under state law).

(7) Therapeutic, social, and recreational programming.

SECTION 3. IC 6-1.1-1-9, AS AMENDED BY P.L.101-2008, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) For purposes of this article, the "owner" of tangible property shall be determined by using the rules contained in this section.

(b) Except as otherwise provided in this section, the holder of the legal title to personal property, or the legal title in fee to real property, is the owner of that property, **regardless of whether the holder of the legal title holds a fractional interest, a remainder interest, a life estate, or a tenancy for a term of years.**

(c) When title to tangible property passes on the assessment date of any year, only the person obtaining title is the owner of that property on the assessment date.

(d) When the mortgagee of real property is in possession of the mortgaged premises, the mortgagee is the owner of that property.

(e) When personal property is security for a debt and the debtor is in possession of the property, the debtor is the owner of that property.

(f) When a life tenant of real property **or a holder of a tenancy for a term of years in real property** is in possession of the real property, **only** the life tenant **or the holder of a tenancy for a term of years** is the owner of that property.

(g) When the grantor of a qualified personal residence trust created under United States Treasury Regulation 25.2702-5(c)(2) is:

(1) in possession of the real property transferred to the trust; and

(2) entitled to occupy the real property rent free under the terms of the trust;

the grantor is the owner of that real property.".

Page 5, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 5. IC 6-1.1-4-41, AS AMENDED BY P.L.1-2006, SECTION 132, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 41. (a) For purposes of this section,

~~(1)~~ "low income rental property" means real property used to provide low income housing eligible for federal income tax credits awarded under Section 42 of the Internal Revenue Code, ~~and~~ **including during the time period during which the property is subject to an extended low income housing commitment under Section 42(h)(6)(B) of the Internal Revenue Code.**

~~(2) "rental period" means the period during which low income rental property is eligible for federal income tax credits awarded under Section 42 of the Internal Revenue Code.~~

(b) For assessment dates after February 28, 2006, **and before January 1, 2018,** the true tax value of low income rental property is the greater of the true tax value:

(1) determined using the income capitalization approach; or

(2) that results in a gross annual tax liability equal to five percent (5%) of the total gross rent received from the rental of all units in the property for the most recent taxpayer fiscal year that ends before the assessment date.

(c) For assessment dates after December 31, 2017, the true tax value of low income rental property that offers or is used to provide Medicaid assisted living services is equal to the total true tax value that results in a gross annual tax liability equal to five percent (5%) of the total gross rent received from the rental of all living units in the property for the most recent taxpayer fiscal year that ends before the assessment date. The total true tax value shall not include the gross receipts from, or value of, any assisted living services provided.

~~(c)~~ **(d)** The department of local government finance may adopt rules under IC 4-22-2 to implement this section.".

Page 13, line 17, after "office," insert "**or evidenced by a memorandum of contract recorded in the county recorder's office under IC 36-2-11-20,**".

Page 23, line 2, after "contract" insert "**, or a memorandum of the contract,**".

Page 31, line 22, after "subdivision" delete "shall fulfill the requirements of this section" and insert "**may appeal the determination of the department of local government finance to the Indiana board of tax review.**".

Page 31, delete lines 23 through 24.

Page 37, line 5, delete "auditor of a county" and insert "**county treasurer**".

Page 37, line 6, delete "county treasurer, waive," and insert "**county auditor, implement a policy to waive,**".

Page 37, line 17, after "." insert "**The manner prescribed by the department must include placing notification in the public record so there is searchable evidence of the penalties being resolved as of the date of the resolution.**".

Page 37, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 23. IC 6-1.1-41-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. **(a)** After a political subdivision complies with this chapter, a property tax may be levied annually at the tax rate approved under this chapter without further action under this chapter. The tax levy must be advertised annually as other tax levies are advertised.

(b) If a political subdivision whose tax rate for a cumulative fund governed by this chapter is certified by the department of local government finance under

IC 6-1.1-17-16 in an amount less than the political subdivision initially adopted for the cumulative fund under section 3 of this chapter and the political subdivision wishes to impose a greater tax rate for the cumulative fund in a subsequent year, the political subdivision must reestablish the cumulative fund as provided in this chapter.".

Page 39, between lines 22 and 23, begin a new paragraph and insert:

"SECTION 25. IC 6-3.6-7-7.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 7.5. (a) This section applies to Decatur County.**

(b) The county council may, by ordinance, determine that additional local income tax revenue is needed in the county to do the following:

(1) Finance, construct, acquire, improve, renovate, and equip the county jail, and related buildings and parking facilities, including costs related to the demolition of existing buildings, the acquisition of land, and any other reasonably related costs.

(2) Repay bonds issued or leases entered into for the purposes described in subdivision (1).

(3) Operate and maintain the facilities described in subdivision (1).

(c) If the county council makes the determination set forth in subsection (b), the county council may adopt an ordinance to impose a local income tax rate of:

(1) fifteen-hundredths percent (0.15%);

(2) two-tenths percent (0.2%);

(3) twenty-five hundredths percent (0.25%);

(4) three-tenths percent (0.3%);

(5) thirty-five hundredths percent (0.35%);

(6) four-tenths percent (0.4%);

(7) forty-five hundredths percent (0.45%);

(8) five-tenths percent (0.5%);

(9) fifty-five hundredths percent (0.55%);

(10) six-tenths percent (0.6%); or

(11) sixty-five hundredths percent (0.65%).

The tax rate may not be greater than the rate necessary to pay for the purposes described in subsection (b).

(d) The tax rate used to pay for the purposes described in subsection (b)(1) and (b)(2) may be imposed only until the latest of the following dates:

(1) The date on which the financing, construction, acquisition, improvement, and equipping of the facilities as described in subsection (b) are completed.

(2) The date on which the last of any bonds issued (including refunding bonds) or leases entered into to finance the construction, acquisition, improvement, renovation, and equipping of the facilities described in subsection (b) are fully paid.

(3) The date on which an ordinance adopted under subsection (c) is rescinded.

(e) The tax rate under this section may be imposed beginning in the year following the year the ordinance is adopted and until the date on which the ordinance adopted under this section is rescinded.

(f) The term of a bond issued (including any refunding bond) or a lease entered into under subsection (b) may not exceed twenty-five (25) years.

(g) The county treasurer shall establish a county jail revenue fund to be used only for the purposes described in this section. Local income tax revenues derived from the tax rate imposed under this section shall be deposited in the county jail revenue fund.

(h) Local income tax revenues derived from the tax rate imposed under this section:

(1) may be used only for the purposes described in this section;

(2) may not be considered by the department of local government finance in determining the county's maximum permissible property tax levy limit under IC 6-1.1-18.5; and

(3) may be pledged to the repayment of bonds issued or leases entered into for the purposes described in subsection (b).

(i) Decatur County possesses unique governmental and economic development challenges and opportunities due to the following:

(1) Deficiencies in the current county jail, including the following:

(A) Lack of facilities to adequately provide mental health services and substance abuse treatment.

(B) Lack of facilities space to allow for some inmates to participate in work release and other community based rehabilitation programs.

(C) Lack of facilities to adequately house and supervise violent offenders.

(D) Lack of adequate facilities to accommodate an increased volume of inmates involved in domestic violence and crimes against children.

(E) Lack of adequate facilities to accommodate an increased number of out-of-state offenders.

(F) Increasing maintenance demands and costs resulting from having aging facilities.

(2) An agricultural based economy, with limited industrial and commercial assessed valuation in the county.

The use of local income tax revenues as provided in this section is necessary for the county to provide adequate jail capacity in the county and to maintain low property tax rates essential to economic development. The use of local income tax revenues as provided in this section to pay any bonds issued or leases entered into to finance the construction, acquisition, improvement, renovation, and equipping of the facilities described in subsection (b), rather than the use of

property taxes, promotes those purposes.

(j) Money accumulated from the local income tax rate imposed under this section after the termination of the tax under this section shall be transferred to the county rainy day fund under IC 36-1-8-5.1.

SECTION 26. IC 6-3.6-7-8.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 8.5. (a) This section applies to Fountain County.**

(b) The county council may, by ordinance, determine that additional local income tax revenue is needed in the county to do the following:

(1) Finance, construct, acquire, improve, renovate, and equip the county jail and related buildings and parking facilities, including costs related to the demolition of existing buildings, the acquisition of land, and any other reasonably related costs.

(2) Repay bonds issued or leases entered into for the purposes described in subdivision (1).

(c) If the county council makes the determination set forth in subsection (b), the county council may adopt an ordinance to impose a local income tax rate of not more than fifty-five hundredths percent (0.55%). However, the tax rate may not be greater than the rate necessary to pay for the purposes described in subsection (b).

(d) The tax rate may be imposed only until the later of the following dates:

(1) The date on which the financing, construction, acquisition, improvement, renovation, and equipping of the facilities as described in subsection (b) are completed.

(2) The date on which the last of any bonds issued (including refunding bonds) or leases entered into to finance the construction, acquisition, improvement, renovation, and equipping of the facilities described in subsection (b) are fully paid.

(e) The term of a bond issued (including any refunding bond) or a lease entered into under subsection (b) may not exceed twenty-five (25) years.

(f) The county treasurer shall establish a county jail revenue fund to be used only for the purposes described in this section. Local income tax revenues derived from the tax rate imposed under this section shall be deposited in the county jail revenue fund.

(g) Local income tax revenues derived from the tax rate imposed under this section:

(1) may be used only for the purposes described in this section;

(2) may not be considered by the department of local government finance in determining the county's maximum permissible property tax levy limit under IC 6-1.1-18.5; and

(3) may be pledged to the repayment of bonds issued or leases entered into for the purposes described in subsection (b).

(h) Fountain County possesses unique governmental and economic development challenges and opportunities related to:

(1) the current county jail; and

(2) a limited industrial and commercial assessed valuation in the county.

The use of local income tax revenues as provided in this section is necessary for the county to provide adequate jail capacity in the county and to maintain low property tax rates essential to economic development. The use of local income tax revenues as provided in this section to pay any bonds issued or leases entered into to finance the construction, acquisition, improvement, renovation, and equipping of the facilities described in subsection (b), rather than the use of property taxes, promotes those purposes.

(i) Money accumulated from the local income tax rate imposed under this section after the termination of the tax under this section shall be transferred to the county rainy day fund under IC 36-1-8-5.1.

SECTION 27. IC 6-3.6-7-15, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 15. (a) This section applies only to Miami County.

(b) Miami County possesses unique economic development challenges due to:

(1) underemployment in relation to similarly situated counties; and

(2) the presence of a United States government military base or other military installation that is completely or partially inactive or closed.

Maintaining low property tax rates is essential to economic development, and the use of a tax under this section ~~to pay any bonds issued or leases entered into~~ to carry out the purposes of this section rather than use of property taxes promotes these purposes.

(c) The county fiscal body may impose a tax rate on the adjusted gross income of local taxpayers that is the lesser of the following:

(1) Twenty-five hundredths percent (0.25%).

(2) The rate necessary to pay the costs of financing, constructing, acquiring, renovating, ~~and~~ equipping, **operating, and maintaining** a county jail.

(d) Revenue raised from a tax imposed under this section may be used only for the purposes of paying the costs of financing, constructing, acquiring, renovating, ~~and~~ equipping, **operating, and maintaining** a county jail, including the repayment of bonds issued, or leases entered into, for financing, constructing, acquiring, renovating, and equipping a county jail.".

Page 41, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 31. IC 14-33-5-2, AS AMENDED BY P.L.84-2016, SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) At each annual meeting of the district, directors shall be elected to fill vacancies on the board due to expiration of terms, resignation, or otherwise. The election shall be conducted by written ballots. Except as provided in subsection (c), to be elected an individual must receive a ~~majority~~ **plurality** of the votes of the freeholders of the district who are:

(1) present and voting in person; or

(2) absent but have mailed or delivered a written ballot vote.

(b) A written ballot vote must be signed and mailed or delivered to the district office. A ballot is valid if delivered or received before the scheduled date of the annual meeting.

(c) Upon receipt of a petition from the board of directors of a conservancy district, the court may modify the order establishing the district under IC 14-33-2-27 to provide that each director representing an area established under IC 14-33-2-27 shall be elected by a ~~majority~~ **plurality** of the votes of the freeholders of the respective areas.".

Page 41, line 18, delete "property tax or special benefits" and insert "**levy,**".

Page 41, line 19, delete "tax,".

Page 43, delete lines 40 though 42.

Delete page 44.

Page 45, delete line 1, begin a new paragraph and insert:

"SECTION 34. IC 36-4-3-11.7, AS ADDED BY P.L.228-2015, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: 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) 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.

(c) Notwithstanding any other law, an annexation waiver signed after December 31, 1995, that a unit has not acted upon by completing an annexation before January 1, 2006, is null and void.".

Page 47, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 37. IC 36-8-19-1.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 1.7. As used in this chapter, "fire protection district" means a fire protection district established under IC 36-8-11-4.**

SECTION 38. IC 36-8-19-2, AS AMENDED BY P.L.47-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. As used in this chapter, "participating unit" refers to a unit **or fire protection district** that adopts an ordinance or a resolution under section 6 of this chapter.

SECTION 39. IC 36-8-19-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) Subject to subsections (b) and (c), the legislative ~~bodies of at least two (2) contiguous units~~ **body of a unit or fire protection district and the legislative body of at least one (1) other contiguous unit or contiguous fire protection district** may establish a fire protection territory for any of the following purposes:

(1) Fire protection, including the capability for extinguishing all fires that might be reasonably expected because of the types of improvements, personal property, and real property within the boundaries of the territory.

(2) Fire prevention, including identification and elimination of all potential and actual sources of fire hazard.

(3) Other purposes or functions related to fire protection and fire prevention.

(b) Not more than one (1) unit **or fire protection district** within the proposed territory may be designated as the provider unit for the territory.

(c) The boundaries of a territory need not coincide with those of other political subdivisions.

SECTION 40. IC 36-8-19-6, AS AMENDED BY P.L.49-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. (a) To establish a fire protection territory, the legislative bodies of each unit **or fire protection district** desiring to become a part of the proposed territory must adopt an ordinance ~~(if the unit is~~ **(in the case of** a county or municipality) or a resolution ~~(if the unit is~~ **(in the case of** a township **or a fire protection district)** that meets the following requirements:

(1) The ordinance or resolution is identical to the ordinances and resolutions adopted by the other units **or fire protection districts** desiring to become a part of the proposed territory.

(2) The ordinance or resolution is adopted after January 1 but before April 1.

(3) The ordinance or resolution authorizes the unit **or fire protection district** to become a party to an agreement for the establishment of a fire protection territory.

(4) The ordinance or resolution is adopted after the legislative body holds a public hearing to receive public comment on the proposed ordinance or resolution. The legislative body must give notice of the hearing under IC 5-3-1.

(b) Before the legislative body of a unit **or fire protection district** may adopt an ordinance or a resolution under this section to form a territory, the legislative body must do the following:

(1) Hold a public hearing, at least thirty (30) days before adopting the ordinance or resolution, at which the legislative body makes available to the public the following information:

(A) The property tax levy, property tax rate, and budget to be imposed or adopted during the first year of the proposed territory for each of the units **or fire protection districts** that would participate in the proposed territory.

(B) The estimated effect of the proposed reorganization in the following years on taxpayers in each of the units **or fire protection districts** that would participate in the proposed territory, including the expected property tax rates, property tax levies, expenditure levels, service levels, and annual debt service payments.

(C) The estimated effect of the proposed reorganization on other units in the county in the following years and on local option income taxes, excise taxes, and property tax circuit breaker credits.

(D) A description of the planned services and staffing levels to be provided in the proposed territory.

(E) A description of any capital improvements to be provided in the proposed territory.

(2) Hold at least one (1) additional public hearing before adopting an ordinance or a resolution to form a territory, to receive public comment on the proposed ordinance or resolution.

The public hearings required under this subsection are in addition to the public hearing required under subsection (a)(4). The legislative body must give notice of the hearings under IC 5-3-1.

(c) The notice required for a hearing under subsection (b)(2) shall include all of the following:

(1) A list of the provider unit and all participating units in the proposed territory.

(2) The date, time, and location of the hearing.

(3) The location where the public can inspect the proposed ordinance or resolution.

(4) A statement as to whether the proposed ordinance or resolution requires uniform tax rates or different tax rates within the territory.

(5) The name and telephone number of a representative of the unit **or fire protection district** who may be contacted for further information.

(6) The proposed levies and tax rates for each participating unit.

(d) The ordinance or resolution adopted under this section shall include at least the following:

(1) The boundaries of the proposed territory.

(2) The identity of the provider unit and all other participating units desiring to be included within the territory.

(3) An agreement to impose:

(A) a uniform tax rate upon all of the taxable property within the territory for fire protection services; or

(B) different tax rates for fire protection services for the units **or fire protection districts** desiring to be included within the territory, so long as a tax rate applies uniformly to all of a unit's **or fire protection district's** taxable property within the territory.

(4) The contents of the agreement to establish the territory.

(e) An ordinance or a resolution adopted under this section takes effect July 1 of the year the ordinance or resolution is adopted.

SECTION 41. IC 36-8-19-6.3, AS ADDED BY P.L.172-2011, SECTION 159, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6.3. A member of the legislative body of a unit **or fire protection district** may not vote on a proposed ordinance or resolution authorizing the unit **or fire protection district** to become a party to an agreement to join or establish a fire protection territory if that member is also an employee of:

(1) another unit **or fire protection district** that is a participating unit in the fire protection territory; or

(2) another unit **or fire protection district** that is proposing to become a participating unit in the fire protection territory.".

Page 47, line 32, strike "(if the unit is" and insert "**(in the case of**".

Page 47, line 33, strike "(if the unit is" and insert "**(in the case of**".

Page 47, line 33, delete "township)" and insert "township **or fire protection district)**".

Page 48, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 43. IC 36-8-19-7, AS AMENDED BY P.L.172-2011, SECTION 160, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. (a) A tax levied under this chapter may be levied at:

(1) a uniform rate upon all taxable property within the territory; or

(2) different rates for the participating units included within the territory, so long as a tax rate applies uniformly to all of a unit's **or fire protection district's** taxable property within the territory.

(b) If a uniform tax rate is levied upon all taxable property within a territory upon the formation of the territory, different tax rates may be levied for the participating units included within the territory in subsequent years.

SECTION 44. IC 36-8-19-8.5, AS AMENDED BY P.L.203-2016, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 8.5. (a) Participating units may agree to establish an equipment replacement fund under this section to be used to purchase fire protection equipment, including housing, that will be used to

serve the entire territory. To establish the fund, the legislative bodies of each participating unit must adopt an ordinance ~~(if the unit is~~ **(in the case of** a county or municipality) or a resolution ~~(if the unit is~~ **(in the case of** a township **or fire protection district),** and the following requirements must be met:

(1) The ordinance or resolution is identical to the ordinances and resolutions adopted by the other participating units under this section.

(2) Before adopting the ordinance or resolution, each participating unit must comply with the notice and hearing requirements of IC 6-1.1-41-3.

(3) The ordinance or resolution authorizes the provider unit to establish the fund.

(4) The ordinance or resolution includes at least the following:

(A) The name of each participating unit and the provider unit.

(B) An agreement to impose a uniform tax rate upon all of the taxable property within the territory for the equipment replacement fund.

(C) The contents of the agreement to establish the fund.

An ordinance or a resolution adopted under this section takes effect as provided in IC 6-1.1-41.

(b) If a fund is established, the participating units may agree to:

(1) impose a property tax to provide for the accumulation of money in the fund to purchase fire protection equipment;

(2) incur debt to purchase fire protection equipment and impose a property tax to retire the loan; or

(3) transfer an amount from the fire protection territory fund to the fire equipment replacement fund not to exceed five percent (5%) of the levy for the fire protection territory fund for that year;

or any combination of these options.

(c) The property tax rate for the levy imposed under this section may not exceed three and thirty-three hundredths cents ($0.0333) per one hundred dollars ($100) of assessed value. Before debt may be incurred, the fiscal body of a participating unit must adopt an ordinance ~~(if the unit is~~ **(in the case of** a county or municipality) or a resolution ~~(if the unit is~~ **(in the case of** a township **or fire protection district)** that specifies the amount and purpose of the debt. The ordinance or resolution must be identical to the other ordinances and resolutions adopted by the participating units. Except as provided in subsection (d), if debt is to be incurred for the purposes of a fund, the provider unit shall negotiate for and hold the debt on behalf of the territory. However, the participating units and the provider unit of the territory are jointly liable for any debt incurred by the provider unit for the purposes of the fund. The most recent adjusted value of taxable property for the entire territory must be used to determine the debt limit under IC 36-1-15-6. A provider unit shall comply with all general statutes and rules relating to the incurrence of debt under this subsection.

(d) A participating unit of a territory may, to the extent allowed by law, incur debt in the participating unit's own name to acquire fire protection equipment or other property that is to be owned by the participating unit. A participating unit that acquires fire protection equipment or other property under this subsection may afterward enter into an interlocal agreement under IC 36-1-7 with the provider unit to furnish the fire protection equipment or other property to the provider unit for the provider unit's use or benefit in accomplishing the purposes of the territory. A participating unit shall comply with all general statutes and rules relating to the incurrence of debt under this subsection.

(e) Money in the fund may be used by the provider unit only for those purposes set forth in the agreement among the participating units that permits the establishment of the fund.

(f) The requirements and procedures specified in IC 6-1.1-41 concerning the establishment or reestablishment of a cumulative fund, the imposing of a property tax for a cumulative fund, and the increasing of a property tax rate for a cumulative fund apply to:

(1) the establishment or reestablishment of a fund under this section;

(2) the imposing of a property tax for a fund under this section; and

(3) the increasing of a property tax rate for a fund under this section.

(g) Notwithstanding IC 6-1.1-18-12, if a fund established under this section is reestablished in the manner provided in IC 6-1.1-41, the property tax rate imposed for the fund in the first year after the fund is reestablished may not exceed three and thirty-three hundredths cents ($0.0333) per one hundred dollars ($100) of assessed value.

SECTION 45. IC 36-8-19-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. (a) The department of local government finance, when approving a rate and levy fixed by the provider unit, shall verify that a duplication of tax levies does not exist within participating units, so that taxpayers do not bear two (2) levies for the same service, except as provided by subsection (b) or (c).

(b) A unit **or fire protection district** that incurred indebtedness for fire protection services before becoming a participating unit under this chapter shall continue to repay that indebtedness by levies within the boundaries of the unit **or fire protection district** until the indebtedness is paid in full.

(c) A unit **or fire protection district** that agreed to the borrowing of money to purchase fire protection equipment while a participating unit under this chapter shall continue to repay the unit's **or fire protection district's** share of that indebtedness by imposing a property tax within the boundaries of the unit **or fire protection district** until the indebtedness is paid in full. The department of local government finance shall determine the

amount of the indebtedness that represents the unit's **or fire protection district's** fair share, taking into account the equipment purchased, the useful life of the equipment, the depreciated value of the equipment, and the number of years the unit benefited from the equipment.

SECTION 46. IC 36-8-19-10, AS AMENDED BY P.L.47-2007, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. This chapter does not require a municipality, ~~or~~ township, **or fire protection district** to disband its fire department unless its legislative body consents by ordinance ~~(if the unit is~~ **(in the case of** a municipality) or resolution ~~(if the unit is~~ **(in the case of** a township **or fire protection district)** to do so.

SECTION 47. IC 36-8-19-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. Any area that is part of a territory and that is annexed by a municipality that is not a part of the territory ceases to be a part of the territory when the municipality begins to provide fire protection services to the area. **However, this provision does not apply to or affect any part of the territory that is located in a fire protection district that retains fire protection authority and responsibility after an annexation.**

SECTION 48. IC 36-8-19-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. In the same year that a tax levy is imposed under this chapter, each respective participating unit's tax levies attributable to providing fire protection services within the unit **or fire protection district** shall be reduced by an amount equal to the amount levied for fire protection services in the year immediately preceding the year in which each respective unit **or fire protection district** became a participating unit.".

Page 48, line 11, after "unit" insert "**or fire protection district**".

Page 48, line 12, after "unit" insert "**or fire protection district**".

Page 48, line 13, strike "(if the unit is" and insert "**(in the case of**".

Page 48, line 14, strike "(if the unit is" and insert "**(in the case of**".

Page 48, line 14, delete "township)" and insert "township **or fire protection district)**".

Page 48, line 15, after "unit" insert "**or fire protection district**".

Page 48, line 17, after "unit" insert "**or fire protection district**".

Page 48, line 22, after "unit" insert "**or fire protection district**".

Page 48, line 28, after "unit's" insert "**or fire protection district's**".

Page 48, line 30, after "unit" insert "**or fire protection district**".

Page 48, line 32, after "unit" insert "**or fire protection district**".

Page 48, line 36, after "unit's" insert "**or fire protection district's**".

Page 48, line 37, after "unit" insert "**or fire protection district**".

Page 48, line 39, after "unit" insert "**or fire protection district**".

Page 48, line 39, after "unit's" insert "**or fire protection district's**".

Page 49, line 1, after "unit" insert "**or fire protection district**".

Page 58, line 25, delete "and" and insert "**or**".

Page 59, line 38, delete "28" and insert "**56**".

Page 60, between lines 1 and 2, begin a new paragraph and insert:

"SECTION 62. [EFFECTIVE UPON PASSAGE] **(a) This SECTION applies only to Knox County.**

(b) For purposes of the levy limits under IC 6-1.1-18.5-3(a), the department of local government finance shall increase Knox County's maximum permissible ad valorem property tax levy by an amount equal to three hundred nineteen thousand nine hundred sixty dollars ($319,960) for taxes payable in 2018.

(c) For purposes of the levy limits under IC 6-1.1-18.5-3(a), the department of local government finance shall decrease Knox County's maximum permissible ad valorem property tax levy by an amount equal to three hundred nineteen thousand nine hundred sixty dollars ($319,960) for taxes payable in 2019.

(d) This SECTION expires July 1, 2020.

SECTION 63. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "longtime owner-occupant" means any individual who has, or joint property owners who all have, owned and occupied the same homestead as a principal residence and domicile for at least ten (10) consecutive annual assessment dates.**

(b) The legislative council is urged to assign to the appropriate study committee during the 2017 legislative interim the topic of issues related to establishing a neighborhood enhancement property tax relief program to allow a county, city, or town to adopt an ordinance or resolution to provide a real property assessed value deduction to longtime owner-occupants of real property located in designated areas with deteriorated, vacant, or abandoned residences and properties where homestead values are expected to rise markedly as a consequence of the refurbishing or renovating of deteriorating residences in the area or the construction of new residences in the area.

(c) This SECTION expires January 1, 2018.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1450 as reprinted February 24, 2017.) and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 1.

HERSHMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1471, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 13, line 5, after "section" insert ".".

Page 13, line 5, delete "as follows:".

Page 13, line 6, delete "(1)".

Page 13, run in lines 5 through 9.

Page 13, delete lines 10 through 16.

Page 16, line 5, delete ",".

Page 16, line 5, delete "including emergency rules in the manner provided by".

Page 16, line 6, delete "IC 4-22-2-37.1,".

Page 16, line 6, delete "Notwithstanding".

Page 16, delete lines 7 through 11.

(Reference is to EHB 1471 as printed March 28, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

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

Page 2, line 7, delete "the higher of the following applicable percentages:" and insert "**one hundred five percent (105%).**".

Page 2, delete lines 8 through 17.

Page 2, delete lines 28 through 37, begin a new paragraph and insert:

"SECTION 2. IC 6-3.6-9-18 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 18. (a) This section applies only to Clark County.**

(b) Notwithstanding section 5 of this chapter, when determining the allocation amount and the economic development revenue allocation for each taxing unit in the county:

(1) in 2019, one hundred percent (100%) of the increase in the county's maximum permissible levy permitted under IC 6-1.1-18.5-13.8 shall be excluded;

(2) in 2020, sixty-six and sixty-seven hundredths percent (66.67%) of the increase in the county's maximum permissible levy permitted under IC 6-1.1-18.5-13.8 shall be excluded; and

(3) in 2021, thirty-three and thirty-three hundredths percent (33.33%) of the increase in the county's maximum permissible levy permitted under IC 6-1.1-18.5-13.8 shall be excluded.

(c) This section expires June 30, 2022.

SECTION 3. [EFFECTIVE UPON PASSAGE] **(a) The legislative council is urged to assign to the appropriate study committee during the 2017 legislative interim the topic of studying the following issues related to tax increment financing:**

(1) The process necessary to establish a tax increment financing district.

(2) The process by which a redevelopment commission may retain or release incremental assessed revenue in a tax increment financing district.

(3) Termination of a tax increment financing district once it is established.

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

Renumber all SECTIONS consecutively.

(Reference is to EHB 1489 as printed March 17, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

HERSHMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Engrossed House Bill 1491, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 6-1.1-2-7, AS AMENDED BY P.L.1-2009, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. (a) As used in this section, "nonbusiness personal property" means personal property that is not:

(1) held for sale in the ordinary course of a trade or business;

(2) held, used, or consumed in connection with the production of income; or

(3) held as an investment.

(b) The following property is not subject to assessment and taxation under this article:

(1) A commercial vessel that is subject to the net tonnage tax imposed under IC 6-6-6.

(2) A ~~motor~~ vehicle that is subject to the ~~annual license~~ **vehicle** excise tax imposed under IC 6-6-5.

(3) A motorized boat or sailboat that is subject to the boat excise tax imposed under IC 6-6-11.

(4) Property used by a cemetery (as defined in IC 23-14-33-7) if the cemetery:

(A) does not have a board of directors, board of trustees, or other governing authority other than the state or a political subdivision; and

(B) has had no business transaction during the preceding calendar year.

(5) A commercial vehicle that is subject to the annual excise tax imposed under IC 6-6-5.5.

(6) Inventory.

(7) A recreational vehicle or truck camper that is subject to the annual excise tax imposed under IC 6-6-5.1.

(8) The following types of nonbusiness personal property:

(A) All-terrain vehicles.

(B) Snowmobiles.

(C) Rowboats, canoes, kayaks, and other human powered boats.

(D) Invalid chairs.

(E) Yard and garden tractors.

(F) Trailers that are not subject to an excise tax under:

(i) ~~IC 6-6-5.5.~~ **IC 6-6-5;**

(ii) IC 6-6-5.1; or

(iii) IC 6-6-5.5.

SECTION 2. IC 6-2.5-2-3, AS ADDED BY P.L.166-2014, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) As used in this section, "motor vehicle" means a vehicle that would be subject to the ~~annual license~~ **vehicle** excise tax imposed under IC 6-6-5 if the vehicle were to be used in Indiana.

(b) Notwithstanding section 2 of this chapter, the state gross retail tax rate on a motor vehicle that a purchaser intends to:

(1) transport to a destination outside Indiana within thirty (30) days after delivery; and

(2) title or register for use in another state or country;

is the rate of that state or country (excluding any locally imposed tax rates) as certified by the seller and purchaser in an affidavit satisfying the requirements of subsection (c).

(c) The department of state revenue shall prescribe the form of the affidavit required by subsection (b). In addition to the certification required by subsection (b), the affidavit must include the following:

(1) The name of the state or country in which the motor vehicle will be titled or registered.

(2) An affirmation by the purchaser under the penalties for perjury that the information contained in the affidavit is true.

(3) Any other information required by the department of state revenue for the purpose of verifying the information contained in the affidavit.

(d) The department may audit affidavits submitted under this section and make a proposed assessment of the amount of unpaid tax due with respect to any incorrect information submitted in an affidavit required by this section.

SECTION 3. IC 6-3.5-4-1, AS AMENDED BY P.L.146-2016, SECTION 5, AND AS AMENDED BY P.L.198-2016, SECTION 22, AND AS AMENDED BY P.L.197-2016, SECTION 34, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. ~~*As used in*~~ *The following definitions apply throughout* this chapter:

(1) "Adopting entity" means either the county council or the ~~*county*~~ *local* income tax council established by ~~*IC 6-3.5-6-2*~~ *IC 6-3.6-3-1* for the county, whichever adopts an ordinance to impose a surtax first.

~~*(2) "Branch office" means a branch office of the bureau of motor vehicles.*~~

~~*(3)*~~ **(2)** "County council" includes the city-county council of a county that contains a consolidated city of the first class.

~~*(4)*~~ **(3)** "~~Motor~~ Vehicle" ~~means a vehicle which is subject to the annual license excise tax imposed under IC 6-6-5.~~ **has the meaning set forth in IC 6-6-5-1(b).**

~~*(5)*~~ **(4)** "Net ~~annual license~~ **vehicle** excise tax" means the tax due under IC 6-6-5 after the application of the adjustments and credits provided by that chapter.

~~*(6)*~~ **(5)** "Surtax" means the ~~annual license~~ **county vehicle** excise ~~surtax~~ **tax** imposed by an adopting entity under this chapter.

~~*(7)*~~ **(6)** *"Transportation asset management plan" includes planning for drainage systems and rights-of-way that affect transportation assets.*

SECTION 4. IC 6-3.5-4-2, AS AMENDED BY P.L.146-2016, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) An adopting entity of any county may, subject to the limitation imposed by subsection (f), adopt an ordinance to impose ~~an annual license~~ **a county vehicle** excise ~~surtax~~ **tax in accordance with this chapter** on each ~~motor~~ vehicle listed in subsection (e) that is registered in the county.

(b) If a county does not use a transportation asset management plan approved by the Indiana department of transportation, the adopting entity of the county may impose the surtax either:

(1) at a rate of not less than two percent (2%) nor more than ten percent (10%); or

(2) at a specific amount of at least seven dollars and fifty cents ($7.50) and not more than twenty-five dollars ($25).

However, the surtax on a vehicle may not be less than seven dollars and fifty cents ($7.50). The adopting entity shall state the surtax rate or amount in the ordinance which imposes the tax.

(c) If a county uses a transportation asset management plan approved by the Indiana department of transportation, the adopting entity of the county may impose the surtax either:

(1) at a rate of at least two percent (2%) and not more than twenty percent (20%); or

(2) at a specific amount of at least seven dollars and fifty cents ($7.50) and not more than fifty dollars ($50).

However, the surtax on a vehicle may not be less than seven dollars and fifty cents ($7.50). The adopting entity shall state the surtax rate or amount in the ordinance that imposes the tax.

(d) Subject to the limits and requirements of this section, the adopting entity may do any of the following:

(1) Impose the ~~annual license~~ **county vehicle** excise ~~surtax~~ **tax** at the same rate or amount on each ~~motor~~ vehicle that is subject to the tax.

(2) Impose the ~~annual license~~ **county vehicle** excise ~~surtax~~ **tax** on vehicles subject to the tax at one (1) or more different rates based on the class of vehicle listed in subsection (e).

(e) The ~~license~~ **county vehicle** excise ~~surtax~~ **tax** applies to the following vehicles:

(1) Passenger vehicles.

(2) Motorcycles.

(3) Trucks with a declared gross weight that does not exceed eleven thousand (11,000) pounds.

(4) Motor driven cycles.

(f) The adopting entity may not adopt an ordinance to impose the surtax unless it concurrently adopts an ordinance under IC 6-3.5-5 to impose the wheel tax.

(g) Notwithstanding any other provision of this chapter or IC 6-3.5-5, ordinances adopted by a county council before June 1, 2013, to impose or change the ~~annual license~~ **county vehicle** excise ~~surtax~~ **tax** and the annual wheel tax in the county remain in effect until the ordinances are amended or repealed under this chapter or IC 6-3.5-5.

(h) A county vehicle excise tax imposed by this chapter for a vehicle is due and shall be paid each year at the time the vehicle is registered.".

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

"SECTION 9. IC 6-3.5-4-7, AS AMENDED BY P.L.149-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. A person may not register a ~~motor~~ vehicle in a county that has adopted the surtax unless the person pays the surtax due, if any, to the bureau of motor vehicles. The amount of the surtax due equals the greater of seven dollars and fifty cents ($7.50), the amount established under section 2 of this chapter, or the product of:

(1) the amount determined under section 7.3 of this chapter for the vehicle, as adjusted under section 7.4 of this chapter; multiplied by

(2) the surtax rate in effect at the time of registration.

The bureau of motor vehicles shall collect the surtax due, if any, at the time a ~~motor~~ vehicle is registered.

SECTION 10. IC 6-3.5-4-16, AS AMENDED BY P.L.149-2015, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 16. (a) The owner of a ~~motor~~ vehicle who knowingly registers the vehicle without paying surtax imposed under this chapter with respect to that registration commits a Class B misdemeanor.

(b) An employee of the bureau of motor vehicles who recklessly issues a registration on any ~~motor~~ vehicle without collecting surtax imposed under this chapter with respect to that registration commits a Class B misdemeanor.

SECTION 11. IC 6-3.5-5-1, AS AMENDED BY P.L.146-2016, SECTION 8, AND AS AMENDED BY P.L.198-2016, SECTION 24, AND AS AMENDED BY P.L.197-2016, SECTION 36, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. ~~*As used in*~~ *The following definitions apply throughout* this chapter:

(1) "Adopting entity" means either the county council or the ~~*county*~~ *local* income tax council established by ~~*IC 6-3.5-6-2*~~ *IC 6-3.6-3-1* for the county, whichever adopts an ordinance to impose a wheel tax first.

~~*(2) "Branch office" means a branch office of the bureau of motor vehicles.*~~

~~*(3)*~~ **(2)** "Bus" has the meaning set forth in ~~IC 9-13-2-17(a).~~ **IC 9-13-2-17.**

~~*(4)*~~ **(3)** "Commercial ~~*motor*~~ vehicle" has the meaning set forth in ~~IC 6-6-5.5-1(c).~~ **IC 6-6-5.5-1(b).**

~~*(5)*~~ **(4)** "County council" includes the city-county council of a county that contains a consolidated city of the first class.

~~*(6)*~~ **(5)** "In-state miles" has the meaning set forth in ~~IC 6-6-5.5-1(i).~~ **IC 6-6-5.5-1(b).**

~~*(7)*~~ **(6)** "Political subdivision" has the meaning set forth in IC 34-6-2-110.

~~*(8)*~~ **(7)** "Recreational vehicle" has the meaning set forth in IC 9-13-2-150.

~~*(9)*~~ **(8)** "Semitrailer" has the meaning set forth in IC 9-13-2-164(a).

~~*(10)*~~ **(9)** "State agency" has the meaning set forth in IC 34-6-2-141.

~~*(11)*~~ **(10)** "Tractor" has the meaning set forth in IC 9-13-2-180.

~~*(12)*~~ **(11)** "Trailer" has the meaning set forth in IC 9-13-2-184(a).

~~*(13)*~~ **(12)** *"Transportation asset management plan" includes planning for drainage systems and rights-of-way that affect transportation assets.*

~~*(14)*~~ **(13)** "Truck" has the meaning set forth in IC 9-13-2-188(a).

~~*(15)*~~ **(14)** "Wheel tax" means the tax imposed under this chapter.

SECTION 12. IC 6-3.5-5-2, AS AMENDED BY P.L.146-2016, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) The

adopting entity of any county may, subject to the limitation imposed by subsection (b), adopt an ordinance to impose ~~an annual~~ **a county** wheel tax **in accordance with this chapter** on each vehicle that:

(1) is included in one (1) of the classes of vehicles listed in section 3 of this chapter;

(2) is not exempt from the wheel tax under section 4 of this chapter; and

(3) is registered in the county.

(b) The adopting entity of a county may not adopt an ordinance to impose the wheel tax unless it concurrently adopts an ordinance under IC 6-3.5-4 to impose the ~~annual license~~ **county vehicle** excise ~~surtax.~~ **tax.**

(c) The adopting entity may impose the wheel tax at a different rate for each of the classes of vehicles listed in section 3 of this chapter. In addition, the adopting entity may establish different rates within the classes of buses, semitrailers, trailers, tractors, and trucks based on weight classifications of those vehicles that are established by the bureau of motor vehicles for use throughout Indiana. However, the wheel tax rate for a particular class or weight classification of vehicles:

(1) may not be less than five dollars ($5) and may not exceed forty dollars ($40), if the county does not use a transportation asset management plan approved by the Indiana department of transportation; or

(2) may not be less than five dollars ($5) and may not exceed eighty dollars ($80), if the county uses a transportation asset management plan approved by the Indiana department of transportation.

The adopting entity shall state the initial wheel tax rates in the ordinance that imposes the tax.

(d) A wheel tax imposed by this chapter for a vehicle is due and shall be paid each year at the time the vehicle is registered.".

Page 4, line 14, delete "(a)".

Page 4, between lines 22 and 23, begin a new paragraph and insert:

"SECTION 17. IC 6-3.5-5-8.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 8.5. (a) Every owner of a vehicle for which the wheel tax has been paid for the owner's registration year is entitled to a credit if during that registration year the owner sells the vehicle. The amount of the credit equals the wheel tax **owed for and** paid **during the current registration year** by the owner for the vehicle that was sold. The credit may only be applied by the owner against the wheel tax owed for a vehicle that is purchased during the same registration year.

(b) An owner of a vehicle is not entitled to a refund of any part of a credit that is not used under this section.

SECTION 18. IC 6-3.5-10-1, AS ADDED BY P.L.146-2016, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. The following definitions apply throughout this chapter:

(1) "Adopting municipality" means an eligible municipality that has adopted the surtax.

(2) "Eligible municipality" means a municipality having a population of at least ten thousand (10,000).

(3) "Fiscal body" has the meaning set forth in IC 36-1-2-6.

(4) "Fiscal officer" has the meaning set forth in IC 36-1-2-7.

(5) ~~"Motor~~ "Vehicle" ~~means a vehicle that is subject to the annual license excise tax imposed under IC 6-6-5.~~ **has the meaning set forth in IC 6-6-5-1(b).**

(6) "Municipality" has the meaning set forth in IC 36-1-2-11.

(7) "Surtax" means the ~~annual license~~ **municipal vehicle** excise ~~surtax~~ **tax** imposed by the fiscal body of an eligible municipality under this chapter.

(8) "Transportation asset management plan" includes planning for drainage systems and rights-of-way that affect transportation assets.

SECTION 19. IC 6-3.5-10-2, AS ADDED BY P.L.146-2016, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) The fiscal body of an eligible municipality may, subject to subsections (d) and (e), adopt an ordinance to impose ~~an annual license~~ **a municipal vehicle** excise ~~surtax~~ **tax** on each ~~motor~~ vehicle listed in subsection (c) that is registered in the eligible municipality. The eligible municipality may impose the surtax at a specific amount of:

(1) at least seven dollars and fifty cents ($7.50); and

(2) not more than twenty-five dollars ($25).

The eligible municipality shall state the surtax rate or amount in the ordinance that imposes the tax.

(b) Subject to the limits and requirements of this section, the fiscal body of an eligible municipality may do any of the following:

(1) Impose the ~~annual license~~ **municipal vehicle** excise ~~surtax~~ **tax** at the same amount on each ~~motor~~ vehicle that is subject to the tax.

(2) Impose the ~~annual license~~ **municipal vehicle** excise ~~surtax~~ **tax** on vehicles subject to the tax at one (1) or more different amounts based on the class of vehicle listed in subsection (c).

(c) The ~~license~~ **municipal vehicle** excise ~~surtax~~ **tax** applies to the following vehicles:

(1) Passenger vehicles.

(2) Motorcycles.

(3) Trucks with a declared gross weight that does not exceed eleven thousand (11,000) pounds.

(4) Motor driven cycles.

(d) The fiscal body of an eligible municipality may not adopt an ordinance to impose the surtax unless the fiscal body concurrently adopts an ordinance under IC 6-3.5-11 to impose

the municipal wheel tax.

(e) The fiscal body of an eligible municipality may not adopt an ordinance to impose the surtax unless the eligible municipality uses a transportation asset management plan approved by the Indiana department of transportation.

(f) A municipal vehicle excise tax imposed by this chapter for a vehicle is due and shall be paid each year at the time the vehicle is registered.".

Page 5, line 28, delete ",".

Page 5, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 24. IC 6-3.5-10-7, AS ADDED BY P.L.146-2016, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. A person may not register a ~~motor~~ vehicle in an adopting municipality unless the person pays the surtax due, if any, to the bureau of motor vehicles. The amount of the surtax due equals the amount established under section 2 of this chapter. The bureau of motor vehicles shall collect the surtax due, if any, at the time a ~~motor~~ vehicle is registered.".

Page 5, between lines 38 and 39, begin a new paragraph and insert:

"SECTION 27. IC 6-3.5-10-13, AS ADDED BY P.L.146-2016, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. (a) The owner of a ~~motor~~ vehicle who knowingly registers the vehicle without paying the surtax imposed under this chapter with respect to that registration commits a Class B misdemeanor.

(b) An employee of the bureau of motor vehicles who recklessly issues a registration on any ~~motor~~ vehicle without collecting the surtax imposed under this chapter with respect to that registration commits a Class B misdemeanor.

SECTION 28. IC 6-3.5-11-1, AS ADDED BY P.L.146-2016, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. The following definitions apply throughout this chapter:

(1) "Adopting municipality" means an eligible municipality that has adopted the wheel tax.

(2) "Branch office" means a branch office of the bureau of motor vehicles.

(3) "Bus" has the meaning set forth in IC 9-13-2-17(a).

(4) "Commercial vehicle" has the meaning set forth in ~~IC 6-6-5.5-1(c).~~ **IC 6-6-5.5-1(b).**

(5) "Department" refers to the department of state revenue.

(6) "Eligible municipality" means a municipality having a population of at least ten thousand (10,000).

(7) "In-state miles" has the meaning set forth in ~~IC 6-6-5.5-1(i).~~ **IC 6-6-5.5-1(b).**

(8) "Political subdivision" has the meaning set forth in IC 34-6-2-110.

(9) "Recreational vehicle" has the meaning set forth in IC 9-13-2-150.

(10) "Semitrailer" has the meaning set forth in IC 9-13-2-164(a).

(11) "State agency" has the meaning set forth in IC 34-6-2-141.

(12) "Tractor" has the meaning set forth in IC 9-13-2-180.

(13) "Trailer" has the meaning set forth in IC 9-13-2-184(a).

(14) "Transportation asset management plan" includes planning for drainage systems and rights-of-way that affect transportation assets.

(15) "Truck" has the meaning set forth in IC 9-13-2-188(a).

(16) "Wheel tax" means the tax imposed under this chapter.

SECTION 29. IC 6-3.5-11-2, AS ADDED BY P.L.146-2016, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) The fiscal body of an eligible municipality may, subject to subsections (b) and (c), adopt an ordinance to impose ~~an annual~~ **a municipal** wheel tax **in accordance with this chapter** on each vehicle that:

(1) is included in one (1) of the classes of vehicles listed in section 3 of this chapter;

(2) is not exempt from the wheel tax under section 4 of this chapter; and

(3) is registered in the eligible municipality.

(b) The fiscal body of an eligible municipality may not adopt an ordinance to impose the wheel tax unless the fiscal body concurrently adopts an ordinance under IC 6-3.5-10 to impose the ~~annual license~~ **municipal vehicle** excise ~~surtax.~~ **tax.**

(c) The fiscal body of an eligible municipality may not adopt an ordinance to impose the wheel tax unless the eligible municipality uses a transportation asset management plan approved by the Indiana department of transportation.

(d) The fiscal body of an eligible municipality may impose the wheel tax at a different rate for each of the classes of vehicles listed in section 3 of this chapter. In addition, the fiscal body may establish different rates within the classes of buses, recreational vehicles, semitrailers, trailers, tractors, and trucks based on weight classifications of those vehicles that are established by the bureau of motor vehicles for use throughout Indiana. However, the wheel tax rate for a particular class or weight classification of vehicles may not be less than five dollars ($5) and may not exceed forty dollars ($40). The fiscal body shall state the initial wheel tax rates in the ordinance that imposes the tax.

(e) A wheel tax imposed by this chapter for a vehicle is due and shall be paid each year at the time the vehicle is registered.

SECTION 30. IC 6-3.5-11-4, AS ADDED BY P.L.146-2016, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. A vehicle is exempt from the wheel tax imposed under this chapter if the vehicle is:

(1) owned by the state;

(2) owned by a state agency of the state;

(3) owned by a political subdivision of the state;

(4) subject to the ~~annual license~~ **municipal vehicle** excise ~~surtax~~ **tax** imposed under IC 6-3.5-10; or

(5) a bus owned and operated by a religious or nonprofit youth organization and used to transport persons to religious services or for the benefit of its members.".

Page 7, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 36. IC 6-6-5-0.1, AS ADDED BY P.L.220-2011, SECTION 158, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 0.1. The following amendments to this chapter apply as follows:

(1) The amendments made to sections 1 and 14 of this chapter by P.L.98-1989 apply to boating years beginning after December 31, 1989.

(2) The addition of section 5.5 of this chapter by P.L.98-1989 **(before its repeal)** applies to boating years beginning after December 31, 1989.

(3) The amendments made to sections 5 and 14 of this chapter by P.L.33-1990 apply to vehicles registered after December 31, 1990.

(4) The addition of section 9.5 of this chapter by P.L.33-1990 applies to vehicles registered after December 31, 1990.

SECTION 37. IC 6-6-5-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 0.5. This chapter does not apply to the following:**

(1) Vehicles that are exempt from the payment of registration fees under IC 9-18-3-1 (before its expiration) or IC 9-18.1-9.

(2) After June 30, 2017, vehicles owned or otherwise held as inventory by a person licensed under IC 9-32.

SECTION 38. IC 6-6-5-1, AS AMENDED BY P.L.198-2016, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. **(a) Except as redefined in subsection (b), the definitions in IC 9-13-2 apply throughout this chapter.**

~~(a) As used in~~ **(b) The following definitions apply throughout** this chapter:

(1) "Last preceding annual excise tax liability" means either:

(A) the amount of excise tax liability to which the vehicle was subject on the owner's last preceding regular annual registration date; or

(B) the amount of excise tax liability to which a vehicle that was registered after the owner's last preceding annual registration date would have been subject if it had been registered on that date.

(2) "Light truck" means a truck registered with a declared gross weight of eleven thousand (11,000) pounds or less.

(3) "Owner" means the person in whose name the vehicle is registered.

(4) "Vehicle" means a vehicle subject to annual registration as a condition of its operation on the public highways pursuant to the ~~motor~~ vehicle registration laws of the state.

~~(b) As used in this chapter, "mobile home" means a nonself-propelled vehicle designed for occupancy as a dwelling or sleeping place.~~

~~(c) As used in this chapter, "bureau" means the bureau of motor vehicles.~~

~~(d) As used in this chapter, "license branch" means a branch office of the bureau authorized to register motor vehicles pursuant to the laws of the state.~~

~~(e) As used in this chapter, "owner" means the person in whose name the vehicle or trailer is registered (as defined in IC 9-13-2).~~

~~(f) As used in this chapter, "motor home" means a self-propelled vehicle having been designed and built as an integral part thereof having living and sleeping quarters, including that which is commonly referred to as a recreational vehicle.~~

~~(g) As used in this chapter, "last preceding annual excise tax liability" means either:~~

~~(1) the amount of excise tax liability to which the vehicle was subject on the owner's last preceding regular annual registration date; or~~

~~(2) the amount of excise tax liability to which a vehicle that was registered after the owner's last preceding annual registration date would have been subject if it had been registered on that date.~~

~~(h) As used in this chapter, "trailer" means a device having a gross vehicle weight equal to or less than three thousand (3,000) pounds that is pulled behind a vehicle and that is subject to annual registration as a condition of its operation on the public highways pursuant to the motor vehicle registration laws of the state. The term includes any utility, boat, or other two (2) wheeled trailer.~~

~~(i) This chapter does not apply to the following:~~

~~(1) Vehicles owned, or leased and operated, by the United States, the state, or political subdivisions of the state.~~

~~(2) Vehicles subject to taxation under IC 6-6-5.1.~~

~~(3) Vehicles assessed under IC 6-1.1-8.~~

~~(4) Vehicles subject to taxation under IC 6-6-5.5.~~

~~(5) Vehicles owned, or leased and operated, by a postsecondary educational institution described in IC 6-3-3-5(d).~~

~~(6) Vehicles owned, or leased and operated, by a volunteer fire department (as defined in IC 36-8-12-2).~~

~~(7) Vehicles owned, or leased and operated, by a volunteer emergency ambulance service that:~~

~~(A) meets the requirements of IC 16-31; and~~

~~(B) has only members that serve for no compensation or a nominal annual compensation of not more than three~~

~~thousand five hundred dollars ($3,500).~~

~~(8) Vehicles that are exempt from the payment of registration fees under IC 9-18-3-1 (before its expiration) or IC 9-18.1-9.~~

~~(9) Farm wagons.~~

~~(10) Off-road vehicles (as defined in IC 14-8-2-185).~~

~~(11) Snowmobiles (as defined in IC 14-8-2-261).~~

~~(12) After June 30, 2017, vehicles owned or otherwise held as inventory by a person licensed under IC 9-32.~~

~~(13) Special machinery (as defined in IC 9-13-2-170.3).~~

~~(14) Buses (as defined in IC 9-13-2-17).~~

SECTION 39. IC 6-6-5-2, AS AMENDED BY P.L.146-2008, SECTION 352, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) ~~There is imposed an~~ **The** ~~annual license~~ **vehicle** excise tax **is imposed** ~~upon~~ **on the following** vehicles ~~which~~ **in accordance with this chapter:**

(1) Passenger motor vehicles.

(2) Motorcycles.

(3) Motor driven cycles.

(4) Collector vehicles.

(5) Trailer vehicles with a declared gross weight of nine thousand (9,000) pounds or less.

(6) Trucks with a declared gross weight of eleven thousand (11,000) pounds or less.

(7) Mini-trucks.

(8) Military vehicles.

(b) The vehicle excise tax ~~shall be in lieu~~ **is imposed on a vehicle:**

(1) instead of the ad valorem property tax levied for state or local purposes; ~~but~~ **and**

(2) in addition to any registration fees imposed **under IC 9-18.1** on ~~such vehicles.~~ **the vehicle.**

~~(b)~~ **(c)** The **vehicle excise** tax imposed by this chapter is a listed tax and subject to the provisions of IC 6-8.1.

~~(c) No vehicle, as defined in section 1 of this chapter, shall be assessed as personal property for the purpose of the assessment and levy of personal property taxes or shall be subject to ad valorem taxes whether or not such vehicle is in fact registered pursuant to the motor vehicle registration laws. No person shall be required to give proof of the payment of ad valorem property taxes as a condition to the registration of any vehicle that is subject to the tax imposed by this chapter.~~

(d) The vehicle excise tax imposed by this chapter for a vehicle is due and shall be paid each year at the time the vehicle is registered.

SECTION 40. IC 6-6-5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. **(a) This section applies to vehicles that:**

(1) are registered as:

(A) passenger motor vehicles;

(B) motorcycles;

(C) collector vehicles; or

(D) trucks with a declared gross weight of eleven thousand (11,000) pounds or less; and

(2) were manufactured after December 31, 1980.

~~(a) As the basis for measuring the tax imposed by this chapter, the bureau shall~~ **(b) The bureau shall adopt rules under IC 4-22-2 to** determine the value of ~~each~~ **vehicles to which this section applies as the basis for measuring the vehicle excise tax. The rules must determine the value of a** vehicle as of the time it is first offered for sale as a new vehicle in Indiana. ~~The bureau shall adopt rules for determining the value of vehicles, using the "factory advertised delivered price" or the "port of entry price".~~

~~(b) If the bureau is unable to ascertain a value by this method in respect to any vehicle or class of vehicles because the vehicle is a specially constructed vehicle or for any other reason, the bureau shall determine, from any information available, the true tax value subject to review and adjustment by the department of local government finance.~~

(c) For each vehicle, beginning with the 1990 model year, the bureau shall reduce the value determined under subsection ~~(a) or~~ (b) by dividing:

(1) the price determined under subsection ~~(a) or~~ (b); by

(2) one (1) plus the average percentage increase in new automobile prices using the most recent annual reference to the Consumer Price Index for Private New Automobiles as published by the Bureau of Labor Statistics, United States Department of Labor.

(d) The bureau shall classify each vehicle based on the value determined under subsection (c) according to the following schedule:

Class	**I**	**less than $ 1,500**	
Class	**II**	**at least $ 1,500**	**but less than $ 2,250**
Class	**III**	**at least $ 2,250**	**but less than $ 3,000**
Class	**IV**	**at least $ 3,000**	**but less than $ 4,000**
Class	**V**	**at least $ 4,000**	**but less than $ 5,500**
Class	**VI**	**at least $ 5,500**	**but less than $ 7,000**
Class	**VII**	**at least $ 7,000**	**but less than $ 8,500**
Class	**VIII**	**at least $ 8,500**	**but less than $10,000**
Class	**IX**	**at least $10,000**	**but less than $12,500**
Class	**X**	**at least $12,500**	**but less than $15,000**
Class	**XI**	**at least $15,000**	**but less than $18,000**
Class	**XII**	**at least $18,000**	**but less than $22,000**
Class	**XIII**	**at least $22,000**	**but less than $25,000**
Class	**XIV**	**at least $25,000**	**but less than $30,000**
Class	**XV**	**at least $30,000**	**but less than $35,000**
Class	**XVI**	**at least $35,000**	**but less than $42,500**
Class	**XVII**	**$42,500**	**and over**

(e) The age of a vehicle is determined by subtracting the model year from the current calendar year.

(f) The tax schedule is as follows:

Age	I	II	III	IV	V
0	$12	$36	$50	$50	$66
1	12	30	50	50	57
2	12	27	42	50	50
3	12	24	33	50	50
4	12	18	24	48	50
5	12	12	18	36	50
6	12	12	12	24	42
7	12	12	12	18	24
8	12	12	12	12	12
9	12	12	12	12	12
and thereafter					
Age	VI	VII	VIII	IX	X
0	$84	$103	$123	$150	$172
1	74	92	110	134	149
2	63	77	93	115	130
3	52	64	78	98	112
4	50	52	64	82	96
5	50	50	50	65	79
6	49	50	50	52	65
7	30	40	50	50	53
8	18	21	34	40	50
9	12	12	12	12	12
and thereafter					
Age	XI	XII	XIII	XIV	XV
0	$207	$250	$300	$350	$406
1	179	217	260	304	353
2	156	189	225	265	307
3	135	163	184	228	257
4	115	139	150	195	210
5	94	114	121	160	169
6	78	94	96	132	134
7	64	65	65	91	91
8	50	50	50	50	50
9	21	26	30	36	42
and thereafter					
Age	XVI	XVII			
0	$469	$532			
1	407	461			
2	355	398			
3	306	347			
4	261	296			
5	214	242			
6	177	192			
7	129	129			
8	63	63			
9	49	50			
and thereafter.					

SECTION 41. IC 6-6-5-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 3.5. (a) Trailers registered with a declared gross vehicle weight equal to or less than nine thousand (9,000) pounds shall be assessed a vehicle excise tax in an amount of eight dollars ($8) per year.**

(b) Vehicles registered as motor driven cycles shall be assessed a vehicle excise tax in an amount of ten dollars ($10) per year.

(c) Vehicles registered as mini-trucks shall be assessed a vehicle excise tax in an amount of thirty dollars ($30) per year.

(d) Vehicles registered as military vehicles shall be assessed a vehicle excise tax in an amount of eight dollars ($8) per year.

(e) Vehicles that were originally manufactured before January 1, 1981, shall be assessed a vehicle excise tax in an amount of twelve dollars ($12) per year.

SECTION 42. IC 6-6-5-4 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 4. After determining the value of a vehicle, as prescribed in section 3 of this chapter, the bureau shall classify every vehicle in its proper class according to the following classification plan:~~

~~Class~~	~~I~~	~~less than $ 1,500~~	
~~Class~~	~~II~~	~~at least $ 1,500~~	~~but less than $ 2,250~~
~~Class~~	~~III~~	~~at least $ 2,250~~	~~but less than $ 3,000~~
~~Class~~	~~IV~~	~~at least $ 3,000~~	~~but less than $ 4,000~~
~~Class~~	~~V~~	~~at least $ 4,000~~	~~but less than $ 5,500~~
~~Class~~	~~VI~~	~~at least $ 5,500~~	~~but less than $ 7,000~~
~~Class~~	~~VII~~	~~at least $ 7,000~~	~~but less than $ 8,500~~
~~Class~~	~~VIII~~	~~at least $ 8,500~~	~~but less than $10,000~~
~~Class~~	~~IX~~	~~at least $10,000~~	~~but less than $12,500~~
~~Class~~	~~X~~	~~at least $12,500~~	~~but less than $15,000~~
~~Class~~	~~XI~~	~~at least $15,000~~	~~but less than $18,000~~
~~Class~~	~~XII~~	~~at least $18,000~~	~~but less than $22,000~~
~~Class~~	~~XIII~~	~~at least $22,000~~	~~but less than $25,000~~
~~Class~~	~~XIV~~	~~at least $25,000~~	~~but less than $30,000~~
~~Class~~	~~XV~~	~~at least $30,000~~	~~but less than $35,000~~
~~Class~~	~~XVI~~	~~at least $35,000~~	~~but less than $42,500~~
~~Class~~	~~XVII~~	~~$42,500~~	~~and over~~

SECTION 43. IC 6-6-5-5, AS AMENDED BY P.L.198-2016, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. ~~(a) The amount of tax imposed by this chapter shall be based upon the classification of the vehicle, as provided in section 4 of this chapter, and the age of the vehicle, in accordance with the schedule set out in subsection (c) or (d).~~

~~(b)~~ A person that owns a vehicle and that is entitled to a property tax deduction under IC 6-1.1-12-13, IC 6-1.1-12-14, or IC 6-1.1-12-16 is entitled to a credit against the ~~annual license~~ **vehicle** excise tax as follows: Any remaining deduction from assessed valuation to which the person is entitled, applicable to property taxes payable in the year in which the excise tax imposed by this chapter is due, after allowance of the deduction on real estate and personal property owned by the person, shall reduce the ~~annual~~ **vehicle** excise tax in the amount of two dollars

($2) on each one hundred dollars ($100) of taxable value or major portion thereof. The county auditor shall, upon request, furnish a certified statement to the person verifying the credit allowable under this section, and the statement shall be presented to and retained by the bureau to support the credit.

~~(c) After January 1, 1996, the tax schedule is as follows:~~

~~Year of Manufacture~~	~~I~~	~~II~~	~~III~~	~~IV~~	~~V~~
~~1st~~	~~$12~~	~~$36~~	~~$50~~	~~$50~~	~~$66~~
~~2nd~~	~~12~~	~~30~~	~~50~~	~~50~~	~~57~~
~~3rd~~	~~12~~	~~27~~	~~42~~	~~50~~	~~50~~
~~4th~~	~~12~~	~~24~~	~~33~~	~~50~~	~~50~~
~~5th~~	~~12~~	~~18~~	~~24~~	~~48~~	~~50~~
~~6th~~	~~12~~	~~12~~	~~18~~	~~36~~	~~50~~
~~7th~~	~~12~~	~~12~~	~~12~~	~~24~~	~~42~~
~~8th~~	~~12~~	~~12~~	~~12~~	~~18~~	~~24~~
~~9th~~	~~12~~	~~12~~	~~12~~	~~12~~	~~12~~
~~10th and thereafter~~	~~12~~	~~12~~	~~12~~	~~12~~	~~12~~

~~Year of Manufacture~~	~~VI~~	~~VII~~	~~VIII~~	~~IX~~	~~X~~
~~1st~~	~~$84~~	~~$103~~	~~$123~~	~~$150~~	~~$172~~
~~2nd~~	~~74~~	~~92~~	~~110~~	~~134~~	~~149~~
~~3rd~~	~~63~~	~~77~~	~~93~~	~~115~~	~~130~~
~~4th~~	~~52~~	~~64~~	~~78~~	~~98~~	~~112~~
~~5th~~	~~50~~	~~52~~	~~64~~	~~82~~	~~96~~
~~6th~~	~~50~~	~~50~~	~~50~~	~~65~~	~~79~~
~~7th~~	~~49~~	~~50~~	~~50~~	~~52~~	~~65~~
~~8th~~	~~30~~	~~40~~	~~50~~	~~50~~	~~53~~
~~9th~~	~~18~~	~~21~~	~~34~~	~~40~~	~~50~~
~~10th and thereafter~~	~~12~~	~~12~~	~~12~~	~~12~~	~~12~~

~~Year of Manufacture~~	~~XI~~	~~XII~~	~~XIII~~	~~XIV~~	~~XV~~
~~1st~~	~~$207~~	~~$250~~	~~$300~~	~~$350~~	~~$406~~
~~2nd~~	~~179~~	~~217~~	~~260~~	~~304~~	~~353~~
~~3rd~~	~~156~~	~~189~~	~~225~~	~~265~~	~~307~~
~~4th~~	~~135~~	~~163~~	~~184~~	~~228~~	~~257~~
~~5th~~	~~115~~	~~139~~	~~150~~	~~195~~	~~210~~
~~6th~~	~~94~~	~~114~~	~~121~~	~~160~~	~~169~~
~~7th~~	~~78~~	~~94~~	~~96~~	~~132~~	~~134~~
~~8th~~	~~64~~	~~65~~	~~65~~	~~91~~	~~91~~
~~9th~~	~~50~~	~~50~~	~~50~~	~~50~~	~~50~~
~~10th and thereafter~~	~~21~~	~~26~~	~~30~~	~~36~~	~~42~~

~~Year of Manufacture~~	~~XVI~~	~~XVII~~
~~1st~~	~~$469~~	~~$532~~
~~2nd~~	~~407~~	~~461~~
~~3rd~~	~~355~~	~~398~~
~~4th~~	~~306~~	~~347~~
~~5th~~	~~261~~	~~296~~
~~6th~~	~~214~~	~~242~~
~~7th~~	~~177~~	~~192~~
~~8th~~	~~129~~	~~129~~
~~9th~~	~~63~~	~~63~~
~~10th and thereafter.~~	~~49~~	~~50~~

~~(d) Every vehicle shall be taxed as a vehicle in its first year of manufacture throughout the calendar year in which vehicles of that make and model are first offered for sale in Indiana, except that:~~

~~(1) a vehicle of a make and model first offered for sale in Indiana after August 1 of any year; and~~

~~(2) all motorcycles;~~

~~shall continue to be taxed as a vehicle in its first year of manufacture until the end of the calendar year following the year in which it is first offered for sale. Thereafter, the vehicle shall be considered to have aged one (1) year as of January 1 of each year.~~

SECTION 44. IC 6-6-5-5.2, AS ADDED BY P.L.293-2013(ts), SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5.2. (a) This section applies to a registration year beginning after December 31, 2013.

(b) Subject to subsection (d), an individual may claim a credit against the tax imposed by this chapter upon a vehicle owned by the individual if the individual is eligible for the credit under any of the following:

(1) The individual meets all the following requirements:

(A) The individual served in the military or naval forces of the United States during any of its wars.

(B) The individual received an honorable discharge.

(C) The individual has a disability with a service connected disability of ten percent (10%) or more.

(D) The individual's disability is evidenced by:

(i) a pension certificate, an award of compensation, or a disability compensation check issued by the United States Department of Veterans Affairs; or

(ii) a certificate of eligibility issued to the individual by the Indiana department of veterans' affairs after the Indiana department of veterans' affairs has determined that the individual's disability qualifies the individual to receive a credit under this section.

(E) The individual does not own property to which a property tax deduction may be applied under IC 6-1.1-12-13.

(2) The individual meets all the following requirements:

(A) The individual served in the military or naval forces of the United States for at least ninety (90) days.

(B) The individual received an honorable discharge.

(C) The individual either:

(i) has a total disability; or

(ii) is at least sixty-two (62) years of age and has a disability of at least ten percent (10%).

(D) The individual's disability is evidenced by:

(i) a pension certificate or an award of compensation issued by the United States Department of Veterans Affairs; or

(ii) a certificate of eligibility issued to the individual by the Indiana department of veterans' affairs after the Indiana department of veterans' affairs has determined that the individual's disability qualifies the individual to receive a credit under this section.

(E) The individual does not own property to which a property tax deduction may be applied under IC 6-1.1-12-14.

(3) The individual meets both of the following requirements:

(A) The individual is the surviving spouse of any of the following:

(i) An individual who would have been eligible for a credit under this section if the individual had been alive in 2013 and this section had been in effect in 2013.

(ii) An individual who received a credit under this section in the previous calendar year.

(iii) A World War I veteran.

(B) The individual does not own property to which a property tax deduction may be applied under IC 6-1.1-12-13, IC 6-1.1-12-14, or IC 6-1.1-12-16.

(c) The amount of the credit that may be claimed under this section is equal to the lesser of the following:

(1) The amount of the excise tax liability for the individual's vehicle as determined under section ~~5~~ **3 or 3.5** of this chapter, **as applicable.**

(2) Seventy dollars ($70).

(d) The maximum number of motor vehicles for which an individual may claim a credit under this section is two (2).

(e) An individual may not claim a credit under both:

(1) this section; and

(2) section ~~5(b)~~ **5** of this chapter.

(f) The credit allowed by this section must be claimed on a form prescribed by the bureau. An individual claiming the credit must attach to the form an affidavit from the county auditor stating that the claimant does not own property to which a property tax deduction may be applied under IC 6-1.1-12-13, IC 6-1.1-12-14, or IC 6-1.1-12-16.

SECTION 45. IC 6-6-5-5.5 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 5.5. There is imposed an annual excise tax on trailers. The tax shall be paid at the same time the trailer is registered. Except for the amount of tax imposed, a trailer is to be treated the same as a vehicle for purposes of this chapter. The amount of tax owed for a trailer for a year is eight dollars ($8). The tax is due at the same time the owner is or would be required to pay the motor vehicle excise tax under this chapter.~~

SECTION 46. IC 6-6-5-5.6 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 5.6. There is imposed an annual excise tax on motor driven cycles. The tax shall be paid at the same time the motor driven cycle is registered. Except for the amount of tax imposed, a motor driven cycle is to be treated the same as a vehicle for purposes of this chapter. The amount of tax owed for a motor driven cycle for a year is ten dollars ($10). The tax is due at the same time the owner is or would be required to pay the motor vehicle excise tax under this chapter.~~

SECTION 47. IC 6-6-5-5.7 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 5.7. (a) There is imposed an annual excise tax on mini-trucks (as defined in IC 9-13-2-103.1). The tax shall be paid at the same time the mini-truck is registered.~~

~~(b) Except for the amount of tax imposed, a mini-truck is to be treated the same as a vehicle for purposes of this chapter.~~

~~(c) The amount of tax owed for a mini-truck under subsection (a) for a year is thirty dollars ($30). The tax is due at the same time the owner is or would be required to pay the motor vehicle excise tax under this chapter.~~

SECTION 48. IC 6-6-5-6 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 6. (a) Except as otherwise provided in this chapter, the excise tax imposed under this chapter upon vehicles shall be payable for each registration year, by the owners thereof in respect to vehicles required to be registered for such registration year as provided in the motor vehicle laws of Indiana. Except as provided in section 7.2 of this chapter, such excise tax shall be due on or before the regular annual registration date in each year on or before which the owner is required under the motor vehicle registration laws of Indiana to register vehicles and such excise tax shall be paid to the bureau at the time the vehicle is registered by the owner as provided in the motor vehicle registration laws of Indiana. Each vehicle subject to taxation under this chapter shall be registered by the owner thereof as being taxable in the county of the owner's residence. The payment of the excise tax imposed by this chapter shall be a condition to the right to register or reregister the vehicle and shall be in addition to all other conditions prescribed by law.~~

~~(b) A voucher from the department of state revenue showing payment of the excise tax imposed by this chapter may be accepted by the bureau in lieu of a payment under subsection (a).~~

SECTION 49. IC 6-6-5-6.7, AS AMENDED BY P.L.214-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6.7. ~~(a) As used in this section, "passenger motor vehicle" and "truck" have the meanings set forth for those terms in IC 9-13-2-123 and IC 9-13-2-188(a).~~

~~(b)~~ **(a)** Every owner of a passenger motor vehicle ~~or passenger motor vehicles~~ or ~~of~~ a **light** truck ~~or trucks~~ who during a registration year regularly rents ~~those vehicles~~ **the passenger motor vehicle** or ~~trucks~~ **light truck** for periods of under thirty

(30) days to others in the regular course of the owner's business is entitled to a credit against the ~~motor~~ vehicle excise tax liability owed for ~~those~~ **the** passenger motor ~~vehicles~~ **vehicle** or ~~trucks~~ **light truck** for that registration year.

(b) The maximum credit **that** an owner is entitled to claim **under this section** against the **vehicle excise** tax owed for all ~~those~~ **the** passenger motor vehicles and **light** trucks **to which subsection (a) applies** for a registration year ~~under this section~~ equals the lesser of:

(1) the total ~~motor~~ vehicle excise taxes due for those passenger motor vehicles and **light** trucks for that registration year, before the application of the credit allowed by this section; or

(2) the total auto rental excise taxes collected by the owner during the immediately preceding registration year.

(c) A passenger motor vehicle or **light** truck is regularly rented by a person in the regular course of the person's business during a registration year if the passenger motor vehicle or **light** truck is rented by the person to another person an average of ten (10) days each month of the registration year that the person owned the passenger motor vehicle or **light** truck.

SECTION 50. IC 6-6-5-7.2, AS AMENDED BY P.L.198-2016, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7.2. (a) This section applies to a vehicle that has been acquired, or brought into the state, or for any other reason becomes subject to registration after the regular annual registration date in the year on or before which the owner of the vehicle is required, under the ~~motor~~ vehicle registration laws of Indiana, to register vehicles. ~~The tax imposed by this chapter shall become due and payable at the time the vehicle is acquired, brought into the state, or otherwise becomes subject to registration.~~

(b) For taxes due and payable before January 1, 2017, the amount of tax to be paid by the owner for the remainder of the year shall be reduced by eight and thirty-three hundredths percent (8.33%) for each full calendar month that has elapsed since the regular annual registration date in the year fixed by the motor vehicle registration laws for annual registration by the owner. The tax shall be paid by the owner at the time of the registration of the vehicle.

(c) For taxes due and payable after December 31, 2016, the tax shall be paid by the owner at the time of the registration of the vehicle and is determined as follows:

(1) For a vehicle with an initial registration period under IC 9-18.1-11-3, the amount determined under STEP THREE of the following formula:

STEP ONE: Determine the number of months remaining until the vehicle's next registration date under IC 9-18.1-11-3. A partial month shall be rounded up to one (1) month.

STEP TWO: Multiply the STEP ONE result by one-twelfth (1/12).

STEP THREE: Multiply the annual excise tax for the vehicle by the STEP TWO product.

(2) For a vehicle with a renewal registration period described in IC 9-18.1-11-3(b), the ~~annual~~ **vehicle** excise tax for the current registration period.

(d) Except as provided in subsection (g), no reduction in the applicable annual excise tax will be allowed to an Indiana resident applicant upon registration of any vehicle that was owned by the applicant on or prior to the registrant's annual registration period. A vehicle owned by an Indiana resident applicant that was located in and registered for use in another state during the same calendar year shall be entitled to the same reduction when registered in Indiana.

(e) The owner of a vehicle who sells **or otherwise disposes of** the vehicle in a year in which the owner has paid the tax imposed by this chapter shall receive a credit equal to the remainder of:

(1) the tax paid for the vehicle; reduced by

(2) ~~eight and thirty-three hundredths percent (8.33%)~~ **one-twelfth (1/12)** for each full or partial calendar month that has elapsed in the registrant's annual registration year before the date of the sale, **destruction, or other disposal of the vehicle.**

~~The credit shall be applied to the tax due on any other vehicle purchased or subsequently registered by the owner in the same registrant's annual registration year.~~ If the credit is not fully used **within ninety (90) days of the sale, destruction, or other disposal of the vehicle** and the amount of the credit remaining is at least four dollars ($4), **the bureau shall issue a refund to** the owner ~~is entitled to a refund~~ in the amount of the unused credit, ~~The owner must pay~~ **less** a fee of three dollars ($3) to the bureau to cover costs of ~~providing~~ **processing** the refund, which may be deducted from the refund. ~~The bureau shall issue the refund. The bureau shall transfer to the bureau of motor vehicles commission three dollars ($3) of the fee to cover the commission's costs in processing the refund.~~ **The bureau shall deposit the fee for processing the refund in the commission fund established by IC 9-14-14-1.** To claim the credit and refund provided by this subsection, the owner of the vehicle must present to the bureau proof of sale, **destruction, or disposal** of the vehicle.

~~(f) Subject to the requirements of subsection (h), the owner of a vehicle that is destroyed in a year in which the owner has paid the tax imposed by this chapter, which vehicle is not replaced by a replacement vehicle for which a credit is issued under this section, shall receive a refund in an amount equal to eight and thirty-three hundredths percent (8.33%) of the tax paid for each full calendar month remaining in the registrant's annual registration year after the date of destruction, but only upon presentation or return to the bureau of the following:~~

~~(1) A request for refund on a form furnished by the bureau.~~

~~(2) A statement of proof of destruction on an affidavit furnished by the bureau.~~

~~(3) The license plate from the vehicle.~~

~~(4) The registration from the vehicle.~~

~~However, the refund may not exceed ninety percent (90%) of the tax paid on the destroyed vehicle. The amount shall be refunded by a warrant issued by the auditor of the county that received the excise tax revenue and~~ **Any vehicle excise tax refund issued under this subsection** shall be paid out of the special account created for settlement of the excise tax collections under IC 6-6-5-10. ~~For purposes of this subsection, a vehicle is considered destroyed if the cost of repair of damages suffered by the vehicle exceeds the vehicle's fair market value.~~

~~(g)~~ **(f)** If the name of the owner of a vehicle is legally changed and the change has caused a change in the owner's annual registration date, the excise tax liability of the owner shall be adjusted as follows:

(1) If the name change requires the owner to register sooner than the owner would have been required to register if there had been no name change, the owner shall, at the time the name change is reported, be authorized a refund from the county treasurer in the amount of the product of:

(A) ~~eight and thirty-three hundredths percent (8.33%)~~ **one-twelfth (1/12)** of the owner's last preceding annual excise tax liability; and

(B) the number of full calendar months between the owner's new regular annual registration month and the next succeeding regular annual registration month that is based on the owner's former name.

(2) If the name change required the owner to register later than the owner would have been required to register if there had been no name change, the vehicle shall be subject to excise tax for the period between the month in which the owner would have been required to register if there had been no name change and the new regular annual registration month in the amount determined under STEP FOUR of the following formula:

STEP ONE: Determine the number of full calendar months between the month in which the owner would have been required to register if there had been no name change and the owner's new regular annual registration month.

STEP TWO: Multiply the STEP ONE amount by one-twelfth (1/12).

STEP THREE: Determine the owner's tax liability computed as of the time the owner would have been required to register if there had been no name change.

STEP FOUR: Multiply the STEP TWO product by the STEP THREE amount.

~~(h) In order to claim a credit under subsection (f) for a vehicle that is destroyed, the owner of the vehicle must present to the bureau of motor vehicles a valid registration for the vehicle within ninety (90) days of the date that it was destroyed. The bureau shall then fix the amount of the credit that the owner is entitled to receive.~~

SECTION 51. IC 6-6-5-7.4, AS AMENDED BY P.L.3-2008, SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7.4. (a) The owner of a vehicle registered with the bureau is entitled to a refund of taxes paid under this chapter if, after the owner's regular registration date:

(1) the owner registers the vehicle for use in another state; ~~and~~

(2) the owner pays tax for use of the vehicle to another state for the same time period which the tax was paid under this chapter; **and**

(3) the amount of the refund is at least four dollars ($4).

(b) ~~This subsection applies after December 31, 2007.~~ The refund provided under subsection (a) is equal to:

(1) the annual ~~license~~ **vehicle** excise tax paid for use of the vehicle by the owner of the vehicle for the year; minus

(2) **the sum of:**

(A) ~~eight and thirty-three hundredths percent (8.33%)~~ **one-twelfth (1/12)** of the annual ~~license~~ **vehicle** excise tax paid for use of the vehicle for each full or partial calendar month between the date the annual ~~license~~ **vehicle** excise tax was due and the date the owner registered the vehicle for use in another state; **and**

(B) a fee of three dollars ($3) to cover costs of processing the refund.

The bureau shall deposit the fee for processing the refund in the commission fund established by IC 9-14-14-1.

(c) To claim the refund provided by this section, the owner of the vehicle must provide the bureau with:

(1) a request for a refund on a form furnished by the bureau; and

(2) proof that a tax described in subsection (a)(2) was paid.

SECTION 52. IC 6-6-5-7.7, AS AMENDED BY P.L.198-2016, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7.7. (a) To claim a credit or a refund, or both, under this chapter, a person must provide a sworn statement to the bureau that the person is entitled to the credit or refund, or both, claimed by the person.

(b) The bureau may inspect records of a person claiming a credit or refund, or both, under this chapter to determine if a credit or refund, or both, was properly allowed against the ~~motor~~ vehicle excise tax imposed on a vehicle owned by the person.

(c) If the bureau determines that a credit or refund, or both, was improperly allowed for a particular vehicle, the person that claimed the credit or refund, or both, shall pay the bureau an amount equal to the credit or refund, or both, improperly allowed to the person plus a penalty of ten percent (10%) of the credit or refund, or both, improperly allowed. The tax collected under this subsection shall be paid to the county treasurer of the county in

which the taxpayer resides. However, a penalty collected under this subsection shall be retained by the bureau.

SECTION 53. IC 6-6-5-8 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 8. (a) The bureau shall include on all registration forms suitable spaces for the applicant's Social Security number or federal tax identification number, the amount of the registration fee, the amount of excise tax, the amount of credit, if any, as provided in section 5 of this chapter, and the total amount of payment due on account of the applicable registration fees and excise taxes upon the registration of the vehicle. The forms shall also include spaces for showing the county, city, or town and township and address of the place where the owner resides. Using procedures determined by the bureau to be appropriate, the bureau shall verify the accuracy and completeness of the information on the registration form concerning:~~

~~(1) the county and city or town;~~

~~(2) the township; and~~

~~(3) the address;~~

~~of the owner.~~

~~(b) The bureau shall list on all registration forms for vehicles prepared by it the amount of registration fees and taxes due. In addition, the bureau shall prepare by December 1 of each year a schedule showing the excise tax payable on each make and model of vehicle.~~

SECTION 54. IC 6-6-5-9, AS AMENDED BY P.L.198-2016, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. (a) The bureau, in the administration and collection of the ~~annual license~~ **vehicle** excise tax imposed by this chapter, may utilize the services and facilities of:

(1) license branches operated under IC 9-14.1;

(2) full service providers (as defined in IC 9-14.1-1-2); and

(3) partial services providers (as defined in IC 9-14.1-1-3);

in its administration of the motor vehicle registration laws of the state of Indiana in accordance with ~~such~~ **the** procedures, in ~~such~~ **the** manner, and to ~~such~~ **the** extent ~~as~~ **that** the bureau ~~shall~~ d~~eem~~ **considers** necessary and proper to implement and effectuate the administration and collection of the **vehicle** excise tax imposed by this chapter.

(b) The bureau may impose a service charge of one dollar and seventy cents ($1.70) for each **vehicle** excise tax collection made under this chapter. The service charge shall be deposited in the bureau of motor vehicles commission fund.

(c) The bureau of motor vehicles shall report the **vehicle** excise taxes collected on at least a weekly basis to the county auditor of the county to which the collections are due.

(d) If the **vehicle** excise tax imposed by this chapter is collected by the department of state revenue, the money collected shall be deposited in the state general fund to the credit of the appropriate county and reported to the bureau of motor vehicles on the first working day following the week of collection. Except as provided in subsection (e), any amount collected by the department which represents interest or a penalty shall be retained by the department and used to pay its costs of enforcing this chapter.

(e) This subsection applies only to interest or a penalty collected by the department of state revenue from a person that:

(1) fails to properly register a vehicle as required by IC 9-18 (before its expiration) or IC 9-18.1 and pay the tax due under this chapter; and

(2) during any time after the date by which the vehicle was required to be registered under IC 9-18 (before its expiration) or IC 9-18.1 displays on the vehicle a license plate issued by another state.

The total amount collected by the department that represents interest or a penalty, minus a reasonable amount determined by the department to represent its administrative expenses, shall be deposited in the state general fund for the credit of the county in which the person resides. The amount shall be reported to the bureau of motor vehicles on the first working day following the week of collection.

(f) The bureau may contract with a bank card or credit card vendor for acceptance of bank or credit cards.

(g) On or before April 1 of each year, the bureau shall provide to the auditor of state the amount of ~~motor~~ vehicle excise taxes collected for each county for the preceding year.

(h) On or before May 10 and November 10 of each year, the auditor of state shall distribute to each county one-half (1/2) of:

(1) the amount of delinquent taxes; and

(2) any penalty or interest described in subsection (e);

that have been credited to the county under subsection (e). There is appropriated from the state general fund the amount necessary to make the distributions required by this subsection. The county auditor shall apportion and distribute the delinquent tax distributions to the taxing units in the county at the same time and in the same manner as excise taxes are apportioned and distributed under section 10 of this chapter.

(i) The commissioner of insurance shall prescribe the form of the bonds or crime policies required by this section.

SECTION 55. IC 6-6-5-12 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 12. The registration of any vehicle registered without payment of the excise tax imposed by this chapter is void, and the bureau shall take possession of the registration certificate, license plate, and other evidence of registration until the owner has paid the delinquent excise taxes and an additional fee of ten dollars ($10) to compensate the bureau for the additional duties performed by it.~~

SECTION 56. IC 6-6-5-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. In the administration and collection of the ~~annual license excise~~ taxes imposed by this chapter, the bureau may ~~use and employ and is hereby expressly empowered and~~ **contract with a collection agency** authorized ~~to appoint, use, and employ such persons who~~

~~under the laws of the state of Indiana may be appointed as an agent by a county treasurer~~ to collect and receive property taxes on behalf of ~~such~~ **a** county treasurer. ~~and such persons, when so appointed by~~ **A collection agency that contracts with** the bureau **under this section** may receive and collect on behalf of the bureau the ~~annual license excise~~ taxes imposed by this chapter and ~~such~~ **those** registration fees and charges ~~as~~ **that** the bureau ~~may direct in making such appointments.~~ **directs.** ~~Such persons, when so appointed,~~ **A collection agency that contracts with the bureau under this section** shall comply with ~~such~~ **the** requirements ~~as exist~~ concerning ~~their~~ **the** collection of property taxes on behalf of county treasurers and such other requirements, including the posting of a bond, ~~as may be established by~~ **that** the bureau ~~at the time of such appointments.~~ **may establish.**

SECTION 57. IC 6-6-5-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 14. **(a)** The excise tax imposed by this chapter is ~~hereby determined~~ **equal** to ~~be equivalent to~~ an average property tax rate of two dollars ($2) on each one hundred dollars ($100) taxable value.

(b) For the purpose of limitations on indebtedness of political or municipal corporations imposed by Article 13, Section 1 of the Constitution of the State of Indiana, ~~motor~~ vehicles subject to tax under this chapter shall be deemed to be taxable property within each such political or municipal corporation where the owner resides.

(c) The assessed valuation of such vehicles shall be determined by multiplying the amount of the tax by one hundred (100) and dividing such result by two dollars ($2).

SECTION 58. IC 6-6-5-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 15. In the administration and collection of the ~~annual license~~ **vehicle** excise tax ~~as~~ imposed by this chapter, the bureau may coordinate and consolidate the collection of ~~such~~ **vehicle excise** taxes from each taxpayer ~~as~~ **that are** imposed on all vehicles owned by ~~such~~ **the** taxpayer in accordance with ~~such~~ procedures ~~as~~ **that** the bureau ~~shall deem~~ **considers** reasonable and feasible, including ~~but not limited to,~~ the revocation of all registrations of vehicles by an owner if ~~such~~ **the** owner ~~shall~~ willfully ~~fail~~ **fails** and ~~refuse~~ **refuses** to pay ~~any~~ **the vehicle** excise tax imposed by this chapter. Upon a revocation of **a** registration **under this section,** the bureau shall notify the department of state revenue of the name and address of the taxpayer.

SECTION 59. IC 6-6-5.1-1, AS AMENDED BY P.L.198-2016, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. This chapter does not apply to the following:

~~(1) A vehicle subject to taxation under IC 6-6-5.~~

~~(2) A vehicle owned or leased and operated by the United States, the state, or a political subdivision of the state.~~

~~(3)~~ **(1)** A mobile home.

~~(4) A vehicle assessed under IC 6-1.1-8.~~

~~(5) A vehicle subject to taxation under IC 6-6-5.5.~~

~~(6) A trailer subject to the annual excise tax imposed under IC 6-6-5-5.5.~~

~~(7) A bus (as defined in IC 9-13-2-17).~~

~~(8) A vehicle owned or leased and operated by a postsecondary educational institution (as described in IC 6-3-3-5(d)).~~

~~(9) A vehicle owned or leased and operated by a volunteer fire department (as defined in IC 36-8-12-2).~~

~~(10) A vehicle owned or leased and operated by a volunteer emergency ambulance service that:~~

~~(A) meets the requirements of IC 16-31; and~~

~~(B) has only members who serve for no compensation or a nominal annual compensation of not more than three thousand five hundred dollars ($3,500).~~

~~(11)~~ **(2)** A **recreational** vehicle **or truck camper** that is, **or would be if registered,** exempt from the payment of registration fees under IC 9-18-3-1 (before its expiration) or IC 9-18.1-9.

~~(12) A farm wagon.~~

~~(13)~~ **(3)** A recreational vehicle or truck camper ~~in the~~ **owned or otherwise held as** inventory ~~of recreational vehicles and truck campers held for sale by a manufacturer, distributor, or dealer in the course of business.~~ **by a person licensed under IC 9-32.**

~~(14) Special machinery (as defined in IC 9-13-2-170.3).~~

SECTION 60. IC 6-6-5.1-2, AS ADDED BY P.L.131-2008, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. ~~As used in~~ **The following definitions apply throughout** this chapter:

(1) "Bureau" refers to the bureau of motor vehicles.

(2) "Mobile home" has the meaning set forth in IC 6-1.1-7-1.

(3) "Owner" means:

(A) in the case of a recreational vehicle, the person in whose name the recreational vehicle is registered under IC 9-18 (before its expiration) or IC 9-18.1; or

(B) in the case of a truck camper, the person holding title to the truck camper.

(4) "Recreational vehicle" has the meaning set forth in IC 9-13-2-150.

(5) "Truck camper" has the meaning set forth in IC 9-13-2-188.3.

SECTION 61. IC 6-6-5.1-3 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 3. As used in this chapter, "last preceding annual excise tax liability" means the amount of excise tax liability to which a recreational vehicle or truck camper was subject on the owner's last preceding regular annual registration date or to which:~~

~~(1) the recreational vehicle would have been subject if the recreational vehicle had been registered; or~~

~~(2) the truck camper would have been subject if the truck camper had been owned by the owner and located in Indiana;~~

~~on the owner's last preceding regular annual registration date.~~

SECTION 62. IC 6-6-5.1-4 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 4. As used in this chapter, "mobile home" has the meaning set forth in IC 6-1.1-7-1.~~

SECTION 63. IC 6-6-5.1-5 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 5. As used in this chapter, "owner" means:~~

~~(1) in the case of a recreational vehicle, the person in whose name the recreational vehicle is registered under IC 9-18; or~~

~~(2) in the case of a truck camper, the person holding title to the truck camper.~~

SECTION 64. IC 6-6-5.1-6 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 6. As used in this chapter, "recreational vehicle" has the meaning set forth in IC 9-13-2-150(a).~~

SECTION 65. IC 6-6-5.1-7 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 7. As used in this chapter, "trailer" has the meaning set forth in IC 6-6-5-1(h).~~

SECTION 66. IC 6-6-5.1-8 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 8. As used in this chapter, "truck camper" means a device without motive power that is installed in the bed of a truck to provide living quarters for persons traveling on public highways.~~

SECTION 67. IC 6-6-5.1-9 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 9. As used in this chapter, "vehicle" has the meaning set forth in IC 9-13-2-196(a).~~

SECTION 68. IC 6-6-5.1-10, AS ADDED BY P.L.131-2008, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. (a) ~~Beginning January 1, 2010, there is imposed~~ An ~~annual license~~ excise tax **is imposed** on **the following in accordance with this chapter:**

(1) Recreational vehicles. ~~and~~

(2) Truck campers.

(b) The excise tax is imposed:

(1) instead of the ad valorem property tax levied for state or local purposes; ~~but~~ **and**

(2) in addition to any registration fees imposed on recreational vehicles.

~~(b)~~ **(c)** The **excise** tax imposed by this chapter is a listed tax and subject to IC 6-8.1.

~~(c) A recreational vehicle subject to this chapter may not be assessed as personal property for the purpose of the assessment and levy of personal property taxes after December 31, 2008, and is not subject to ad valorem taxes first due and payable after December 31, 2009, regardless of whether the recreational vehicle is registered under the state motor vehicle registration laws. A person may not be required to give proof of the payment of ad valorem taxes as a condition to the registration of a recreational vehicle subject to the tax imposed by this chapter.~~

(d) ~~A truck camper subject to this chapter may not be assessed as personal property for the purpose of the assessment and levy of personal property taxes after December 31, 2008, and is not subject to ad valorem taxes first due and payable after December 31, 2009.~~ **The excise tax imposed by this chapter is due and shall be paid:**

(1) for recreational vehicles, at the time the recreational vehicle is registered; and

(2) for truck campers, on or before the owner's annual registration date for vehicles determined by the bureau on the schedule established under IC 9-18.1-11-1.

(e) A truck camper subject to taxation under this chapter is taxable in the county of the owner's residence.

SECTION 69. IC 6-6-5.1-11, AS ADDED BY P.L.131-2008, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. ~~As the basis for measuring the tax imposed by this chapter, the bureau shall determine the value of each recreational vehicle and truck camper as of the time it is first offered for sale in Indiana as a new recreational vehicle or truck camper.~~ The bureau shall adopt rules under IC 4-22-2 ~~for determining~~ **to determine** the value of recreational vehicles and truck campers ~~by using:~~

~~(1) the factory advertised delivered price or the port of entry price; or~~

~~(2) any other information available.~~

as a basis for measuring the excise tax imposed by this chapter. The rules must determine the value of a recreational vehicle or truck camper at the time the recreational vehicle or truck camper is first offered for sale in Indiana.

SECTION 70. IC 6-6-5.1-12, AS ADDED BY P.L.131-2008, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. ~~After determining the value of a recreational vehicle or truck camper under section 11 of this chapter,~~ The bureau shall classify ~~every~~ **each** recreational vehicle and truck camper ~~in its proper class~~ **according to the following classification schedule** by **the** value ~~according to the following classification plan:~~ **determined for the recreational vehicle or truck camper under section 11 of this chapter:**

Class	I	less than $2,250	
Class	II	at least $ 2,250	but less than $ 4,000
Class	III	at least $ 4,000	but less than $ 7,000
Class	IV	at least $ 7,000	but less than $ 10,000
Class	V	at least $10,000	but less than $ 15,000
Class	VI	at least $15,000	but less than $ 22,000
Class	VII	at least $22,000	but less than $ 30,000
Class	VIII	at least $30,000	but less than $ 42,500
Class	IX	at least $42,500	but less than $ 50,000
Class	X	at least $50,000	but less than $ 60,000
Class	XI	at least $60,000	but less than $ 70,000
Class	XII	at least $70,000	but less than $ 80,000
Class	XIII	at least $80,000	but less than $ 90,000
Class	XIV	at least $90,000	but less than $100,000
Class	XV	at least $100,000	but less than $150,000

Class	XVI	at least $150,000	but less than $200,000
Class	XVII	at least $200,000	

SECTION 71. IC 6-6-5.1-13, AS AMENDED BY P.L.198-2016, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. (a) ~~Subject to any reductions permitted under this chapter, the amount of tax imposed under this chapter on a recreational vehicle or truck camper is prescribed by the schedule set out in subsection (c). The amount of tax imposed by this chapter is determined using:~~

~~(1) the classification of the recreational vehicle or truck camper under section 12 of this chapter; and~~

~~(2) the age of the recreational vehicle or truck camper.~~

The age of a recreational vehicle or truck camper is determined by subtracting the model year from the current calendar year.

~~(b) If a person that owns a recreational vehicle or truck camper is entitled to an ad valorem property tax assessed valuation deduction under IC 6-1.1-12-13, IC 6-1.1-12-14, or IC 6-1.1-12-16 in a year in which a tax is imposed by this chapter and any part of the deduction is unused after allowance of the deduction on real property and personal property owned by the person, the person is entitled to a credit that reduces the annual tax imposed by this chapter. The amount of the credit is determined by multiplying the amount of the unused deduction by two (2) and dividing the result by one hundred (100). The county auditor shall, upon request, furnish a certified statement to the person verifying the credit allowable under this subsection. The statement shall be presented to and retained by the bureau to support the credit.~~

~~(c)~~ **(b)** The tax schedule ~~for each class of recreational vehicles and truck campers~~ is as follows:

~~Year of Manufacture~~ **Age**	I	II	III	IV	V
~~1st~~ **0**	$15	$36	$50	$59	$103
~~2nd~~ **1**	12	31	43	51	91
~~3rd~~ **2**	12	26	35	41	75
~~4th~~ **3**	12	20	28	38	62
~~5th~~ **4**	12	15	20	34	53
~~6th~~ **5**	12	12	15	26	41
~~7th~~ **6**	12	12	12	16	32
~~8th~~ **7**	12	12	12	13	21
~~9th~~ **8**	12	12	12	12	13
~~10th~~ **9**	12	12	12	12	12

and thereafter

~~Year of Manufacture~~ **Age**	VI	VII	VIII
~~1st~~ **0**	$164	$241	$346
~~2nd~~ **1**	148	212	302
~~3rd~~ **2**	131	185	261
~~4th~~ **3**	110	161	223
~~5th~~ **4**	89	131	191
~~6th~~ **5**	68	108	155
~~7th~~ **6**	53	86	126
~~8th~~ **7**	36	71	97
~~9th~~ **8**	23	35	48
~~10th~~ **9**	12	12	17

and thereafter

~~Year of Manufacture~~ **Age**	IX	X	XI	XII
~~1st~~ **0**	$470	$667	$879	$1,045
~~2nd~~ **1**	412	572	763	907
~~3rd~~ **2**	360	507	658	782
~~4th~~ **3**	307	407	574	682
~~5th~~ **4**	253	341	489	581
~~6th~~ **5**	204	279	400	475
~~7th~~ **6**	163	224	317	377
~~8th~~ **7**	116	154	214	254
~~9th~~ **8**	55	70	104	123
~~10th~~ **9**	25	33	46	55

and thereafter

~~Year of Manufacture~~ **Age**	XIII	XIV	XV	XVI	XVII
~~1st~~ **0**	$1,235	$1,425	$1,615	$1,805	$2,375
~~2nd~~ **1**	1,072	1,236	1,401	1,566	2,060
~~3rd~~ **2**	924	1,066	1,208	1,350	1,777
~~4th~~ **3**	806	929	1,053	1,177	1,549
~~5th~~ **4**	687	793	898	1,004	1,321
~~6th~~ **5**	562	648	734	821	1,080
~~7th~~ **6**	445	514	582	651	856
~~8th~~ **7**	300	346	392	439	577
~~9th~~ **8**	146	168	190	213	280
~~10th~~ **9**	64	74	84	94	123

and thereafter.

~~(d) Each recreational vehicle or truck camper shall be taxed as a recreational vehicle or truck camper in its first year of manufacture throughout the calendar year in which a recreational vehicle or truck camper of that make and model is first offered for sale in Indiana. Thereafter, the recreational vehicle or truck camper shall be considered to have aged one (1) year as of January 1 of each year.~~

SECTION 72. IC 6-6-5.1-14 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 14. (a) Except as otherwise provided in this chapter, the tax imposed on a recreational vehicle by this chapter is payable for each registration year by the owner with respect to a recreational vehicle required to be registered for the registration year as provided in the state motor vehicle laws. Except as provided in section 15 of this chapter, the tax is due on or before the regular annual registration date in each year on or before which the owner is required under the state motor vehicle registration laws to register vehicles. The tax shall be paid to the bureau at the time the recreational vehicle is registered by the owner as provided in the state motor vehicle registration laws. A recreational vehicle subject to taxation under this chapter shall be registered by the owner as being taxable in the county of the~~

~~owner's residence. The payment of the tax imposed by this chapter is a condition to the right to register or reregister the recreational vehicle and is in addition to all other conditions prescribed by law.~~

~~(b) The tax imposed on a truck camper by this chapter is due on or before the annual registration date in each year on or before which the owner is required under the state motor vehicle registration laws to register vehicles. The tax on the truck camper must be paid to the bureau. A truck camper subject to taxation under this chapter is taxable in the county of the owner's residence.~~

~~(c) A voucher from the department of state revenue showing payment of the tax imposed by this chapter may be accepted by the bureau instead of a payment under subsection (a).~~

SECTION 73. IC 6-6-5.1-15 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 15. (a) This section applies only to recreational vehicles.~~

~~(b) With respect to a recreational vehicle that has been acquired, has been brought into Indiana, or for any other reason becomes subject to registration after the regular annual registration date in the year on or before which the owner of the recreational vehicle is required under the state motor vehicle registration laws to register vehicles, the tax imposed by this chapter is due and payable at the time the recreational vehicle is acquired, is brought into Indiana, or otherwise becomes subject to registration.~~

~~(c) For taxes due and payable before January 1, 2017, the amount of tax to be paid by the owner for the remainder of the year shall be reduced by eight and thirty-three hundredths percent (8.33%) for each full calendar month that has elapsed since the regular annual registration date in the year fixed by the state motor vehicle registration laws for annual registration by the owner. The tax shall be paid at the time of the registration of the recreational vehicle.~~

~~(d) For taxes due and payable after December 31, 2016, the tax shall be paid at the time of the registration of the recreational vehicle and is determined as follows:~~

~~(1) For a recreational vehicle with an initial registration period under IC 9-18.1-11-3, the amount determined under STEP THREE of the following formula:~~

~~STEP ONE: Determine the number of months remaining until the recreational vehicle's next registration date under IC 9-18.1-11-3. A partial month shall be rounded up to one (1) month.~~

~~STEP TWO: Multiply the STEP ONE result by one-twelfth (1/12).~~

~~STEP THREE: Multiply the annual excise tax for the recreational vehicle by the STEP TWO product.~~

~~(2) For a recreational vehicle with a renewal registration period described in IC 9-18.1-11-3(b), the annual excise tax for the current registration.~~

~~(e) Except as provided in subsection (i), a reduction in the applicable annual excise tax may not be allowed to an Indiana resident applicant upon registration of a recreational vehicle that was owned by the applicant on or before the first day of the applicant's annual registration period. A recreational vehicle that is owned by an Indiana resident applicant and that was located in and registered for use in another state during the same calendar year is entitled to the same reduction when registered in Indiana.~~

~~(f) The owner of a recreational vehicle who sells the recreational vehicle in a year in which the owner has paid the tax imposed by this chapter shall receive a credit equal to the remainder of:~~

~~(1) the tax paid for the recreational vehicle; minus~~

~~(2) eight and thirty-three hundredths percent (8.33%) for each full or partial calendar month that has elapsed in the owner's annual registration year before the date of the sale.~~

~~The credit shall be applied to the tax due on any other recreational vehicle purchased or subsequently registered by the owner in the owner's annual registration year. If the credit is not fully used and the amount of the credit remaining is at least four dollars ($4), the owner is entitled to a refund in the amount of the unused credit. The owner must pay a fee of three dollars ($3) to the bureau to cover costs of providing the refund, which may be deducted from the refund. The bureau shall issue the refund. The bureau shall transfer three dollars ($3) of the fee to the bureau of motor vehicles commission to cover the commission's costs in processing the refund. To claim the credit and refund provided by this subsection, the owner of the recreational vehicle must present to the bureau proof of sale of the recreational vehicle.~~

~~(g) Subject to the requirements of subsection (h), if a recreational vehicle is destroyed in a year in which the owner has paid the tax imposed by this chapter and the recreational vehicle is not replaced by a replacement vehicle for which a credit is issued under this section, the owner is entitled to a refund in an amount equal to eight and thirty-three hundredths percent (8.33%) of the tax paid for each full calendar month remaining in the owner's annual registration year after the date of destruction, but only upon presentation to the bureau of the following:~~

~~(1) A request for refund on a form furnished by the bureau.~~

~~(2) A statement of proof of destruction on an affidavit furnished by the bureau.~~

~~(3) The license plate from the recreational vehicle.~~

~~(4) The registration from the recreational vehicle.~~

~~However, the refund may not exceed ninety percent (90%) of the tax paid on the destroyed recreational vehicle. The amount shall be refunded by a warrant issued by the auditor of the county that received the excise tax revenue and shall be paid out of the special account created under section 21 of this chapter for settlement of the excise tax collections. For purposes of this subsection, a recreational vehicle is considered destroyed if the cost of repair of damages suffered by the recreational vehicle exceeds the recreational vehicle's fair market value.~~

~~(h) To claim a refund under subsection (g) for a recreational vehicle that is destroyed, the owner of the recreational vehicle must present to the bureau a valid registration for the recreational vehicle within ninety (90) days after the date that the recreational vehicle is destroyed. The bureau shall then fix the amount of the refund that the owner is entitled to receive.~~

~~(i) If the name of the owner of a recreational vehicle is legally changed and the change has caused a change in the owner's annual registration date, the excise tax liability of the owner for the recreational vehicle shall be adjusted as follows:~~

~~(1) If the name change requires the owner to register sooner than the owner would have been required to register if there had been no name change, the owner is, at the time the name change is reported, entitled to a refund from the county treasurer in the amount of the product of:~~

~~(A) eight and thirty-three hundredths percent (8.33%) of the owner's last preceding annual excise tax liability; multiplied by~~

~~(B) the number of full calendar months beginning after the owner's new regular annual registration month and ending before the next succeeding regular annual registration month that is based on the owner's former name.~~

~~(2) If the name change requires the owner to register later than the owner would have been required to register if there had been no name change, the recreational vehicle is subject to excise tax for the period beginning after the month in which the owner would have been required to register if there had been no name change and ending before the owner's new regular annual registration month equal to the amount determined under STEP FOUR of the following formula:~~

~~STEP ONE: Determine the number of full calendar months between the month in which the owner would have been required to register if there had been no name change and the owner's new regular annual registration month.~~

~~STEP TWO: Multiply the STEP ONE amount by one-twelfth (1/12).~~

~~STEP THREE: Determine the owner's tax liability computed as of the time the owner would have been required to register if there had been no name change.~~

~~STEP FOUR: Multiply the STEP TWO product by the STEP THREE amount.~~

SECTION 74. IC 6-6-5.1-16 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 16. (a) This section applies only to truck campers.~~

~~(b) With respect to a truck camper that has been acquired, has been brought into Indiana, or for any other reason becomes subject to taxation after the regular annual registration date in the year on or before which the owner of the truck camper is required under the state motor vehicle registration laws to register vehicles, the tax imposed by this chapter is due and payable at the time the truck camper is acquired, is brought into Indiana, or otherwise becomes subject to taxation under this chapter. The amount of tax to be paid by the owner for the remainder of the year shall be reduced by eight and thirty-three hundredths percent (8.33%) for each full calendar month that has elapsed since the regular annual registration date in the year fixed by the state motor vehicle registration laws for annual registration by the owner. The tax shall be paid within thirty (30) days after the date on which the truck camper is acquired, is brought into Indiana, or otherwise becomes subject to taxation under this chapter.~~

~~(c) If a truck camper is acquired, is brought into Indiana, or for any other reason becomes subject to taxation under this chapter after January 1 of any year, the owner may pay any excise tax due on the truck camper for the remainder of the annual registration year and, if the succeeding annual registration year does not extend beyond the end of the next calendar year, simultaneously pay the excise tax due for the next succeeding annual registration year.~~

~~(d) The owner of a truck camper who sells the truck camper in a year in which the owner has paid the tax imposed by this chapter shall receive a credit equal to the remainder of:~~

~~(1) the tax paid for the truck camper; reduced by~~

~~(2) eight and thirty-three hundredths percent (8.33%) for each full or partial calendar month that has elapsed in the owner's annual registration year before the date of the sale.~~

~~The credit shall be applied to the tax due on any other truck camper acquired by the owner in the owner's annual registration year. If the credit is not fully used and the amount of the credit remaining is at least four dollars ($4), the owner is entitled to a refund in the amount of the unused credit. The owner must pay a fee of three dollars ($3) to the bureau to cover the costs of providing the refund, which may be deducted from the refund. The bureau shall issue the refund. The bureau shall transfer three dollars ($3) of the fee to the bureau of motor vehicles commission to cover the commission's costs in processing the refund. To claim the credit and refund provided by this subsection, the owner of the truck camper must present to the bureau proof of sale of the truck camper.~~

~~(e) Subject to the requirements of subsection (f), if a truck camper is destroyed in a year in which the owner has paid the tax imposed by this chapter and the truck camper is not replaced by a replacement truck camper for which a credit is issued under this section, the owner is entitled to a refund in an amount equal to eight and thirty-three hundredths percent (8.33%) of the tax paid for each full calendar month remaining in the owner's annual registration year after the date of destruction, but only upon presentation or return to the bureau of the following:~~

~~(1) A request for refund on a form furnished by the bureau.~~

~~(2) A statement of proof of destruction on an affidavit furnished by the bureau.~~

~~However, the refund may not exceed ninety percent (90%) of the tax paid on the destroyed truck camper. The amount shall be refunded by a warrant issued by the auditor of the county that received the excise tax revenue and shall be paid out of the special account created under section 21 of this chapter for settlement of the excise tax collections. For purposes of this subsection, a truck camper is considered destroyed if the cost of repair of damages suffered by the truck camper exceeds the truck camper's fair market value.~~

~~(f) To claim a refund under subsection (e) for a truck camper that is destroyed, the owner of the truck camper must present to the bureau a valid receipt for the excise tax paid under this chapter on the truck camper within ninety (90) days after the date that the truck camper is destroyed. The bureau shall then fix the amount of the refund that the owner is entitled to receive.~~

~~(g) If the name of the owner of a truck camper is legally changed and the change has caused a change in the owner's annual registration date, the excise tax liability of the owner for the truck camper shall be adjusted as follows:~~

~~(1) If the name change requires the owner to register a motor vehicle sooner than the owner would have been required to register if there had been no name change, the owner is, at the time the name change is reported, entitled to a refund from the county treasurer in the amount of the product of:~~

~~(A) eight and thirty-three hundredths percent (8.33%) of the owner's last preceding annual excise tax liability; multiplied by~~

~~(B) the number of full calendar months beginning after the owner's new regular annual registration month and ending before the next succeeding regular annual registration month that is based on the owner's former name.~~

~~(2) If the name change requires the owner to register a motor vehicle later than the owner would have been required to register if there had been no name change, the truck camper is subject to excise tax for the period beginning after the month in which the owner would have been required to register if there had been no name change and ending before the owner's new regular annual registration month in the amount of the product of:~~

~~(A) eight and thirty-three hundredths percent (8.33%) of the owner's excise tax liability computed as of the time the owner would have been required to register a motor vehicle if there had been no name change; multiplied by~~

~~(B) the number of full calendar months beginning after the month in which the owner would have been required to register a motor vehicle if there had been no name change and ending before the owner's new regular annual registration month.~~

SECTION 75. IC 6-6-5.1-17 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 17. (a) This section applies only to recreational vehicles.~~

~~(b) The owner of a recreational vehicle registered with the bureau is entitled to a refund of taxes paid under this chapter if, after the owner's regular registration date, the owner:~~

~~(1) registers the recreational vehicle for use in another state; and~~

~~(2) pays tax for use of the recreational vehicle to another state for the same period for which the tax was paid under this chapter.~~

~~(c) The refund provided under subsection (b) is equal to:~~

~~(1) the annual license excise tax paid for use of the recreational vehicle by the owner of the vehicle for the year; minus~~

~~(2) eight and thirty-three hundredths percent (8.33%) of the annual license excise tax paid for use of the recreational vehicle for each full or partial calendar month beginning after the date the annual license excise tax was due and ending before the date the owner registered the recreational vehicle for use in another state.~~

~~(d) To claim the refund provided by this section, the owner of the recreational vehicle must provide the bureau with:~~

~~(1) a request for a refund on a form furnished by the bureau; and~~

~~(2) proof that a tax described in subsection (b)(2) was paid.~~

SECTION 76. IC 6-6-5.1-18 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 18. (a) This section applies only to truck campers.~~

~~(b) The owner of a truck camper is entitled to a refund of taxes paid under this chapter if, after the owner's regular vehicle registration date:~~

~~(1) the owner moves and registers the truck on which the truck camper is installed for use in another state;~~

~~(2) the owner pays tax for use of the truck camper to another state for the same period for which the tax was paid under this chapter; and~~

~~(3) the truck camper is located and used in the other state for the same period for which the tax was paid under this chapter.~~

~~(c) The refund provided under subsection (b) is equal to:~~

~~(1) the annual excise tax paid for use of the truck camper by the owner of the truck camper for the year; minus~~

~~(2) eight and thirty-three hundredths percent (8.33%) of the annual excise tax paid for use of the truck camper for each full or partial calendar month beginning after the date the annual excise tax was due and ending before the date the owner registered the truck for use in another state.~~

SECTION 77. IC 6-6-5.1-19 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 19. (a) To claim a credit or refund, or both, under this chapter, a person must provide a sworn statement to the bureau that the person is entitled to the credit or refund, or both, claimed by the person.~~

~~(b) The bureau may inspect records of a person claiming a credit or refund, or both, under this chapter to determine if a credit or refund, or both, were properly allowed against the excise tax imposed on a recreational vehicle or truck camper owned by the person.~~

~~(c) If the bureau determines that a credit or refund, or both, were improperly allowed for a recreational vehicle or truck camper, the person that claimed the credit or refund, or both, shall pay the bureau an amount equal to the credit or refund, or both, improperly allowed to the person plus a penalty of ten percent (10%) of the credit or refund, or both, improperly allowed. The tax collected under this subsection shall be paid to the county treasurer of the county in which the person resides. However, a penalty collected under this subsection shall be retained by the bureau.~~

SECTION 78. IC 6-6-5.1-20 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 20. (a) The bureau shall include on all registration forms for recreational vehicles suitable spaces for the applicant's Social Security number or federal tax identification number, the amount of the registration fee, the amount of excise tax, the amount of a credit, if any, provided under section 13 of this chapter, and the total amount of payment due on account of the applicable registration fees and excise taxes upon the registration of the recreational vehicle. The forms must include spaces for showing the county, city or town, township, and address of the owner's residence.~~

~~(b) The bureau shall list on all registration forms for recreational vehicles the amount of registration fees and taxes due. In addition, the bureau shall prepare by December 1 of each year a schedule showing the excise tax payable on each make and model of recreational vehicle or truck camper.~~

SECTION 79. IC 6-6-5.1-26 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 26. The registration of a recreational vehicle registered without payment of the tax imposed by this chapter is void. The bureau shall take possession of the registration certificate, license plate, and other evidence of registration until the owner pays the delinquent taxes and an additional fee of ten dollars ($10) to compensate the bureau for performing the additional duties.~~

SECTION 80. IC 6-6-5.1-27 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 27. In the administration and collection of the taxes imposed by this chapter, the bureau may contract with a collection agency that is authorized to collect and receive property taxes on behalf of the county treasurer. A collection agency with which the bureau contracts may collect on behalf of the bureau the taxes imposed by this chapter and the registration fees and charges as the bureau directs. A collection agency that contracts with the bureau under this section shall comply with the requirements concerning the collection of property taxes on behalf of county treasurers and other requirements, including the posting of a bond, as may be established by the bureau.~~

SECTION 81. IC 6-6-5.1-29 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 29. In the administration and collection of the tax imposed by this chapter, the bureau may coordinate and consolidate the collection of the taxes imposed on all recreational vehicles and truck campers owned by a taxpayer following procedures the bureau considers reasonable and feasible, including the revocation of all registrations of recreational vehicles registered by the owner if the owner willfully fails and refuses to pay the tax imposed by this chapter. Upon a revocation of registration, the bureau shall notify the department of state revenue of the name and address of the taxpayer.~~

SECTION 82. IC 6-6-5.1-30 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 30. (a) The following provisions apply to the administration of this chapter:**

(1) IC 6-6-5-5.
(2) IC 6-6-5-5.2.
(3) IC 6-6-5-7.2.
(4) IC 6-6-5-7.4.
(5) IC 6-6-5-7.7.
(6) IC 6-6-5-13.
(7) IC 6-6-5-15.

(b) The following apply to the calculation of credits, refunds, and prorated taxes under this chapter for truck campers:

(1) A truck camper is treated as a vehicle.
(2) The registration date for a truck camper is the annual registration date for the owner's vehicles determined by the bureau according to the schedule established under IC 9-18.1-11-1.

SECTION 83. IC 6-6-5.5-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 0.5. This chapter does not apply to the following:**

(1) Vehicles that are exempt from the payment of registration fees under IC 9-18-3-1 (before its expiration) or IC 9-18.1-9.
(2) Vehicles owned or otherwise held as inventory by a person licensed under IC 9-32.

SECTION 84. IC 6-6-5.5-1, AS AMENDED BY P.L.198-2016, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) Unless defined in this section, terms used in this chapter have the meaning set forth in **IC 9-18.1,** the International Registration Plan, or in IC 6-6-5 (~~motor~~ vehicle excise tax). ~~Definitions set forth in the International Registration Plan, as applicable, prevail unless given a different meaning in this section or in rules adopted under authority of this chapter. The definitions in this section apply throughout this chapter.~~

(b) ~~As used in~~ **The following definitions apply throughout** this chapter:

(1) "Base revenue" means the minimum amount of commercial vehicle excise tax revenue that a taxing unit

will receive in a year.

(2) "Commercial vehicle" means a vehicle to which the tax imposed by this chapter applies.

(3) "Department" refers to the department of state revenue.

(4) "Fleet" means one (1) or more apportionable vehicles.

(5) "Indiana based" means a vehicle or fleet of vehicles that is base registered in Indiana under the terms of the International Registration Plan.

(6) "In-state miles" means the total number of miles operated by a commercial vehicle or fleet of commercial vehicles in Indiana during the preceding year.

(7) "Preceding year" means a period of twelve (12) consecutive months fixed by the department that shall be within the eighteen (18) months immediately preceding the commencement of the registration year for which proportional registration is sought.

(8) "Semitrailer" has the meaning set forth in IC 9-13-2-164(a).

(9) "Tractor" has the meaning set forth in IC 9-13-2-180.

(10) "Trailer" has the meaning set forth in IC 9-13-2-184(a).

(11) "Truck" has the meaning set forth in IC 9-13-2-188(a).

~~(c) As used in this chapter, "commercial vehicle" means any of the following:~~

~~(1) An Indiana based vehicle subject to apportioned registration under the International Registration Plan.~~

~~(2) A vehicle subject to apportioned registration under the International Registration Plan and based and titled in a state other than Indiana subject to the conditions of the International Registration Plan.~~

~~(3) A truck, road tractor, tractor, trailer, semitrailer, or truck-tractor subject to registration under IC 9-18 (before its expiration) or IC 9-18.1.~~

~~(d) As used in this chapter, "declared gross weight" means the weight at which a vehicle is registered with:~~

~~(1) the bureau; or~~

~~(2) the department.~~

~~(e) As used in this chapter, "department" means the department of state revenue.~~

~~(f) As used in this chapter, "fleet" means one (1) or more apportionable vehicles.~~

~~(g) As used in this chapter, "gross weight" means the total weight of a vehicle or combination of vehicles without load, plus the weight of any load on the vehicle or combination of vehicles.~~

~~(h) As used in this chapter, "Indiana based" means a vehicle or fleet of vehicles that is base registered in Indiana under the terms of the International Registration Plan.~~

~~(i) As used in this chapter, "in state miles" means the total number of miles operated by a commercial vehicle or fleet of commercial vehicles in Indiana during the preceding year.~~

~~(j) As used in this chapter, "motor vehicle" has the meaning set forth in IC 9-13-2-105(a).~~

~~(k) As used in this chapter, "owner" means the person in whose name the commercial vehicle is registered under IC 9-18 (before its expiration), IC 9-18.1, or the International Registration Plan.~~

~~(l) As used in this chapter, "preceding year" means a period of twelve (12) consecutive months fixed by the department which shall be within the eighteen (18) months immediately preceding the commencement of the registration year for which proportional registration is sought.~~

~~(m) As used in this chapter, "road tractor" has the meaning set forth in IC 9-13-2-156.~~

~~(n) As used in this chapter, "semitrailer" has the meaning set forth in IC 9-13-2-164(a).~~

~~(o) As used in this chapter, "tractor" has the meaning set forth in IC 9-13-2-180.~~

~~(p) As used in this chapter, "trailer" has the meaning set forth in IC 9-13-2-184(a).~~

~~(q) As used in this chapter, "truck" has the meaning set forth in IC 9-13-2-188(a).~~

~~(r) As used in this chapter, "truck-tractor" has the meaning set forth in IC 9-13-2-189(a).~~

~~(s) As used in this chapter, "vehicle" means:~~

~~(1) a motor vehicle, trailer, or semitrailer subject to registration under IC 9-18 (before its expiration); or~~

~~(2) a vehicle subject to registration under IC 9-18.1;~~

~~as a condition of its operation on the public highways pursuant to the motor vehicle registration laws of the state.~~

SECTION 85. IC 6-6-5.5-2 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 2. (a) Except as provided in subsection (b), this chapter applies to all commercial vehicles.~~

~~(b) This chapter does not apply to the following:~~

~~(1) Vehicles owned or leased and operated by the United States, the state, or political subdivisions of the state.~~

~~(2) Vehicles subject to taxation under IC 6-6-5.1.~~

~~(3) Vehicles assessed under IC 6-1.1-8.~~

~~(4) Buses subject to apportioned registration under the International Registration Plan.~~

~~(5) Vehicles subject to taxation under IC 6-6-5.~~

~~(6) Vehicles owned or leased and operated by a postsecondary educational institution described in IC 6-3-3-5(d).~~

~~(7) Vehicles owned or leased and operated by a volunteer fire department (as defined in IC 36-8-12-2).~~

~~(8) Vehicles owned or leased and operated by a volunteer emergency ambulance service that:~~

~~(A) meets the requirements of IC 16-31; and~~

~~(B) has only members that serve for no compensation or a nominal annual compensation of not more than three~~

~~thousand five hundred dollars ($3,500).~~

~~(9) Vehicles that are exempt from the payment of registration fees under IC 9-18-3-1 (before its expiration) or IC 9-18.1-9.~~

~~(10) Farm wagons.~~

~~(11) A vehicle in the inventory of vehicles held for sale by a manufacturer, distributor, or dealer in the course of business.~~

~~(12) Special machinery (as defined in IC 9-13-2-170.3).~~

SECTION 86. IC 6-6-5.5-3, AS AMENDED BY P.L.293-2013(ts), SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) ~~There is imposed an annual license~~ **The commercial vehicle** excise tax ~~upon commercial vehicles, which tax shall be in lieu of~~ **is imposed on the following vehicles in accordance with this chapter:**

(1) Trucks or tractors with a declared gross weight of more than eleven thousand (11,000) pounds.

(2) Trailers with a declared gross weight of more than nine thousand (9,000) pounds.

(3) Semitrailers.

(b) The commercial vehicle excise tax is imposed on a vehicle described in subsection (a):

(1) instead of the ad valorem property tax levied for state or local purposes; ~~but~~ **and**

(2) in addition to any registration fees imposed **under IC 9-18.1** on ~~such vehicles.~~ **the vehicle.**

~~(b)~~ **(c)** Owners of commercial vehicles paying an apportioned registration to the state under the International Registration Plan shall pay an apportioned excise tax calculated by dividing in-state actual miles by total fleet miles generated during the preceding year. If in-state miles are estimated for purposes of proportional registration, these miles are divided by total actual and estimated fleet miles.

~~(c)~~ **(d)** The **commercial vehicle excise** tax imposed by this chapter is a listed tax and subject to the provisions of IC 6-8.1.

~~(d)~~ **(e)** ~~No commercial vehicle subject to taxation under this chapter shall be assessed as personal property for the purpose of the assessment and levy of personal property taxes or shall be subject to ad valorem taxes, whether or not such vehicle is in fact registered pursuant to the motor vehicle registration laws. No person shall be required to give proof of the payment of ad valorem property taxes as a condition to the registration of any vehicle that is subject to the tax imposed by this chapter.~~ **The commercial vehicle excise tax imposed by this chapter is due and shall be paid each year at the time the vehicle is registered.**

SECTION 87. IC 6-6-5.5-7, AS AMENDED BY P.L.198-2016, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. (a) The ~~annual~~ **commercial vehicle** excise tax for a ~~commercial~~ vehicle **to which this chapter applies** will be determined by the department on or before October 1 of each year in accordance with the following formula:

STEP ONE: Determine the total amount of base revenue for all taxing units using the base revenue determined for each taxing unit under section 19 of this chapter.

STEP TWO: Determine the sum of registration fees paid and collected under IC 9-29-5 (before its expiration) or ~~IC 9-18.1-5~~ **IC 9-18.1** to register ~~the following commercial vehicles in Indiana under the following statutes~~ **vehicles to which this chapter applies** during the fiscal year that ends June 30 immediately preceding the calendar year for which the tax is first due and payable.

~~(A) Commercial vehicles with a declared gross weight in excess of eleven thousand (11,000) pounds, including trucks, tractors not used with semitrailers, traction engines, and other similar vehicles used for hauling purposes.~~

~~(B) Tractors used with semitrailers.~~

~~(C) Semitrailers used with tractors.~~

~~(D) Trailers having a declared gross weight in excess of three thousand (3,000) pounds.~~

~~(E) Trucks, tractors and semitrailers used in connection with agricultural pursuits usual and normal to the user's farming operation, multiplied by two hundred percent (200%).~~

STEP THREE: Determine the tax factor by dividing the STEP ONE result by the STEP TWO result.

(b) Except as otherwise provided in this chapter, the annual excise tax for commercial vehicles ~~with a declared gross weight in excess of eleven thousand (11,000) pounds, including trucks, tractors not used with~~ **other than** semitrailers ~~traction engines, and other similar vehicles used for hauling purposes, shall be~~ **is** determined by multiplying the registration fee under ~~IC 9-29-5-3.2~~ **IC 9-29-5** (before its expiration) or ~~IC 9-18.1-5-11(b)~~ **IC 9-18.1-5** by the tax factor determined in subsection (a).

~~(c) Except as otherwise provided in this chapter, the annual excise tax for tractors used with semitrailers shall be determined by multiplying the registration fee under IC 9-29-5-5 (before its expiration) or IC 9-18.1-5-9 by the tax factor determined in subsection (a).~~

~~(d) Except as otherwise provided in this chapter, the annual excise tax for trailers having a declared gross weight in excess of three thousand (3,000) pounds shall be determined by multiplying the registration fee under IC 9-29-5-4 (before its expiration) or IC 9-18.1-5-8 by the tax factor determined in subsection (a).~~

~~(e)~~ **(c)** The annual excise tax for a semitrailer shall be determined by multiplying ~~the average annual registration fee under subsection (f)~~ **sixteen dollars and seventy-five cents ($16.75)** by the tax factor determined in subsection (a).

~~(f) The average annual registration fee for a semitrailer is sixteen dollars and seventy-five cents ($16.75).~~

~~(g)~~ **(d)** The ~~annual~~ **amount of the commercial vehicle** excise tax determined under this section shall be rounded upward to the next full dollar amount.

SECTION 88. IC 6-6-5.5-8 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 8. (a) Except as otherwise provided in this chapter, the excise tax imposed under this chapter upon commercial vehicles shall be payable for each registration year, by the owners thereof, in respect to vehicles required to be registered for such registration year as provided in the motor vehicle laws of Indiana and the International Registration Plan. Except as provided in section 9 of this chapter, the excise tax shall be due on or before the regular annual registration date in each year in which the owner is required under the motor vehicle registration laws of Indiana or the terms of the International Registration Plan to register vehicles and the excise tax shall be paid at the time the vehicle is registered by the owner. The payment of the excise tax imposed by this chapter shall be a condition of the right to register or reregister the vehicle and shall be in addition to all other conditions prescribed by law.~~

~~(b) A voucher from the department showing payment of the excise tax imposed by this chapter may be accepted by the bureau in lieu of a payment under subsection (a).~~

SECTION 89. IC 6-6-5.5-9 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 9. (a) The excise tax on a semitrailer that is registered on a permanent basis shall be due on or before the regular date each year in which the owner is required to renew such registration under the terms of the International Registration Plan or under rules adopted by the bureau under IC 9-18-10-3. The excise tax shall be paid at the time the registration is renewed by the owner. The payment of the excise tax imposed by this chapter shall be a condition of the right to renew the permanent registration and shall be in addition to all other conditions prescribed by law.~~

~~(b) A voucher from the department showing payment of the excise tax imposed by this chapter may be accepted by the bureau in lieu of a payment under subsection (a).~~

SECTION 90. IC 6-6-5.5-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. In administering this chapter, the bureau shall follow the procedures set forth in ~~IC 6-6-5-8,~~ IC 6-6-5-13 and IC 6-6-5-15.

SECTION 91. IC 6-6-5.5-17, AS AMENDED BY P.L.198-2016, SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 17. (a) The department shall promptly deposit all amounts collected under section ~~3(b)~~ **3(c)** of this chapter into the commercial vehicle excise tax fund for distribution to the taxing units (as defined in IC 6-1.1-1-21) of Indiana. The amount to be distributed to the taxing units of Indiana each year is determined under section 19 of this chapter.

(b) The bureau of motor vehicles shall promptly deposit all amounts collected under this chapter into the commercial vehicle excise tax fund for distribution to the taxing units (as defined in IC 6-1.1-1-21) of Indiana. The amount to be distributed to the taxing units of Indiana each year is determined under section 19 of this chapter.

(c) A contractor providing:

(1) full service under IC 9-14.1-3-1; or

(2) partial services under IC 9-14.1-3-2;

shall remit the amount of commercial vehicle excise tax collected each week to the bureau of motor vehicles for deposit into the commercial vehicle excise tax fund.

(d) The bureau may impose a service charge of one dollar and seventy cents ($1.70) for each excise tax collection made under this chapter. The service charge shall be deposited in the bureau of motor vehicles commission fund.

SECTION 92. IC 6-6-11-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. The boat excise tax due under section 10 of this chapter is reduced by ten percent (10%) for each year since the year the boat was manufactured, but not to exceed fifty percent (50%). The reduced excise tax liability shall be rounded upward to the next full dollar amount. However, the boat excise tax due for a year may not be reduced to less than six dollars ($6) for **a** Class 2 ~~through Class 14 boats~~ **boat** or two dollars ($2) for a Class 1 boat.

SECTION 93. IC 6-6-11-13, AS AMENDED BY P.L.198-2016, SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. A boat owner shall pay:

(1) the boat excise tax;

(2) the department of natural resources fee imposed by section 12(a) of this chapter;

(3) the lake and river enhancement fee imposed by section 12(b) of this chapter; and

(4) if:

(A) the motorboat is legally registered in another state; and

(B) the boat owner pays:

(i) the excise tax and fees under subdivisions (1), (2), and (3); and

(ii) the two dollar ($2) fee imposed by IC 9-31-3-2;

for a boating year to the bureau of motor vehicles. The tax and fees must be paid at the same time that the boat owner pays or would pay the registration fee and ~~motor~~ vehicle excise taxes on motor vehicles under IC 9-18 (before its expiration), IC 9-18.1, and IC 6-6-5. When the boat owner pays the tax and fees, the owner is entitled to receive the excise tax decals.

SECTION 94. IC 6-6-11-14, AS AMENDED BY P.L.219-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 14. (a) For a boat which has been acquired, or brought into Indiana, or for any other reason becomes subject to the excise tax after the regular annual tax payment date in the boating year on or before which

the owner is required to pay the tax on boats under this chapter, the tax imposed by this chapter shall become due and payable no later than:

(1) the thirty-second day after the boat is operated in Indiana, if the boat is registered in Indiana;

(2) except as provided in subdivision (3), the twenty-second consecutive day during the boating year that the boat is:

(A) stored in Indiana; or

(B) operated, used, or docked in Indiana waters if the boat is registered outside Indiana; or

(3) the one hundred eighty-first day that the motorboat (as defined by IC 9-13-2-103.5) is docked on the Indiana part of Lake Michigan if the motorboat is registered outside Indiana.

(b) The amount of excise tax to be paid by the owner for the remainder of the year shall be reduced by ~~ten percent (10%)~~ **one-twelfth (1/12)** for each full calendar month which has elapsed since the regular annual tax payment date in the year fixed by the bureau of motor vehicles for tax payment by the owner.

SECTION 95. IC 6-6-11-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 15. For a boat which is acquired, or brought into Indiana, or for any other reason becomes subject to taxation under this chapter ~~after January 1 of a~~ **during the middle of the current** boating year, the owner may pay the fees and the excise tax due on the boat as provided in this chapter and any excise tax due on the boat for the remainder of the boating year and simultaneously pay the fees and the excise tax due for the following boating year.

SECTION 96. IC 6-6-11-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 16. **(a)** Except as provided in sections 11 and 19 of this chapter, a reduction in the excise tax is not allowed to Indiana residents if the boat was owned by the person on or before the person's tax payment date.

(b) A boat owner is not entitled to a refund of excise taxes paid because the boat owner changes the boat owner's state or country of residency.

SECTION 97. IC 6-6-11-17, AS AMENDED BY P.L.198-2016, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 17. (a) ~~Every~~ **The** owner of a boat who sells **or otherwise disposes of** the boat in a year in which the boat owner has paid the ~~excise~~ tax **imposed by this chapter** is entitled to receive a credit equal to the remainder of:

(1) the tax paid for the boat; minus

~~(2) the amount determined under STEP FOUR of the following formula:~~

~~STEP ONE: Determine the number of full or partial months that have elapsed in the tax payment year before the date of the sale.~~

~~STEP TWO: Multiply the STEP ONE amount by one-twelfth (1/12).~~

~~STEP THREE: Determine the tax paid by the owner for the boat for the registration period.~~

~~STEP FOUR: Multiply the STEP TWO product by the STEP THREE amount.~~

(2) one-twelfth (1/12) for each full or partial calendar month that has elapsed from the date the tax was due to the date of the sale, destruction, or other disposal of the boat.

~~The credit shall be applied to the owner's tax due on any other boat of the owner in the same year or may be carried over and used in the following year if the credit was not fully used in the preceding year. The credit expires at the end of the year that follows the year in which the credit originally accrued.~~

(b) ~~A cash refund may not be made on a credit issued under subsection (a) on the sale of a boat. A tax credit is transferable from one (1) member of the same immediate family to another member of the same family with no consideration involved or received as an outright gift or inheritance.~~ **If the credit is not fully used within ninety (90) days after the date of the sale, destruction, or other disposal of the boat and the amount of the credit is at least four dollars ($4), the bureau shall issue a refund to the owner in the amount of the unused credit, less a fee of three dollars ($3) to cover the costs of processing the refund. The bureau shall deposit the processing fee in the commission fund (established by IC 9-14-14-1).**

(c) To claim the credit and refund provided by this section, the owner of the boat must present to the bureau proof of the sale, destruction, or other disposal of the boat.

SECTION 98. IC 6-6-11-17.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 17.5. (a) To claim a credit or refund, or both, a person must provide a sworn statement to the bureau that the person is entitled to the credit or refund, or both, claimed by the person.**

(b) The bureau may inspect records of a person claiming a credit or refund, or both, under this chapter to determine whether a credit or refund, or both, was properly allowed against the excise tax imposed under this chapter for a boat owned by the person.

(c) If the bureau determines that a credit or refund, or both, was improperly allowed to a person for a boat, the person shall pay the bureau the amount of the credit and refund that was improperly allowed to the person plus a penalty equal to ten percent (10%) of the amount of the credit or refund, or both, that was improperly allowed to the person. The tax collected under this section shall be distributed to the county treasurer of the county where the boat's tax situs is located. However, the bureau shall retain any penalty collected under this subsection.

SECTION 99. IC 6-6-11-18 IS REPEALED [EFFECTIVE JULY 1, 2017]. ~~Sec. 18. (a) Every owner of a boat that:~~

~~(1) is destroyed in a year in which the owner paid the excise tax imposed by this chapter; and~~

~~(2) is not replaced by a replacement boat for which a credit is issued under this chapter;~~

~~is entitled to a refund in an amount equal to ten percent (10%) of the excise tax paid for each full calendar month remaining in the registrant's tax payment year after the date of destruction.~~

~~(b) To receive a refund under subsection (a), a boat owner must present and return to the bureau of motor vehicles the following:~~

~~(1) A request for refund on a form furnished by the bureau.~~

~~(2) A statement of proof of destruction on an affidavit furnished by the bureau.~~

~~(3) The tax payment form for the boat.~~

~~(c) A refund under this section may not exceed ninety percent (90%) of the excise tax paid on the destroyed boat. The amount shall be refunded by a warrant issued by the auditor of the county that received the excise tax revenue and shall be drawn on the county's boat excise tax fund.~~

~~(d) For purposes of this section, a boat is considered destroyed if the cost of repair of damages suffered by the boat exceeds the boat's fair market value.~~

SECTION 100. IC 6-6-11-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 19. If the name of the owner of a boat is legally changed and the change has caused a change in the owner's annual tax payment date, the excise tax liability of the owner shall be adjusted as follows:

(1) If the name change requires the owner to pay the excise tax sooner than the owner would have been required to pay if there had been no name change, the owner shall, at the time the name change is reported, be authorized a refund from the county treasurer in the amount of the product of:

(A) ~~ten percent (10%)~~ **one-twelfth (1/12)** of the owner's last preceding annual excise tax liability; multiplied by

(B) the number of full calendar months between the owner's new tax payment month and the tax payment month that is based on the owner's former name.

(2) If the name change requires the owner to pay the excise tax later than the owner would have been required to pay if there had been no name change, the boat is subject to excise tax for the period between the month in which the owner would have been required to pay if there had been no name change and the new tax payment month. The **amount of the** tax is ~~the product of:~~ **equal to the amount determined under STEP FOUR of the following formula:**

STEP ONE: Determine the number of full calendar months between the month in which the owner would have been required to register if there had been no name change and the owner's new annual registration month.

STEP TWO: Multiply:

(i) the STEP ONE result; by

(ii) one-twelfth (1/12).

~~(A) ten percent (10%) of~~ **STEP THREE: Determine** the owner's excise tax liability computed as of the time the owner would have been required to pay the excise tax if there had been no name change. ~~multiplied by~~

~~(B) the number of full calendar months between the month in which the owner would have been required to pay if there had been no name change and the owner's new tax payment month.~~

STEP FOUR: Multiply:

(i) the STEP TWO result; by

(ii) the STEP THREE result.

SECTION 101. IC 6-8.1-1-1, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2017 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017 (RETROACTIVE)]: Sec. 1. "Listed taxes" or "taxes" includes only the pari-mutuel taxes (IC 4-31-9-3 through IC 4-31-9-5); the riverboat admissions tax (IC 4-33-12); the riverboat wagering tax (IC 4-33-13); the slot machine wagering tax (IC 4-35-8); the type II gambling game excise tax (IC 4-36-9); the gross income tax (IC 6-2.1) (repealed); the utility receipts and utility services use taxes (IC 6-2.3); the state gross retail and use taxes (IC 6-2.5); the adjusted gross income tax (IC 6-3); the supplemental net income tax (IC 6-3-8) (repealed); the county adjusted gross income tax (IC 6-3.5-1.1) *(repealed);* the county option income tax (IC 6-3.5-6) *(repealed);* the county economic development income tax (IC 6-3.5-7) *(repealed); the local income tax (IC 6-3.6);* the auto rental excise tax (IC 6-6-9); the financial institutions tax (IC 6-5.5); the gasoline tax (IC 6-6-1.1); the special fuel tax (IC 6-6-2.5); the motor carrier fuel tax (IC 6-6-4.1); a motor fuel tax collected under a reciprocal agreement under IC 6-8.1-3; the ~~motor~~ vehicle excise tax (IC 6-6-5); the aviation fuel excise tax (IC 6-6-13); the commercial vehicle excise tax (IC 6-6-5.5); the excise tax imposed on recreational vehicles and truck campers (IC 6-6-5.1); the hazardous waste disposal tax (IC 6-6-6.6) (repealed); the cigarette tax (IC 6-7-1); the beer excise tax (IC 7.1-4-2); the liquor excise tax (IC 7.1-4-3); the wine excise tax (IC 7.1-4-4); the hard cider excise tax (IC 7.1-4-4.5); the malt excise tax (IC 7.1-4-5); the petroleum severance tax (IC 6-8-1); the various innkeeper's taxes (IC 6-9); the various food and beverage taxes (IC 6-9); the county admissions tax (IC 6-9-13 and IC 6-9-28); the oil inspection fee (IC 16-44-2); the penalties assessed for oversize vehicles (IC 9-20-3 and ~~*IC 9-30);*~~ *IC 9-20-18);* the fees and penalties assessed for overweight vehicles (IC 9-20-4 and ~~*IC 9-30);*~~ *IC 9-20-18);* and any other tax or fee that the department is required to collect or administer.

SECTION 102. IC 6-8.1-3-1, AS AMENDED BY P.L.91-2006, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) The department has the primary responsibility for the administration,

collection, and enforcement of the listed taxes. In carrying out that responsibility, the department may exercise all the powers conferred on it under this article in respect to any of those taxes.

(b) In the case of the ~~motor~~ vehicle excise tax, the department has the responsibility to act only in the investigation, assessment, collection, and enforcement of the tax in instances of delinquency or evasion. Primary responsibility for the administration and collection of the tax remains with the agencies named in IC 6-6-5.

(c) In the case of commercial vehicle excise taxes that are payable to the bureau of motor vehicles and are not subject to apportionment under the International Registration Plan, the department has the responsibility to act only in the investigation, assessment, collection, and enforcement of the tax in instances of delinquency or evasion. Primary responsibility for the administration and collection of the tax remains with the bureau of motor vehicles.

SECTION 103. IC 6-8.1-5-2, AS AMENDED BY P.L.198-2016, SECTION 58, AND AS AMENDED BY P.L.197-2016, SECTION 76, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) Except as otherwise provided in this section, the department may not issue a proposed assessment under section 1 of this chapter more than three (3) years after the latest of the date the return is filed, or either of the following:

(1) The due date of the return.

(2) In the case of a return filed for the state gross retail or use tax, the gasoline tax, the special fuel tax, the motor carrier fuel tax, the oil inspection fee, or the petroleum severance tax, the end of the calendar year which contains the taxable period for which the return is filed.

(b) If a person files a *return for the* utility receipts tax ~~return~~ (IC 6-2.3), ~~an~~ adjusted gross income tax (IC 6-3), supplemental net income tax (IC 6-3-8) (repealed), county adjusted gross income tax (IC 6-3.5-1.1) *(repealed),* county option income tax (IC 6-3.5-6) *(repealed), local income tax (IC 6-3.6),* or financial institutions tax (IC 6-5.5) ~~return~~ that understates the person's income, as that term is defined in the particular income tax law, by at least twenty-five percent (25%), the proposed assessment limitation is six (6) years instead of the three (3) years provided in subsection (a).

(c) In the case of the ~~motor~~ vehicle excise tax (IC 6-6-5), the tax shall be assessed as provided in ~~IC 6-6-5-5 and IC 6-6-5-6~~ **IC 6-6-5** and shall include the penalties and interest due on all listed taxes not paid by the due date. A person that fails to properly register a vehicle as required by IC 9-18 *(before its expiration) or IC 9-18.1* and pay the tax due under IC 6-6-5 is considered to have failed to file a return for purposes of this article.

(d) In the case of the commercial vehicle excise tax imposed under IC 6-6-5.5, the tax shall be assessed as provided in IC 6-6-5.5 and shall include the penalties and interest due on all listed taxes not paid by the due date. A person that fails to properly register a commercial vehicle as required by IC 9-18 *(before its expiration) or IC 9-18.1* and pay the tax due under IC 6-6-5.5 is considered to have failed to file a return for purposes of this article.

(e) In the case of the excise tax imposed on recreational vehicles and truck campers under IC 6-6-5.1, the tax shall be assessed as provided in IC 6-6-5.1 and must include the penalties and interest due on all listed taxes not paid by the due date. A person ~~who~~ *that* fails to properly register a recreational vehicle as required by IC 9-18 *(before its expiration) or IC 9-18.1* and pay the tax due under IC 6-6-5.1 is considered to have failed to file a return for purposes of this article. A person ~~who~~ *that* fails to pay the tax due under IC 6-6-5.1 on a truck camper is considered to have failed to file a return for purposes of this article.

(f) If a person files a fraudulent, unsigned, or substantially blank return, or if a person does not file a return, there is no time limit within which the department must issue its proposed assessment.

(g) If any part of a listed tax has been erroneously refunded by the department, the erroneous refund may be recovered through the assessment procedures established in this chapter. An assessment issued for an erroneous refund must be issued:

(1) within two (2) years after making the refund; or

(2) within five (5) years after making the refund if the refund was induced by fraud or misrepresentation.

(h) If, before the end of the time within which the department may make an assessment, the department and the person agree to extend that assessment ~~time~~ period, the period may be extended according to the terms of a written agreement signed by both the department and the person. The agreement must contain:

(1) the date to which the extension is made; and

(2) a statement that the person agrees to preserve the person's records until the extension terminates.

The department and a person may agree to more than one (1) extension under this subsection.

(i) If a taxpayer's federal taxable income, federal adjusted gross income, or federal income tax liability for a taxable year is modified due to a modification as provided under IC 6-3-4-6(c) and IC 6-3-4-6(d) (for the adjusted gross income tax), or a modification or alteration as provided under IC 6-5.5-6-6(c) and IC 6-5.5-6-6(e) (for the financial institutions tax), then the date by which the department must issue a proposed assessment under section 1 of this chapter for tax imposed under IC 6-3 is extended to six (6) months after the date on which the notice of modification is filed with the department by the taxpayer.

SECTION 104. IC 6-8.1-7-1, AS AMENDED BY P.L.242-2015, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) This subsection does not apply to the disclosure of information concerning a conviction on a tax evasion charge. Unless in

accordance with a judicial order or as otherwise provided in this chapter, the department, its employees, former employees, counsel, agents, or any other person may not divulge the amount of tax paid by any taxpayer, terms of a settlement agreement executed between a taxpayer and the department, investigation records, investigation reports, or any other information disclosed by the reports filed under the provisions of the law relating to any of the listed taxes, including required information derived from a federal return, except to:

(1) members and employees of the department;

(2) the governor;

(3) a member of the general assembly or an employee of the house of representatives or the senate when acting on behalf of a taxpayer located in the member's legislative district who has provided sufficient information to the member or employee for the department to determine that the member or employee is acting on behalf of the taxpayer;

(4) the attorney general or any other legal representative of the state in any action in respect to the amount of tax due under the provisions of the law relating to any of the listed taxes; or

(5) any authorized officers of the United States;

when it is agreed that the information is to be confidential and to be used solely for official purposes.

(b) The information described in subsection (a) may be revealed upon the receipt of a certified request of any designated officer of the state tax department of any other state, district, territory, or possession of the United States when:

(1) the state, district, territory, or possession permits the exchange of like information with the taxing officials of the state; and

(2) it is agreed that the information is to be confidential and to be used solely for tax collection purposes.

(c) The information described in subsection (a) relating to a person on public welfare or a person who has made application for public welfare may be revealed to the director of the division of family resources, and to any director of a county office of the division of family resources located in Indiana, upon receipt of a written request from either director for the information. The information shall be treated as confidential by the directors. In addition, the information described in subsection (a) relating to a person who has been designated as an absent parent by the state Title IV-D agency shall be made available to the state Title IV-D agency upon request. The information shall be subject to the information safeguarding provisions of the state and federal Title IV-D programs.

(d) The name, address, Social Security number, and place of employment relating to any individual who is delinquent in paying educational loans owed to a postsecondary educational institution may be revealed to that institution if it provides proof to the department that the individual is delinquent in paying for educational loans. This information shall be provided free of charge to approved postsecondary educational institutions (as defined by IC 21-7-13-6(a)). The department shall establish fees that all other institutions must pay to the department to obtain information under this subsection. However, these fees may not exceed the department's administrative costs in providing the information to the institution.

(e) The information described in subsection (a) relating to reports submitted under IC 6-6-1.1-502 concerning the number of gallons of gasoline sold by a distributor and IC 6-6-2.5 concerning the number of gallons of special fuel sold by a supplier and the number of gallons of special fuel exported by a licensed exporter or imported by a licensed transporter may be released by the commissioner upon receipt of a written request for the information.

(f) The information described in subsection (a) may be revealed upon the receipt of a written request from the administrative head of a state agency of Indiana when:

(1) the state agency shows an official need for the information; and

(2) the administrative head of the state agency agrees that any information released will be kept confidential and will be used solely for official purposes.

(g) The information described in subsection (a) may be revealed upon the receipt of a written request from the chief law enforcement officer of a state or local law enforcement agency in Indiana when it is agreed that the information is to be confidential and to be used solely for official purposes.

(h) The name and address of retail merchants, including township, as specified in IC 6-2.5-8-1(k) may be released solely for tax collection purposes to township assessors and county assessors.

(i) The department shall notify the appropriate innkeeper's tax board, bureau, or commission that a taxpayer is delinquent in remitting innkeepers' taxes under IC 6-9.

(j) All information relating to the delinquency or evasion of the ~~motor~~ vehicle excise tax may be disclosed to the bureau of motor vehicles in Indiana and may be disclosed to another state, if the information is disclosed for the purpose of the enforcement and collection of the taxes imposed by IC6-6-5.

(k) All information relating to the delinquency or evasion of commercial vehicle excise taxes payable to the bureau of motor vehicles in Indiana may be disclosed to the bureau and may be disclosed to another state, if the information is disclosed for the purpose of the enforcement and collection of the taxes imposed by IC 6-6-5.5.

(l) All information relating to the delinquency or evasion of commercial vehicle excise taxes payable under the International Registration Plan may be disclosed to another state, if the information is disclosed for the purpose of the enforcement and collection of the taxes imposed by IC 6-6-5.5.

(m) All information relating to the delinquency or evasion of the excise taxes imposed on recreational vehicles and truck campers that are payable to the bureau of motor vehicles in Indiana may be disclosed to the bureau and may be disclosed to another state if the information is disclosed for the purpose of the enforcement and collection of the taxes imposed by IC 6-6-5.1.

(n) This section does not apply to:

(1) the beer excise tax, including brand and packaged type (IC 7.1-4-2);

(2) the liquor excise tax (IC 7.1-4-3);

(3) the wine excise tax (IC 7.1-4-4);

(4) the hard cider excise tax (IC 7.1-4-4.5);

(5) the malt excise tax (IC 7.1-4-5);

(6) the ~~motor~~ vehicle excise tax (IC 6-6-5);

(7) the commercial vehicle excise tax (IC 6-6-5.5); and

(8) the fees under IC 13-23.

(o) The name and business address of retail merchants within each county that sell tobacco products may be released to the division of mental health and addiction and the alcohol and tobacco commission solely for the purpose of the list prepared under IC 6-2.5-6-14.2.

(p) The name and business address of a person licensed by the department under IC 6-6 or IC 6-7 may be released for the purpose of reporting the status of the person's license.

(q) The department may release information concerning total incremental tax amounts under:

(1) IC 5-28-26;

(2) IC 36-7-13;

(3) IC 36-7-26;

(4) IC 36-7-27;

(5) IC 36-7-31;

(6) IC 36-7-31.3; or

(7) any other statute providing for the calculation of incremental state taxes that will be distributed to or retained by a political subdivision or other entity;

to the fiscal officer of the political subdivision or other entity that established the district or area from which the incremental taxes were received if that fiscal officer enters into an agreement with the department specifying that the political subdivision or other entity will use the information solely for official purposes.

(r) The department may release the information as required in IC 6-8.1-3-7.1 concerning:

(1) an innkeeper's tax, a food and beverage tax, or an admissions tax under IC 6-9;

(2) the supplemental auto rental excise tax under IC 6-6-9.7; and

(3) the covered taxes allocated to a professional sports development area fund, sports and convention facilities operating fund, or other fund under IC 36-7-31 and IC 36-7-31.3.

(s) Information concerning state gross retail tax exemption certificates that relate to a person who is exempt from the state gross retail tax under IC 6-2.5-4-5 may be disclosed to a power subsidiary (as defined in IC 6-2.5-4-5) or a person selling the services or commodities listed in IC 6-2.5-4-5(b) for the purpose of enforcing and collecting the state gross retail and use taxes under IC 6-2.5.

SECTION 105. IC 6-8.1-9-1, AS AMENDED BY P.L.242-2015, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) If a person has paid more tax than the person determines is legally due for a particular taxable period, the person may file a claim for a refund with the department. Except as provided in subsections (j) and (k), in order to obtain the refund, the person must file the claim with the department within three (3) years after the latter of the following:

(1) The due date of the return.

(2) The date of payment.

For purposes of this section, the due date for a return filed for the state gross retail or use tax, the gasoline tax, the special fuel tax, the motor carrier fuel tax, the oil inspection fee, or the petroleum severance tax is the end of the calendar year which contains the taxable period for which the return is filed. The claim must set forth the amount of the refund to which the person is entitled and the reasons that the person is entitled to the refund.

(b) After considering the claim and all evidence relevant to the claim, the department shall issue a decision on the claim, stating the part, if any, of the refund allowed and containing a statement of the reasons for any part of the refund that is denied. The department shall mail a copy of the decision to the person ~~who~~ **that** filed the claim. If the person disagrees with a part of the decision on the claim, the person may file a protest and request a hearing with the department. If the department allows the full amount of the refund claim, a warrant for the payment of the claim is sufficient notice of the decision.

(c) The tax court shall hear the appeal de novo and without a jury, and after the hearing may order or deny any part of the appealed refund. The court may assess the court costs in any manner that it feels is equitable. The court may enjoin the collection of any of the listed taxes under IC 33-26-6-2. The court may also allow a refund of taxes, interest, and penalties that have been paid to and collected by the department.

(d) The decision on the claim must state that the person has sixty (60) days from the date the decision is mailed to file a written protest. If the person files a protest and requests a hearing on the protest, the department shall:

(1) set the hearing at the department's earliest convenient time; and

(2) notify the person by United States mail of the time, date, and location of the hearing.

(e) The department may hold the hearing at the location of its choice within Indiana if that location complies with IC 6-8.1-3-8.5.

(f) After conducting a hearing on a protest, or after making a decision on a protest when no hearing is requested, the department shall issue a memorandum of decision or order denying a refund and shall send a copy of the decision through the United States mail to the person ~~who~~ **that** filed the protest. If the department allows the full amount of the refund claim, a warrant for the payment of the claim is sufficient notice of the decision. The department may continue the hearing until a later date if the taxpayer presents additional information at the hearing or the taxpayer requests an opportunity to present additional information after the hearing.

(g) A person that disagrees with any part of the department's decision in a memorandum of decision or order denying a refund may request a rehearing not more than thirty (30) days after the date on which the memorandum of decision or order denying a refund is issued by the department. The department shall consider the request and may grant the rehearing if the department reasonably believes that a rehearing would be in the best interests of the taxpayer and the state.

(h) If the person disagrees with any part of the department's decision, the person may appeal the decision, regardless of whether or not the person protested the tax payment or whether or not the person has accepted a refund. The person must file the appeal with the tax court. The tax court does not have jurisdiction to hear a refund appeal if:

(1) the appeal is filed more than ninety (90) days after the later of the dates on which:

(A) the memorandum of decision or order denying a refund is issued by the department, if the person does not make a timely request for a rehearing under subsection (g) on the letter of findings; or

(B) the department issues a denial of the person's timely request for a rehearing under subsection (g) on the memorandum of decision or order denying a refund; or

(2) the appeal is filed both before the decision is issued and before the one hundred eighty-first day after the date the person files the claim for a refund with the department.

The ninety (90) day period may be extended according to the terms of a written agreement signed by both the department and the person. The agreement must specify a date upon which the extension will terminate and include a statement that the person agrees to preserve the person's records until that specified termination date. The specified termination date agreed upon under this subsection may not be more than ninety (90) days after the expiration of the period otherwise specified by this subsection.

(i) With respect to the ~~motor~~ vehicle excise tax, this section applies only to penalties and interest paid on assessments of the ~~motor~~ vehicle excise tax. Any other overpayment of the ~~motor~~ vehicle excise tax is subject to IC 6-6-5.

(j) If a taxpayer's federal taxable income, federal adjusted gross income, or federal income tax liability for a taxable year is modified by the Internal Revenue Service, and the modification would result in a reduction of the tax legally due, the due date by which the taxpayer must file a claim for refund with the department is the later of:

(1) the date determined under subsection (a); or

(2) the date that is one hundred eighty (180) days after the date of the modification by the Internal Revenue Service as provided under:

(A) IC 6-3-4-6(c) and IC 6-3-4-6(d) (for the adjusted gross income tax); or

(B) IC 6-5.5-6-6(c) and IC 6-5.5-6-6(d) (for the financial institutions tax).

(k) If an agreement to extend the assessment time period is entered into under IC 6-8.1-5-2(h), the period during which a person may file a claim for a refund under subsection (a) is extended to the same date to which the assessment time period is extended.

SECTION 106. IC 6-8.1-9-3, AS AMENDED BY P.L.111-2006, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. This chapter does not apply to refund claims made for gasoline taxes under IC 6-6-1.1, special fuel taxes under IC 6-6-2.5, or the ~~motor~~ vehicle excise tax (excluding interest and penalties) under IC 6-6-5.

SECTION 107. IC 8-14-8-4, AS AMENDED BY P.L.146-2016, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. (a) A qualified county which:

(1) has adopted the county ~~motor~~ vehicle excise ~~surtax~~ **tax** under IC 6-3.5-4 and the county wheel tax under IC 6-3.5-5;

(2) is imposing the county ~~motor~~ vehicle excise ~~surtax~~ **tax** at:

(A) the maximum allowable rate, if the qualified county sets a county ~~motor~~ vehicle excise ~~surtax~~ **tax** rate under IC 6-3.5-4-2(b)(1) or IC 6-3.5-4-2(c)(1); or

(B) the maximum allowable amount, if the qualified county sets the county ~~motor~~ vehicle excise ~~surtax~~ **tax** at a specific amount under IC 6-3.5-4-2(b)(2) or IC 6-3.5-4-2(c)(2); and

(3) has not issued bonds under IC 8-14-9;

may apply to the Indiana department of transportation for a loan from the distressed road fund. At the time of the application, the county shall notify the department of local government finance that it has made the application.

(b) The application must include, at a minimum:

(1) a map depicting all roads and streets in the system of the applicant; and

(2) a copy of that county's proposed program of work covering the current and the immediately following calendar year.

SECTION 108. IC 8-14-9-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. (a) Subject to the limitations imposed by this section, the local county road and bridge board may issue bonds in the name of the qualified county for the benefit of the local county road and bridge district. The bonds shall be issued for the purpose of raising money to acquire lands or rights-of-way, and to pay for any capital improvement, necessary for the construction, reconstruction, or operation of roads or bridges, or both, within the district. The local county road and bridge board may appropriate the proceeds of the bonds.

(b) The amount of bonds to be issued may not exceed the estimated cost of:

(1) all lands and rights-of-way to be acquired;

(2) capital improvements;

(3) supervision and inspection fees during the period of construction or reconstruction;

(4) programming, planning, and designing the capital improvements; and

(5) all necessary expenses, including publication of notices, engineering fees, architectural fees, and legal fees, incurred in acquiring property, letting contracts, and selling bonds for the project.

The amount of bonds issued for the project may not exceed the estimated cost determined under section 5(b) of this chapter. In addition, the amount of outstanding bonds issued by a county under this chapter may not exceed two percent (2%) of the adjusted value of taxable property located within the local county road and bridge district as determined under IC 36-1-15.

(c) The local county road and bridge board may issue bonds under this chapter only if the issuance of those bonds has been approved by:

(1) the county council of the qualified county; and

(2) the department of local government finance as required by IC 6-1.1-18.5-8.

(d) A local county road and bridge board may issue bonds under this chapter only if:

(1) the county ~~motor~~ vehicle excise ~~surtax~~ **tax** (IC 6-3.5-4) and the county wheel tax (IC 6-3.5-5) are in effect in the county in which the local county road and bridge district is located;

(2) the county ~~motor~~ vehicle excise ~~surtax~~ **tax** is being imposed at the maximum allowable rate; and

(3) the county in which the local county road and bridge district is located has not obtained a loan under IC 8-14-8.

(e) No bonds may be issued under this section after June 30, 1984.

SECTION 109. IC 8-14-9-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. For the purpose of raising money to pay bonds issued under section 10 of this chapter as the bonds severally mature, and to pay all interest accruing on the bonds, the county council of a qualified county may, notwithstanding IC 8-18-8-5, impose a special tax on all real and personal property located within the local county road and bridge district. However, the county council may only impose a tax under this section for a particular budget year to the extent that the estimated revenues that the county will receive from the county ~~motor~~ vehicle excise ~~surtax~~ **tax** and the county wheel tax during that budget year will be insufficient to pay the principal and interest coming due on those bonds during that budget year. The special tax constitutes the amount of benefits to the property which result from carrying out a project under this chapter.

SECTION 110. IC 8-14-9-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 14. (a) A separate fund known as the local county road and bridge district bond fund is created for deposit of the following monies:

(1) revenues collected from the tax imposed under this chapter;

(2) any appropriation made under section 16 of this chapter; and

(3) any proceeds remaining from the sale of bonds after payment of all costs and expenses described in section 10(b) of this chapter.

In addition, if there are any outstanding bonds issued under this chapter, then revenues received by the county from the county ~~motor~~ vehicle excise ~~surtax~~ **tax** and the county wheel tax shall, notwithstanding IC 6-3.5-4-13 and IC 6-3.5-5-15, be deposited in the local county road and bridge district bond fund. However, this subsection does not apply to county ~~motor~~ vehicle excise ~~surtax~~ **tax** and county wheel tax revenues which are to be distributed under IC 6-3.5-4-13 and IC 6-3.5-5-15 to cities and towns located in the county.

(b) Monies in the fund shall be used only for payment of local county road and bridge district bonds as they severally mature, and the interest on those bonds.

(c) Monies in the fund shall be deposited with one (1) depository of other funds of the qualified county. Interest accruing on monies in the fund belongs to the fund.

SECTION 111. IC 8-18-8-5, AS AMENDED BY P.L.197-2016, SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. All expenses incurred in the maintenance of county highways shall first be paid out of funds from the gasoline tax, special fuel tax, and the motor vehicle registration fees that are paid to the counties by the state. In addition, a county may use funds derived from the:

(1) county ~~motor~~ vehicle excise ~~surtax;~~ **tax;**

(2) county wheel tax;

(3) local income tax (IC 6-3.6);

(4) riverboat admission tax (IC 4-33-12);

(5) riverboat wagering tax (IC 4-33-13); or

(6) property taxes and miscellaneous revenue deposited in the county general fund.

SECTION 112. IC 8-18-22-6, AS AMENDED BY P.L.197-2016, SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. (a) Except as provided in subsection (b), the county fiscal body may pledge revenues for the payment of principal and interest on the bonds and for other purposes under the ordinance as provided by IC 5-1-14-4, including revenues from the following sources:

(1) The motor vehicle highway account.

(2) The local road and street account.

(3) The county ~~motor~~ vehicle excise ~~surtax.~~ **tax.**

(4) The county wheel tax.

(5) The local income tax (IC 6-3.6).

(6) Assessments.

(7) Any other unappropriated or unencumbered money.

(b) The county fiscal body may not pledge to levy ad valorem property taxes for these purposes, except for revenues from the following:

(1) IC 8-16-3.

(2) IC 8-16-3.1.

(c) If the county fiscal body has pledged revenues from the local income tax as set forth in subsection (a), the local income tax council (as defined in IC 6-3.6-2-12) may covenant that the council will not repeal or modify the tax in a manner that would adversely affect owners of outstanding bonds issued under this chapter. The local income tax council may make the covenant by adopting an ordinance using procedures described in IC 6-3.6-3.".

Page 23, line 23, after "basis" insert ".".

Page 23, line 23, delete "to pay all applicable excise tax. There is no fee to" and insert "**Except for renewal of permanent registrations for semitrailers that are registered through the International Registration Plan, a fee shall be assessed to renew a permanent registration under subsection (b).**".

Page 23, line 24, delete "renew a permanent registration under subsection (b).".

Page 23, line 24, reset in roman "The fee to".

Page 23, reset in roman lines 25 through 32.

Page 25, line 28, after "basis" insert ".".

Page 25, line 28, delete "to pay all applicable excise tax. There is no fee to" and insert "**Except for renewal of permanent registrations for semitrailers that are registered through the International Registration Plan, a fee shall be assessed to renew a permanent registration under subsection (b).**".

Page 25, line 29, delete "renew a permanent registration under subsection (a).".

Page 25, line 29, reset in roman "The fee to".

Page 25, reset in roman lines 30 through 37.

Page 27, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 142. IC 9-18.1-9-1, AS ADDED BY P.L.198-2016, SECTION 326, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) A vehicle that is owned or leased and used for official business by the following is exempt from the payment of registration fees under this article:

(1) The state **or a state agency (as defined in IC 6-1.1-1-18).**

(2) A municipal corporation (as defined in IC 36-1-2-10).

(3) A volunteer fire department (as defined in IC 36-8-12-2).

(4) A volunteer emergency ambulance service that:

(A) meets the requirements of IC 16-31; and

(B) has only members that serve for no compensation or a nominal annual compensation of not more than three thousand five hundred dollars ($3,500).

(5) A rehabilitation center funded under IC 12-12.

(6) A community action agency (IC 12-14-23).

(7) An area agency on aging (IC 12-10-1-6) and a county council on aging that is funded through an area agency.

(8) A community mental health center (IC 12-29-2).".

Page 40, between lines 22 and 23, begin a new paragraph and insert:

"SECTION 157. IC 9-18.5-9-4, AS ADDED BY P.L.198-2016, SECTION 327, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. This chapter does not exempt an applicant from the ~~motor~~ vehicle excise tax under IC 6-6-5 or any fee or requirement for registration under this title.".

Page 40, strike line 35.

Page 47, line 18, delete "registered" and insert "**manufactured**".

Page 50, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 181. IC 9-22-1.5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. As used in this chapter, "mobile home" ~~has the meaning set forth in IC 6-6-5-1.~~ **means a nonself-propelled vehicle designed for occupancy as a dwelling or sleeping place.**".

Page 51, delete lines 23 through 39.

Page 71, between lines 5 and 6, begin a new paragraph and insert:

"SECTION 203. IC 20-26-11-13, AS AMENDED BY P.L.197-2016, SECTION 117, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. (a) As used in this section, the following terms have the following meanings:

(1) "Class of school" refers to a classification of each school or program in the transferee corporation by the grades or special programs taught at the school. Generally, these classifications are denominated as kindergarten, elementary school, middle school or junior high school, high school, and special schools or classes, such as schools or classes for special education, career and technical

education, or career education.

(2) "Special equipment" means equipment that during a school year:

(A) is used only when a child with disabilities is attending school;

(B) is not used to transport a child to or from a place where the child is attending school;

(C) is necessary for the education of each child with disabilities that uses the equipment, as determined under the individualized education program for the child; and

(D) is not used for or by any child who is not a child with disabilities.

(3) "Student enrollment" means the following:

(A) The total number of students in kindergarten through grade 12 who are enrolled in a transferee school corporation on a date determined by the state board.

(B) The total number of students enrolled in a class of school in a transferee school corporation on a date determined by the state board.

However, a kindergarten student shall be counted under clauses (A) and (B) as one-half (1/2) student. The state board may select a different date for counts under this subdivision. However, the same date shall be used for all school corporations making a count for the same class of school.

(b) Each transferee corporation is entitled to receive for each school year on account of each transferred student, except a student transferred under section 6 of this chapter, transfer tuition from the transferor corporation or the state as provided in this chapter. Transfer tuition equals the amount determined under STEP THREE of the following formula:

STEP ONE: Allocate to each transfer student the capital expenditures for any special equipment used by the transfer student and a proportionate share of the operating costs incurred by the transferee school for the class of school where the transfer student is enrolled.

STEP TWO: If the transferee school included the transfer student in the transferee school's current ADM, allocate to the transfer student a proportionate share of the following general fund revenues of the transferee school:

(A) State tuition support distributions received during the calendar year in which the school year ends.

(B) Property tax levies under IC 20-45-7 and IC 20-45-8 for the calendar year in which the school year ends.

(C) The sum of the following excise tax revenue received for deposit in the calendar year in which the school year begins:

(i) Financial institution excise tax revenue (IC 6-5.5).

(ii) ~~Motor~~ Vehicle excise taxes (IC 6-6-5).

(iii) Commercial vehicle excise taxes (IC 6-6-5.5).

(iv) Boat excise tax (IC 6-6-11).

(v) Aircraft license excise tax (IC 6-6-6.5).

(D) Allocations to the transferee school under IC 6-3.6.

STEP THREE: Determine the greater of:

(A) zero (0); or

(B) the result of subtracting the STEP TWO amount from the STEP ONE amount.

If a child is placed in an institution or facility in Indiana by or with the approval of the department of child services, the institution or facility shall charge the department of child services for the use of the space within the institution or facility (commonly called capital costs) that is used to provide educational services to the child based upon a prorated per student cost.

(c) Operating costs shall be determined for each class of school where a transfer student is enrolled. The operating cost for each class of school is based on the total expenditures of the transferee corporation for the class of school from its general fund expenditures as specified in the classified budget forms prescribed by the state board of accounts. This calculation excludes:

(1) capital outlay;

(2) debt service;

(3) costs of transportation;

(4) salaries of board members;

(5) contracted service for legal expenses; and

(6) any expenditure that is made from extracurricular account receipts;

for the school year.

(d) The capital cost of special equipment for a school year is equal to:

(1) the cost of the special equipment; divided by

(2) the product of:

(A) the useful life of the special equipment, as determined under the rules adopted by the state board; multiplied by

(B) the number of students using the special equipment during at least part of the school year.

(e) When an item of expense or cost described in subsection (c) cannot be allocated to a class of school, it shall be prorated to all classes of schools on the basis of the student enrollment of each class in the transferee corporation compared with the total student enrollment in the school corporation.

(f) Operating costs shall be allocated to a transfer student for each school year by dividing:

(1) the transferee school corporation's operating costs for the class of school in which the transfer student is enrolled; by

(2) the student enrollment of the class of school in which the transfer student is enrolled.

When a transferred student is enrolled in a transferee corporation for less than the full school year of student attendance, the transfer tuition shall be calculated by the part of the school year for which the transferred student is enrolled. A school year of student attendance consists of the number of days school is in session for student attendance. A student, regardless of the student's attendance, is enrolled in a transferee school unless the student is no longer entitled to be transferred because of a change of residence, the student has been excluded or expelled from school for the balance of the school year or for an indefinite period, or the student has been confirmed to have withdrawn from school. The transferor and the transferee corporation may enter into written agreements concerning the amount of transfer tuition due in any school year. If an agreement cannot be reached, the amount shall be determined by the state board, and costs may be established, when in dispute, by the state board of accounts.

(g) A transferee school shall allocate revenues described in subsection (b) STEP TWO to a transfer student by dividing:

(1) the total amount of revenues received during a period; by

(2) the current ADM of the transferee school for the period in which the revenues are received.

However, for state tuition support distributions or any other state distribution computed using less than the total current ADM of the transferee school, the transferee school shall allocate the revenues to the transfer student by dividing the revenues that the transferee school is eligible to receive during the period by the student count used to compute the state distribution.

(h) Instead of the payments provided in subsection (b), the transferor corporation or state owing transfer tuition may enter into a long term contract with the transferee corporation governing the transfer of students. The contract may:

(1) be entered into for a period of not more than five (5) years with an option to renew;

(2) specify a maximum number of students to be transferred; and

(3) fix a method for determining the amount of transfer tuition and the time of payment, which may be different from that provided in section 14 of this chapter.

(i) A school corporation may negotiate transfer tuition agreements with a neighboring school corporation that can accommodate additional students. Agreements under this section may:

(1) be for one (1) year or longer; and

(2) fix a method for determining the amount of transfer tuition or time of payment that is different from the method, amount, or time of payment that is provided in this section or section 14 of this chapter.

A school corporation may not transfer a student under this section without the prior approval of the child's parent.

SECTION 204. IC 20-40-8-1, AS AMENDED BY P.L.229-2011, SECTION 196, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. As used in this chapter, "calendar year distribution" means the sum of the following:

(1) A school corporation's:

(A) state tuition support; and

(B) maximum permissible tuition support levy (as defined in IC 20-45-1-15 before its repeal);

for the calendar year.

(2) The sum of the following excise tax revenue of the school corporation for the immediately preceding calendar year:

(A) Financial institution excise tax revenue (IC 6-5.5).

(B) ~~Motor~~ Vehicle excise taxes (IC 6-6-5).

(C) Commercial vehicle excise taxes (IC 6-6-5.5).

(D) Boat excise tax (IC 6-6-11).

(E) Aircraft license excise tax (IC 6-6-6.5).

SECTION 205. IC 24-4.6-5-3, AS ADDED BY P.L.97-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. As used in this chapter, "vehicle" has the meaning set forth in ~~IC 6-6-5-1(a).~~ **IC 6-6-5-1(b).**".

Page 71, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 208. IC 35-52-6-24.7, AS ADDED BY P.L.146-2016, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 24.7. IC 6-3.5-10-13 defines crimes concerning the municipal ~~motor~~ vehicle ~~license~~ excise ~~surtax.~~ **tax.**

SECTION 209. IC 36-7-4-1318, AS AMENDED BY P.L.197-2016, SECTION 123, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1318. (a) A unit may not adopt an impact fee ordinance under section 1311 of this chapter unless the unit has prepared or substantially updated a zone improvement plan for each impact zone during the immediately preceding one (1) year period. A single zone improvement plan may be used for two (2) or more infrastructure types if the impact zones for the infrastructure types are congruent.

(b) Each zone improvement plan must contain the following information:

(1) A description of the nature and location of existing infrastructure in the impact zone.

(2) A determination of the current level of service.

(3) Establishment of a community level of service. A unit may provide that the unit's current level of service is the unit's community level of service in the zone improvement plan.

(4) An estimate of the nature and location of development that is expected to occur in the impact zone during the following ten (10) year period.

(5) An estimate of the nature, location, and cost of infrastructure that is necessary to provide the community level of service for the development described in subdivision (4). The plan must indicate the proposed timing and sequencing of infrastructure installation.

(6) A general description of the sources and amounts of money used to pay for infrastructure during the previous five (5) years.

(c) If a zone improvement plan provides for raising the current level of service to a higher community level of service, the plan must:

(1) provide for completion of the infrastructure that is necessary to raise the current level of service to the community level of service within the following ten (10) year period;

(2) indicate the nature, location, and cost of infrastructure that is necessary to raise the current level of service to the community level of service; and

(3) identify the revenue sources and estimate the amount of the revenue sources that the unit intends to use to raise the current level of service to the community level of service for existing development. Revenue sources include, without limitation, any increase in revenues available from one (1) or more of the following:

(A) Adopting or increasing the following:

(i) The local income tax (IC 6-3.6-6).

(ii) The ~~annual license~~ **county vehicle** excise ~~surtax.~~ **tax or the municipal vehicle excise tax, as applicable.**

(iii) The **county** wheel tax **or the municipal wheel tax, as applicable.**

(B) Imposing the property tax rate per one hundred dollars ($100) of assessed valuation that the unit may impose to create a cumulative capital improvement fund under IC 36-9-14.5 or IC 36-9-15.5.

(C) Transferring and reserving for infrastructure purposes other general revenues that are currently not being used to pay for capital costs of infrastructure.

(D) Dedicating and reserving for infrastructure purposes any newly available revenues, whether from federal or state revenue sharing programs or from the adoption of newly authorized taxes.

(d) A unit must consult with a qualified engineer licensed to perform engineering services in Indiana when the unit is preparing the portions of the zone improvement plan described in subsections (b)(1), (b)(2), (b)(5), and (c)(2).

(e) A zone improvement plan and amendments and modifications to the zone improvement plan become effective after adoption as part of the comprehensive plan under the 500 SERIES of this chapter or adoption as part of the capital improvements program under section 503(5) of this chapter. If the unit establishing the impact fee schedule or formula and establishing the zone improvement plan is different from the unit having planning and zoning jurisdiction, the unit having planning and zoning jurisdiction shall incorporate the zone improvement plan as part of the unit's comprehensive plan and capital improvement plan.

(f) If a unit's zone improvement plan identifies revenue sources for raising the current level of service to the community level of service, impact fees may not be assessed or collected by the unit unless:

(1) before the effective date of the impact fee ordinance the unit has available or has adopted the revenue sources that the zone improvement plan specifies will be in effect before the impact fee ordinance becomes effective; and

(2) after the effective date of the impact fee ordinance the unit continues to provide adequate funds to defray the cost of raising the current level of service to the community level of service, using revenue sources specified in the zone improvement plan or revenue sources other than impact fees.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1491 as printed March 22, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

HERSHMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Engrossed House Bill 1493, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

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

Page 3, line 13, delete "if the inclusion in a risk based managed care program" and insert "**.**

(c) This section expires December 31, 2019.".

Page 3, delete lines 14 through 42.

Page 4, delete lines 1 through 34.

Page 5, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 8. IC 16-18-2-173 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 173. (a) "Home health agency", for purposes of IC 16-27-1, has the meaning set forth in IC 16-27-1-2.

(b) "Home health agency", for purposes of IC 16-27-2 **and IC 16-27-2.5,** has the meaning set forth in IC 16-27-2-2.".

Page 5, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 10. IC 16-27-2.5 IS ADDED TO THE INDIANA

CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

Chapter 2.5. Drug Testing of Employees

Sec. 0.5. This chapter does not apply to a home health employee licensed under IC 25 who is employed by a home health agency owned by a hospital licensed under IC 16-21-2.

Sec. 1. (a) After giving a job applicant written notice of the home health agency's drug testing policy, a home health agency shall require a job applicant who is seeking employment with the home health agency for a position that will have direct contact with a patient to be tested for the illegal use of a controlled substance.

(b) A home health agency may use a job applicant's:

(1) refusal to submit to a drug test; or

(2) positive test result from a drug test;

as a basis for refusing to hire the job applicant.

(c) If a job applicant is hired by the home health agency before the job applicant's results of the drug test are received, the hired individual may not have any contact with patients until the home health agency obtains results of the drug test that indicate that the individual tested negative on the drug test. If the drug test results indicate that the individual tested positive on the drug test, the home health agency shall discharge or discipline the individual. If the home health agency disciplines the individual, the individual may have no direct contact with a patient for at least six (6) months.

Sec. 2. (a) A home health agency must:

(1) have a written drug testing policy that is distributed to all employees; and

(2) require each employee to acknowledge receipt of the policy.

(b) A home health agency shall, at least annually, require an employee who comes into direct contact with a patient to be tested for the illegal use of a controlled substance.

(c) In addition to the drug testing under subsection (b), a home health agency shall randomly test:

(1) at least fifty percent (50%) of the home health agency's employees who:

(A) have direct contact with patients; and

(B) are not licensed by a board or commission under IC 25;

at least annually; or

(2) when the home health agency has reasonable suspicion that an employee is engaged in the illegal use of a controlled substance.

(d) A home health agency shall either discharge or discipline with a minimum of a six (6) month suspension an employee who refuses to submit to a drug test.

Sec. 3. If an employee tests positive on a drug test, and the employee does not have a valid prescription for the substance for which the employee tested positive on the drug test, the home health agency shall have the results of the test verified by a confirmation test. The employee shall pay for the confirmation test. If the positive test result is confirmed, the home health agency shall either discharge the employee or suspend the employee from coming into direct contact with patients for at least six (6) months after the date of the confirmation test result. An employee who has a valid prescription for the substance for which the employee tested positive on a drug test may not be terminated or suspended under this subsection.

Sec. 4. A home health agency that:

(1) discharges or disciplines an employee; or

(2) refuses to hire a job applicant;

because of a positive drug test result or a refusal to submit to a drug test is considered to have discharged, disciplined, or refused to hire the individual for just cause.

Sec. 5. (a) A home health agency, when acting in good faith, is immune from civil liability for:

(1) conducting employee drug testing in compliance with this chapter; or

(2) taking an employee disciplinary action or discharging an employee in compliance with this chapter as a result of the employee drug testing.

(b) Subsection (a) does not apply to actions that constitute gross negligence or willful or wanton misconduct.".

Page 5, after line 40, begin a new paragraph and insert:

"SECTION 12. IC 22-4-15-1, AS AMENDED BY P.L.183-2015, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) Regarding an individual's most recent separation from employment before filing an initial or additional claim for benefits, an individual who voluntarily left the employment without good cause in connection with the work or was discharged from the employment for just cause is ineligible for waiting period or benefit rights for the week in which the disqualifying separation occurred and until:

(1) the individual has earned remuneration in employment in at least eight (8) weeks; and

(2) the remuneration earned equals or exceeds the product of the weekly benefit amount multiplied by eight (8).

If the qualification amount has not been earned at the expiration of an individual's benefit period, the unearned amount shall be carried forward to an extended benefit period or to the benefit period of a subsequent claim.

(b) When it has been determined that an individual has been separated from employment under disqualifying conditions as outlined in this section, the maximum benefit amount of the individual's current claim, as initially determined, shall be reduced by an amount determined as follows:

(1) For the first separation from employment under disqualifying conditions, the maximum benefit amount of the individual's current claim is equal to the result of:

(A) the maximum benefit amount of the individual's current claim, as initially determined; multiplied by

(B) seventy-five percent (75%);

rounded (if not already a multiple of one dollar ($1)) to the next higher dollar.

(2) For the second separation from employment under disqualifying conditions, the maximum benefit amount of the individual's current claim is equal to the result of:

(A) the maximum benefit amount of the individual's current claim determined under subdivision (1); multiplied by

(B) eighty-five percent (85%);

rounded (if not already a multiple of one dollar ($1)) to the next higher dollar.

(3) For the third and any subsequent separation from employment under disqualifying conditions, the maximum benefit amount of the individual's current claim is equal to the result of:

(A) the maximum benefit amount of the individual's current claim determined under subdivision (2); multiplied by

(B) ninety percent (90%);

rounded (if not already a multiple of one dollar ($1)) to the next higher dollar.

(c) The disqualifications provided in this section shall be subject to the following modifications:

(1) An individual shall not be subject to disqualification because of separation from the individual's employment if:

(A) the individual left to accept with another employer previously secured permanent full-time work which offered reasonable expectation of continued covered employment and betterment of wages or working conditions and thereafter was employed on said job;

(B) having been simultaneously employed by two (2) employers, the individual leaves one (1) such employer voluntarily without good cause in connection with the work but remains in employment with the second employer with a reasonable expectation of continued employment; or

(C) the individual left to accept recall made by a base period employer.

(2) An individual whose unemployment is the result of medically substantiated physical disability and who is involuntarily unemployed after having made reasonable efforts to maintain the employment relationship shall not be subject to disqualification under this section for such separation.

(3) An individual who left work to enter the armed forces of the United States shall not be subject to disqualification under this section for such leaving of work.

(4) An individual whose employment is terminated under the compulsory retirement provision of a collective bargaining agreement to which the employer is a party, or under any other plan, system, or program, public or private, providing for compulsory retirement and who is otherwise eligible shall not be deemed to have left the individual's work voluntarily without good cause in connection with the work. However, if such individual subsequently becomes reemployed and thereafter voluntarily leaves work without good cause in connection with the work, the individual shall be deemed ineligible as outlined in this section.

(5) An otherwise eligible individual shall not be denied benefits for any week because the individual is in training approved under Section 236(a)(1) of the Trade Act of 1974, nor shall the individual be denied benefits by reason of leaving work to enter such training, provided the work left is not suitable employment, or because of the application to any week in training of provisions in this law (or any applicable federal unemployment compensation law), relating to availability for work, active search for work, or refusal to accept work. For purposes of this subdivision, the term "suitable employment" means with respect to an individual, work of a substantially equal or higher skill level than the individual's past adversely affected employment (as defined for purposes of the Trade Act of 1974), and wages for such work at not less than eighty percent (80%) of the individual's average weekly wage as determined for the purposes of the Trade Act of 1974.

(6) An individual is not subject to disqualification because of separation from the individual's employment if:

(A) the employment was outside the individual's labor market;

(B) the individual left to accept previously secured full-time work with an employer in the individual's labor market; and

(C) the individual actually became employed with the employer in the individual's labor market.

(7) An individual who, but for the voluntary separation to move to another labor market to join a spouse who had moved to that labor market, shall not be disqualified for that voluntary separation, if the individual is otherwise eligible for benefits. Benefits paid to the spouse whose eligibility is established under this subdivision shall not be charged against the employer from whom the spouse voluntarily separated.

(8) An individual shall not be subject to disqualification if the individual voluntarily left employment or was discharged due to circumstances directly caused by domestic or family violence (as defined in IC 31-9-2-42). An individual who may be entitled to benefits based on this modification may apply to the office of the attorney general under IC 5-26.5 to have an address designated by the office of the attorney general to serve as the individual's address for purposes of this article.

As used in this subsection, "labor market" means the area surrounding an individual's permanent residence, outside which the individual cannot reasonably commute on a daily basis. In determining whether an individual can reasonably commute under this subdivision, the department shall consider the nature of the individual's job.

(d) "Discharge for just cause" as used in this section is defined to include but not be limited to:

(1) separation initiated by an employer for falsification of an employment application to obtain employment through subterfuge;

(2) knowing violation of a reasonable and uniformly enforced rule of an employer, including a rule regarding attendance;

(3) if an employer does not have a rule regarding attendance, an individual's unsatisfactory attendance, if good cause for absences or tardiness is not established;

(4) damaging the employer's property through willful negligence;

(5) refusing to obey instructions;

(6) reporting to work under the influence of alcohol or drugs or consuming alcohol or drugs on employer's premises during working hours;

(7) conduct endangering safety of self or coworkers;

(8) incarceration in jail following conviction of a misdemeanor or felony by a court of competent jurisdiction; ~~or~~

(9) any breach of duty in connection with work which is reasonably owed an employer by an employee; **or**

(10) testing positive on a drug test under IC 16-27-2.5.

(e) To verify that domestic or family violence has occurred, an individual who applies for benefits under subsection (c)(8) shall provide one (1) of the following:

(1) A report of a law enforcement agency (as defined in IC 10-13-3-10).

(2) A protection order issued under IC 34-26-5.

(3) A foreign protection order (as defined in IC 34-6-2-48.5).

(4) An affidavit from a domestic violence service provider verifying services provided to the individual by the domestic violence service provider.

SECTION 13. IC 34-30-2-66.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 66.7. IC 16-27-2.5-5 (Concerning drug testing of home health employees by home health agencies).**

SECTION 14. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6.5-1.**

(b) Before October 1, 2017, the office shall report to the legislative council in an electronic format under IC 5-14-6 the following information concerning Medicaid recipient eligibility for health facility services:

(1) Income limitations and resource limitations.

(2) The look back period used in determining eligibility.

(3) Current Indiana Medicaid recipient occupancy in health facilities, categorized by the age of the Medicaid recipient.

(4) Federal statutory and regulatory requirements and guidelines concerning the topics set forth in subdivisions (1) and (2) and specification of any flexibility states have in setting forth requirements concerning income limitations, resource limitations, and the look back period.

(c) This SECTION expires December 31, 2017.

SECTION 15. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1493 as printed March 17, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

HERSHMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Engrossed House Bill 1496, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 7 with "[EFFECTIVE UPON PASSAGE]".

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

"SECTION 1. IC 7.1-1-3-18.5, AS ADDED BY P.L.94-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 18.5. (a) "Grocery store" means a store or part of a store that is known generally as:

(1) a supermarket, grocery store, or delicatessen and is primarily engaged in the retail sale of a general food line, which may include:

(A) canned and frozen foods;

(B) fresh fruits and vegetables; and

(C) fresh and prepared meats, fish, and poultry;

(2) subject to subsection (b), a convenience store or food mart and is primarily engaged in:

(A) the retail sale of a line of goods that may include milk, bread, soda, and snacks; or

(B) the retail sale of automotive fuels and the retail sale of a line of goods that may include milk, bread, soda, and snacks;

(3) a warehouse club, superstore, supercenter, or general merchandise store and is primarily engaged in the retail

sale of a general line of groceries or gourmet foods in combination with general lines of new merchandise, which may include apparel, furniture, and appliances; or

(4) a specialty or gourmet food store ~~primarily~~ engaged in the retail sale of miscellaneous specialty foods not for immediate consumption and not made on the premises, not including:

(A) meat, fish, and seafood;

(B) fruits and vegetables;

(C) confections, nuts, and popcorn; and

(D) baked goods;

only if the retail sale of miscellaneous specialty foods described in this subdivision represents a percentage of annual gross retail income (as defined in IC 6-2.5-1-5) of at least fifty-one percent (51%) of all items sold on the premises of the specialty or gourmet food store.

(b) The term includes a convenience store or food mart as described in subsection (a)(2) only if the sale of alcoholic beverages on the premises of the convenient store or food mart represents a percentage of annual gross sales of twenty-five percent (25%) or less of all items sold on the premises, excluding gasoline and automotive oil products.

(c) The term does not include an establishment known generally as a gas station that is primarily engaged in:

(1) the retail sale of automotive fuels, which may include diesel fuel, gasohol, or gasoline; or

(2) the retail sale of automotive fuels, which may include diesel fuel, gasohol, or gasoline and activities that may include providing repair service, selling automotive oils, replacement parts, and accessories, or providing food services.

SECTION 2. IC 7.1-1-3-40 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 40. ~~Restaurant.~~ **(a)** The term "restaurant" means, **with regard to** an establishment ~~which meets~~ **for which a retailer permit was issued before May 15, 2017, premises that meet** the requirements provided in ~~IC 1971, 7.1-3-20-9.~~ **IC 7.1-3-20-9.**

(b) The term "restaurant" means, with regard to an establishment for which a retailer permit is issued after May 14, 2017, an establishment that meets all of the following requirements:

(1) The requirements provided in IC 7.1-3-20-9.

(2) At least ninety percent (90%) of the gross retail income (as defined in IC 6-2.5-1-5) of all items sold on the licensed premises of the establishment are from the sale of food and beverages that are subject to the state gross retail tax under IC 6-2.5.

SECTION 3. IC 7.1-3-1-25, AS AMENDED BY P.L.119-2012, SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 25. (a) A city or county listed in this subsection that by itself or in combination with any other municipal body acquires by ownership or by lease any stadium, exhibition hall, auditorium, theater, convention center, or civic center may permit the retail sale of alcoholic beverages upon the premises if the governing board of the facility first applies for and secures the necessary permits as required by this title. The cities and counties to which this subsection applies are as follows:

(1) A consolidated city or its county.

(2) A second class city.

(3) A county having a population of more than one hundred eighty-five thousand (185,000) but less than two hundred fifty thousand (250,000).

(4) A county having a population of more than one hundred seventy-five thousand (175,000) but less than one hundred eighty-five thousand (185,000).

(5) A county having a population of more than one hundred twenty-five thousand (125,000) but less than one hundred thirty-five thousand (135,000).

(6) A county having a population of more than three hundred thousand (300,000) but less than four hundred thousand (400,000).

(7) A city having a population of more than four thousand nine hundred fifty (4,950) but less than five thousand (5,000).

(8) A county having a population of more than one hundred thirty-five thousand (135,000) but less than one hundred thirty-eight thousand (138,000).

(9) A county having a population of more than two hundred seventy thousand (270,000) but less than three hundred thousand (300,000).

(b) A county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000) or a township located in such a county that has established a public park with a golf course within its jurisdiction under IC 36-10-3 or IC 36-10-7 may be issued a permit for the retail sale of alcoholic beverages on the premises of any community center within the park, including a clubhouse, social center, or pavilion.

(c) A township that:

(1) is located in a county having a population of more than one hundred five thousand (105,000) but less than one hundred ten thousand (110,000); and

(2) acquires ownership of a golf course;

may permit the retail sale of alcoholic beverages upon the premises of the golf course, if the governing board of the golf course first applies for and secures the necessary permits required by this title.

(d) A township:

(1) having a population of more than thirty-five thousand (35,000) but less than one hundred thousand (100,000); and

(2) located in a county having a population of more than four hundred thousand (400,000) but less than seven

hundred thousand (700,000);

may be issued a permit for the retail sale of alcoholic beverages on the premises of any community center or social center that is located within the township and operated by the township.

(e) A city that owns a golf course may permit the retail sale of alcoholic beverages upon the premises of the golf course if the governing board of the golf course first applies for and secures the necessary permits required by this title.

(f) A city that:

(1) has a population of more than twenty-nine thousand six hundred (29,600) but less than twenty-nine thousand nine hundred (29,900); and

(2) owns or leases a marina;

may permit the retail sale of alcoholic beverages upon the premises of the marina if the governing board of the marina first applies for and secures the necessary permits required by this title. The permit may include the carryout sale of alcoholic beverages in accordance with ~~IC 7.1-3-4-6(c), IC 7.1-3-9-9(c), IC 7.1-3-14-4(c),~~ **IC 7.1-3-4-6(d), IC 7.1-3-9-9(d), IC 7.1-3-14-4(d),** and 905 IAC 1-29 but may not include at-home delivery of alcoholic beverages.

(g) A city listed in this subsection that owns a marina may be issued a permit for the retail sale of alcoholic beverages on the premises of the marina. The permit may include the carryout sale of alcoholic beverages in accordance with ~~IC 7.1-3-4-6(c), IC 7.1-3-9-9(c), IC 7.1-3-14-4(c),~~ **IC 7.1-3-4-6(d), IC 7.1-3-9-9(d), IC 7.1-3-14-4(d),** and 905 IAC 1-29 but may not include at-home delivery of alcoholic beverages. However, the city must apply for and secure the necessary permits that this title requires. This subsection applies to the following cities:

(1) A city having a population of more than eighty thousand (80,000) but less than eighty thousand four hundred (80,400).

(2) A city having a population of more than eighty thousand five hundred (80,500) but less than one hundred thousand (100,000).

(3) A city having a population of more than thirty-one thousand (31,000) but less than thirty-one thousand five hundred (31,500).

(4) A city having a population of more than thirty-six thousand eight hundred twenty-five (36,825) but less than forty thousand (40,000).

(5) A city having a population of more than forty-four thousand five hundred (44,500) but less than forty-five thousand (45,000).

(h) Notwithstanding subsection (a), the commission may issue a civic center permit to a person that:

(1) by the person's self or in combination with another person is the proprietor, as owner or lessee, of an entertainment complex; or

(2) has an agreement with a person described in subdivision (1) to act as a concessionaire for the entertainment complex for the full period for which the permit is to be issued.

SECTION 4. IC 7.1-3-1-27 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 27. (a) **This section does not apply to supplemental retailer's permits under IC 7.1-3-28.** Notwithstanding any other provision of this article, a retailer permittee who is required to comply with the gross food and beverage sales, or gross food sales, standards contained in this article as a condition of receiving, continuing to hold, or renewing, the permittee's permit, or otherwise doing business, may attest to the permittee's compliance with those standards by filing an affidavit of compliance with the commission.

(b) The affidavit of compliance authorized by subsection (a) must be in writing and signed by the permittee, or by a responsible officer or partner, under the penalties of perjury, that the representations contained in it are true.

(c) If the commission has reasonable grounds to doubt the truthfulness of an affidavit filed pursuant to subsection (a), it may require the permittee to support it by audited financial statements. If the audited financial statements do not support the affidavit and show the required compliance with the applicable standards of this article, the commission may revoke the permit.".

Page 3, delete lines 21 through 27.

Page 3, line 28, delete "(M)" and insert "**(L)**".

Page 3, line 30, delete "to a person holding a wine wholesaler's" and insert "**in accordance with this subdivision or IC 7.1-3-6-3.8.**".

Page 3, delete line 31.

Page 4, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 6. IC 7.1-3-4-4 IS REPEALED [EFFECTIVE UPON PASSAGE]: ~~Sec. 4. Premises Outside Corporate Limits: Persons Eligible. The commission may issue a beer retailer's permit as authorized by IC 1971, 7.1-3-4-3, only to an applicant who is the proprietor of a drug store, grocery store, confectionery, or of a store in good repute which, in the judgment of the commission, deals in other merchandise that is not incompatible with the sale of beer.~~

SECTION 7. IC 7.1-3-4-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. **(a) Notwithstanding this section or any other law, a beer retailer may not sell and deliver beer for carryout unless the beer retailer has a supplemental retailer's permit under IC 7.1-3-28.**

~~(a)~~ **(b)** The holder of a beer retailer's permit shall be entitled to purchase beer for sale under ~~his~~ **the permit holder's** permit only from a permittee entitled to sell to ~~him~~ **the permit holder** under this title. A beer retailer shall be entitled to possess beer and sell it at retail to a customer for consumption on the licensed premises. A beer retailer also shall be entitled to sell beer to a customer and deliver it in permissible containers to the customer

on the licensed premises, or to the customer's house.

~~(b)~~ **(c)** A beer retailer shall not be entitled to sell beer at wholesale. ~~He~~ **A beer retailer** shall not be entitled to sell and deliver beer on the street or at the curb outside the licensed premises, nor shall ~~he~~ **a beer retailer** be entitled to sell beer at a place other than the licensed premises. However, a beer retailer may offer food service (excluding alcoholic beverages) to a patron who is outside the licensed premises by transacting business through a window in the licensed premises.

~~(c)~~ **(d)** A beer retailer shall be entitled to sell and deliver warm or cold beer for carry out, or for at-home delivery, in barrels or other commercial containers in a quantity that does not exceed fifteen and one-half (15 1/2) gallons at any one (1) time.".

Page 5, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 9. IC 7.1-3-9-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. **(a) Notwithstanding this section or any other law, a liquor retailer may not sell and deliver liquor for carryout unless the liquor retailer has a supplemental retailer's permit under IC 7.1-3-28.**

~~(a)~~ **(b)** The holder of a liquor retailer's permit shall be entitled to purchase liquor only from a permittee entitled to sell to ~~him~~ **the permit holder** under this title. A liquor retailer shall be entitled to possess liquor and sell it at retail to a customer for consumption on the licensed premises. A liquor retailer also shall be entitled to sell liquor to a customer and deliver it in permissible containers to the customer on the licensed premises, or to the customer's house.

~~(b)~~ **(c)** A liquor retailer shall not be entitled to sell liquor at wholesale. ~~He~~ **A liquor retailer** shall not be entitled to sell and deliver liquor on the street or at the curb outside the licensed premises, nor shall ~~he~~ **the liquor retailer** be entitled to sell liquor at a place other than the licensed premises. However, a liquor retailer may offer food service (excluding alcoholic beverages) to a patron who is outside the licensed premises by transacting business through a window in the licensed premises.

~~(c)~~ **(d)** A liquor retailer shall not be entitled to sell and deliver liquor for carry out, or for at-home delivery, in a quantity that exceeds four (4) quarts at any one (1) time.".

Page 6, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 8. IC 7.1-3-14-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. **(a) Notwithstanding this section or any other law, a wine retailer may not sell and deliver wine for carryout unless the wine retailer has a supplemental retailer's permit under IC 7.1-3-28.**

~~(a)~~ **(b)** The holder of a wine retailer's permit is entitled to purchase wine only from a permittee entitled to sell to the wine retailer under this title. A wine retailer is entitled to possess wine and sell it at retail to a customer for consumption on the licensed premises. A wine retailer is also entitled to sell wine to a customer and deliver it in permissible containers to the customer on the licensed premises or to the customer's house.

~~(b)~~ **(c)** A wine retailer is not entitled to sell wine at wholesale. A wine retailer is not entitled to sell and deliver wine on the street or at the curb outside the licensed premises, nor is the wine retailer entitled to sell wine at a place other than the licensed premises. However, a wine retailer may offer food service (excluding alcoholic beverages) to a patron who is outside the licensed premises by transacting business through a window in the licensed premises.

~~(c)~~ **(d)** A wine retailer is entitled to sell and deliver wine for carry out, or for at-home delivery.

SECTION 11. IC 7.1-3-19-18 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 18. (a) This section does not apply to an employee's permit under IC 7.1-3-18-9.**

(b) The commission may not issue or transfer a wholesaler, retailer, dealer, or other permit of any type if the applicant:

(1) has not paid all the applicant's property taxes under IC 6-1.1 and innkeeper's tax under IC 6-9 that are due;

(2) is at least thirty (30) days delinquent in remitting state gross retail taxes under IC 6-2.5 or withholding taxes required to be remitted under IC 6-3-4;

(3) is on the most recent tax warrant list supplied to the commission by the department of revenue; or

(4) does not provide the commission with property tax clearance Form 1 with an embossed seal from the county treasurer.

(c) The commission shall issue or transfer a permit that the commission denied under subsection (b) when one (1) of the following occurs:

(1) The applicant provides to the commission a statement from the commissioner of the department of state revenue indicating that the applicant's tax warrant has been satisfied, including any delinquency in innkeeper's tax if the state collects the innkeeper's tax for the county in which the applicant seeks the permit.

(2) The commission receives a notice of release from the commissioner of the department of state revenue under IC 6-8.1-8-2(k).

(3) The commission receives a notice from the commissioner of the department of state revenue stating that the state gross retail and withholding taxes described in subsection (b)(2) have been remitted to the department.

(d) An applicant may not be considered delinquent in the payment of listed taxes (as defined by IC 6-8.1-1-1) if the applicant has filed a proper protest under IC 6-8.1-5-1

contesting the remittance of those taxes. The applicant shall be considered delinquent in the payment of those taxes if the applicant does not remit the taxes owed to the department of state revenue after the later of the following:

(1) The expiration of the period in which the applicant may appeal the listed tax to the tax court, in the case of an applicant who does not file a timely appeal of the listed tax.

(2) When a decision of the tax court concerning the applicant's appeal of the listed tax becomes final, in the case of an applicant who files a timely appeal of the listed tax.

(e) The commission may require that an applicant for the issuance, renewal, or transfer of a wholesaler's, retailer's, dealer's, or other permit of any type furnish proof of the payment of a listed tax (as defined by IC 6-8.1-1-1), tax warrant, or taxes imposed by IC 6-1.1 or receipt of property tax clearance Form 1 with an embossed seal from the county treasurer.

SECTION 12. IC 7.1-3-20-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. ~~Restaurants: General Requirements.~~ In order to be considered a "restaurant" within the meaning of this title and, **except as provided in section 9.5 of this chapter,** to be eligible to receive an appropriate ~~restaurant~~ **retailer's** permit under this title, an establishment shall meet **both of** the following requirements:

~~(a)~~ **(1)** ~~It~~ **The establishment** shall be provided with special space and accommodations where, in consideration of payment, food, without lodging, is habitually furnished to travelers. ~~and,~~

~~(b)~~ **(2)** ~~It~~ **The establishment** shall have accommodations at which at least twenty-five (25) persons may be served at one (1) time.

SECTION 13. IC 7.1-3-20-9.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 9.5. (a) This section applies after May 14, 2017.**

(b) As used in this section, "store" means a grocery store, convenience store, or drug store.

(c) Notwithstanding any other law, the commission may not issue, renew, or transfer a retailer's permit for a restaurant that is located within a store.

(d) Notwithstanding any other law, the commission may not issue, renew, or transfer a retailer's permit for a restaurant that occupies the same building as a store or is under one (1) continuous roof with a store, if the restaurant and the store lack complete physical separation. A restaurant lacks complete physical separation from a store if:

(1) the restaurant and the store do not have separate exterior entrances; or

(2) there is any internal access between the restaurant and the store, including access through a service window, service counter, or partial wall.

(e) The commission may not issue, renew, or transfer a retailer's permit under this section, regardless of whether the store has a dealer permit.

(f) A retailer permittee to which this section applies that was issued a retailer's permit before May 15, 2017, may not sell alcoholic beverages under the retailer's permit on or after May 15, 2017. However, subject to the approval of the commission, the ownership, location, or ownership and location of the retailer's permit may be transferred.

SECTION 14. IC 7.1-3-20-17.5, AS ADDED BY P.L.214-2016, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 17.5. (a) As used in this section, "banquet or gathering space" means a room or space in which social events are hosted that is located on the licensed premises of a hotel or restaurant, **including a contiguous area of the licensed premises.**

(b) As used in this section, "social event" means a party, banquet, wedding or other reception, or any other social event.

(c) Subject to ~~subsection~~ **subsections** (d) **and (f),** the holder of a retailer's permit issued for the premises of a hotel or restaurant that has a banquet or gathering space without a permanent bar over which alcoholic beverages may be sold or dispensed may temporarily amend the floor plans of the licensed premises to use the banquet or gathering space to sell, ~~or~~ dispense, **or securely store** alcoholic beverages from a temporary bar or service bar in the banquet or gathering space.

(d) The holder of a retailer's permit shall notify and submit the amended floor plans described in subsection (c) to the commission not later than twenty-four (24) hours before the date the holder intends to sell, ~~or~~ dispense, **or securely store** alcoholic beverages. ~~from a temporary bar or service bar.~~

(e) A holder of a retailer's permit who intends to:

(1) sell or dispense alcoholic beverages; ~~from a temporary bar or service bar;~~ **or**

(2) securely store alcoholic beverages;

as described in this section remains subject to laws and rules requiring that the area in which minors are allowed be separate from the room or area in which the bar is located.

(f) If the holder of a retailer's permit stores alcoholic beverages in a contiguous area of the licensed premises, the alcoholic beverages must be properly refrigerated.

(g) The commission must approve amended floor plans that are consistent with the requirements of this section.

SECTION 15. IC 7.1-3-21-15, AS AMENDED BY P.L.196-2015, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15. (a) This section does not apply to an employee's permit under IC 7.1-3-18-9.

(b) The commission shall not issue, renew, or transfer a wholesaler, retailer, dealer, or other permit of any type if the applicant:

(1) is seeking a renewal and the applicant has not paid all the property taxes under IC 6-1.1 and the innkeeper's tax under IC 6-9 that are due currently;

(2) is seeking a transfer and the applicant has not paid all the property taxes under IC 6-1.1 and innkeeper's tax under IC 6-9 for the assessment periods during which the transferor held the permit;

(3) is seeking a renewal or transfer and is at least thirty (30) days delinquent in remitting state gross retail taxes under IC 6-2.5 or withholding taxes required to be remitted under IC 6-3-4; ~~or~~

(4) is on the most recent tax warrant list supplied to the commission by the department of state revenue; **or**

(5) does not provide the commission with property tax clearance Form 1 with an embossed seal from the county treasurer.

(c) The commission shall issue, renew, or transfer a permit that the commission denied under subsection (b) when the appropriate one (1) of the following occurs:

(1) The person, if seeking a renewal, provides to the commission a statement from the county treasurer of the county in which the property of the applicant was assessed indicating that all the property taxes under IC 6-1.1 and, in a county where the county treasurer collects the innkeeper's tax, the innkeeper's tax under IC 6-9 that were delinquent have been paid.

(2) The person, if seeking a transfer of ownership, provides to the commission a statement from the county treasurer of the county in which the property of the transferor was assessed indicating that all the property taxes under IC 6-1.1 and, in a county where the county treasurer collects the innkeeper's tax, the innkeeper's tax under IC 6-9 have been paid for the assessment periods during which the transferor held the permit.

(3) The person provides to the commission a statement from the commissioner of the department of state revenue indicating that the person's tax warrant has been satisfied, including any delinquency in innkeeper's tax if the state collects the innkeeper's tax for the county in which the person seeks the permit.

(4) The commission receives a notice from the commissioner of the department of state revenue under IC 6-8.1-8-2(k).

(5) The commission receives a notice from the commissioner of the department of state revenue stating that the state gross retail and withholding taxes described in subsection (b)(3) have been remitted to the department.

(d) An applicant may not be considered delinquent in the payment of listed taxes if the applicant has filed a proper protest under IC 6-8.1-5-1 contesting the remittance of those taxes. The applicant shall be considered delinquent in the payment of those taxes if the applicant does not remit the taxes owed to the state department of revenue after the later of the following:

(1) The expiration of the period in which the applicant may appeal the listed tax to the tax court, in the case of an applicant who does not file a timely appeal of the listed tax.

(2) When a decision of the tax court concerning the applicant's appeal of the listed tax becomes final, in the case of an applicant who files a timely appeal of the listed tax.

(e) The commission may require that an applicant for the issuance, renewal, or transfer of a wholesaler's, retailer's, or dealer's, or other permit of any type furnish proof of the payment of a listed tax (as defined by IC 6-8.1-1-1), tax warrant, or taxes imposed by IC 6-1.1.".

Page 6, line 31, delete "one (1)" and insert "**two (2)**".

Page 6, reset in roman line 36.

Page 6, line 37, reset in roman "of this title during the".

Page 6, line 37, after "(3)" insert "**two (2)**".

Page 6, line 37, reset in roman "year period immediately preceding".

Page 6, reset in roman line 38.

Page 6, line 39, reset in roman "(3)".

Page 6, line 39, delete "(2)".

Page 8, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 17. IC 7.1-3-28 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1 2017]:

Chapter 28. Supplemental Retailer's Permits

Sec. 1. As used in this section, "applicant" means a person who applies to the commission under this chapter for a supplemental retailer's permit to sell alcoholic beverages for carryout.

Sec. 2. A retailer permittee may not sell alcoholic beverages for carryout unless:

(1) the permittee is a restaurant; and

(2) the commission issues a supplemental retailer's permit to the retailer permittee.

A supplemental retailer's permit expires unless the permit is renewed annually.

Sec. 3. To qualify for a supplemental retailer's permit, at least ninety percent (90%) of the gross retail income (as defined in IC 6-2.5-1-5) of all items sold on the premises of the retailer permittee must be from the sale of food and beverages that are subject to the state gross retail tax under IC 6-2.5.

Sec. 4. (a) This section applies only to a supplemental retailer's permit for a business that has not opened.

(b) If the commission approves a retailer's permit for the premises, the commission may also issue a supplemental retailer's permit for the premises, if the applicant provides the commission with a verified certification stating that the projected gross retail income from sales on the premises

during the first two (2) years of operation will meet the requirements of section 3 of this chapter.

(c) Not more than one hundred eighty (180) days after the date the premises opens for business, the applicant shall provide a financial statement with sufficient information to show that the requirements of section 3 of this chapter were met during the first one hundred twenty (120) days after the business opens.

Sec. 5. (a) This section applies only to renewal of a supplemental retailer's permit.

(b) A retailer permittee shall submit to the commission an affidavit of compliance that is signed by the permittee, or by a responsible officer or partner, under the penalties of perjury, that states that the requirements of section 3 of this chapter continue to be met.

(c) If the commission has reasonable grounds to doubt the truthfulness of an affidavit of compliance, the commission may require the supplemental retailer permittee to provide audited financial statements.

Sec. 6. (a) This section applies only to licensed premises that are already operating under a retailer's permit.

(b) An applicant for a supplemental retailer's permit for the licensed premises must provide the commission with a financial statement with information that shows:

(1) dollar amounts of gross retail income from all items sold on the premises; and

(2) dollar amounts and percentages of sales made on the premises of food and beverages that are subject to the state gross retail tax under IC 6-2.5;

during the one hundred eighty (180) days preceding the date of the application.

Sec. 7. The commission may:

(1) require that a financial statement submitted by an applicant under this chapter be audited by a certified public accountant; and

(2) with the cooperation of the department of state revenue, verify the information provided by the applicant.

Sec. 8. If the commission finds that an applicant does not meet the requirements of section 3 of this chapter, the commission may:

(1) deny an application for; or

(2) revoke;

a supplemental retailer's permit. An applicant is not prohibited from applying to the commission at a later date to obtain a supplemental retailer's permit.

Sec. 9. A supplemental retailer's permit, for the purposes of this title, shall be considered a separate and distinct type of retailer's permit. It may not affect the rights, privileges, and restrictions applicable to any other type of retailer's permit. The rights, privileges, and restrictions provided in this title for a supplemental retailer's permit apply only to this type of permit.

Sec. 10. The information provided to the commission under this chapter regarding annual gross retail income is confidential information and may not be disclosed to the public under IC 5-14-3. However, the commission may disclose the information:

(1) to the department of state revenue to verify the accuracy of the amount of annual gross retail income from sales of food and beverages; and

(2) in any administrative or judicial proceeding to revoke or suspend the holder's permit as a result of a discrepancy in the amount of annual gross retail income from sales of food and beverages discovered by the department of state revenue.

Sec. 11. Notwithstanding IC 6-8.1-7-1 or any other law, in fulfilling its obligations under this section, the department of state revenue may provide to the commission confidential information. The commission shall maintain the confidentiality of information provided by the department of state revenue under this chapter. However, the commission may disclose the information in any administrative or judicial proceeding to revoke or suspend the holder's permit as a result of any information provided by the department of state revenue under section 10 of this chapter.

SECTION 18. IC 7.1-4-4.1-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 2.5. The fee for a supplemental retailer's permit is fifty dollars ($50) per year. The fees collected under this section shall be deposited in the enforcement and administration fund under IC 7.1-4-10.**

SECTION 19. IC 7.1-4-10-4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 4. The fees collected for a supplemental retailer's permit under IC 7.1-4-4.1-2.5 shall be deposited into the enforcement and administration fund.**".

Page 9, line 16, delete "under IC 7.1-3-12, including a farm" and insert "**and any additional locations of the farm winery under IC 7.1-3-12, if the minor is in the company of a parent, legal guardian or custodian, or family member who is at least twenty-one (21) years of age.**".

Page 9, delete lines 17 through 18.

Page 9, line 19, delete "IC 7.1-3-27." and insert "**IC 7.1-3-27, if:**

(1) the person who holds the artisan distiller's permit also holds a farm winery permit under IC 7.1-3-12; and

(2) the minor is in the company of a parent, legal guardian or custodian, or family member who is at least twenty-one (21) years of age.".

Page 10, between lines 20 and 21, begin a new line block indented and insert:

"**(4) The employment of a person at least eighteen (18) years of age but less than twenty-one (21) years of age**

on or about licensed premises where alcoholic beverages are sold, furnished, or given away for consumption either on or off the licensed premises if all the following apply:

(A) The person is employed as an assistant on a delivery truck.

(B) The person's duties with respect to alcoholic beverages are limited to handling alcoholic beverages in connection with the loading, unloading, stowing, or storing of alcoholic beverages that are being delivered or picked up.

(C) The person does not sell, furnish, or deal in alcoholic beverages in any manner except as expressly permitted under clause (B).

(D) The person acts under the supervision of a driver holding a salesman's permit.

(E) The person does not collect money for the delivery or pick up.".

Page 10, line 23, after "winery" insert "**, including any additional locations of the farm winery,**".

Page 10, after line 35, begin a new line blocked left and insert:

"**A minor described in this subsection is not required to be accompanied by a parent, legal guardian or custodian, or family member while on the premises of the brewery or farm winery.**

SECTION 21. IC 7.1-5-10-25, AS ADDED BY P.L.196-2015, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 25. If:

(1) a person has an interest in:

(A) a dealer's permit for a drug store or grocery store; and

(B) a retailer's permit for a restaurant; and

(2) the licensed premises of the drug store or grocery store and the restaurant are located in the same building;

the person may not obtain a supplemental retailer's permit for the premises to sell beer, wine, and liquor ~~may not be sold~~ for carryout from the licensed premises of the restaurant.

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

Renumber all SECTIONS consecutively.

(Reference is to EHB 1496 as printed February 21, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 1.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1537, 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, line 20, delete "$125" and insert "**$150**".

Page 4, line 23, delete "$235" and insert "**$275**".

Page 4, line 24, delete "$325" and insert "**$375**".

Page 4, line 25, delete "$400" and insert "**$450**".

(Reference is to EHB 1537 as printed March 24, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 1.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1541, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 18, delete "An" and insert "**Subject to the approval of the Indiana commission to combat drug abuse, an**".

Page 2, line 18, delete "shall" and insert "**may**".

Page 2, line 19, delete "An" and insert "**Subject to the approval of the Indiana commission to combat drug abuse, an**".

Page 2, line 20, delete "shall" and insert "**may**".

Page 2, line 30, after "," insert "**and subject to the approval of the Indiana commission to combat drug abuse,**".

Page 2, line 31, delete "shall" and insert "**may**".

Page 2, line 38, delete "The" and insert "**Subject to the approval of the Indiana commission to combat drug abuse, the**".

Page 2, line 38, delete "shall" and insert "**may**".

Page 2, line 41, delete "The" and insert "**Subject to the approval of the Indiana commission to combat drug abuse, the**".

Page 2, line 41, delete "shall" and insert "**may**".

Page 3, line 7, delete "An" and insert "**Subject to the approval of the Indiana commission to combat drug abuse, an**".

(Reference is to EHB 1541 as printed March 24, 2017.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1555, 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 5-2-1-2, AS AMENDED BY P.L.115-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. For the purposes of this chapter, and unless the context clearly denotes otherwise, the following definitions apply throughout this chapter:

(1) "Law enforcement officer" means an appointed officer or employee hired by and on the payroll of the state, any of the state's political subdivisions, or a public or private postsecondary educational institution whose board of trustees has established a police department under IC 21-17-5-2 or IC 21-39-4-2 who is granted lawful authority to enforce all or some of the penal laws of the state of Indiana and who possesses, with respect to those laws, the power to effect arrests for offenses committed in the officer's or employee's presence. However, the following are expressly excluded from the term "law enforcement officer" for the purposes of this chapter:

(A) A constable.

(B) A special officer whose powers and duties are described in IC 36-8-3-7 or a special deputy whose powers and duties are described in IC 36-8-10-10.6.

(C) A county police reserve officer who receives compensation for lake patrol duties under ~~IC 36-8-3-20(f)(4).~~ **IC 36-8-3-20(f)(3).**

(D) A conservation reserve officer who receives compensation for lake patrol duties under IC 14-9-8-27.

(E) An employee of the gaming commission whose powers and duties are described in IC 4-32.2-9.

(F) A correctional police officer described in IC 11-8-9.

(2) "Board" means the law enforcement training board created by this chapter.

(3) "Executive training program" means the police chief executive training program developed by the board under section 9 of this chapter.

(4) "Law enforcement training council" means one (1) of the confederations of law enforcement agencies recognized by the board and organized for the sole purpose of sharing training, instructors, and related resources.

(5) "Training regarding the lawful use of force" includes classroom and skills training in the proper application of hand to hand defensive tactics, use of firearms, and other methods of:

(A) overcoming unlawful resistance; or

(B) countering other action that threatens the safety of the public or a law enforcement officer.

(6) "Hiring or appointing authority" means:

(A) the chief executive officer, board, or other entity of a police department or agency with authority to appoint and hire law enforcement officers; or

(B) the governor, mayor, board, or other entity with the authority to appoint a chief executive officer of a police department or agency.

(7) "Crisis intervention team" refers to a local coalition with a goal of improving the manner in which law enforcement and the community respond to crisis situations in which an individual is experiencing a mental health or addictive disorder crisis.".

Page 2, delete lines 28 through 39, begin a new paragraph and insert:

"SECTION 3. IC 21-14-1-6, AS AMENDED BY P.L.158-2013, SECTION 251, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. "Public safety officer" means any of the following:

(1) A regular, paid law enforcement officer.

(2) A regular, paid firefighter.

(3) A volunteer firefighter (as defined in IC 36-8-12-2).

(4) A county police reserve officer.

(5) A city **or town** police reserve officer.

(6) A paramedic (as defined in IC 16-18-2-266).

(7) An emergency medical technician (as defined in IC 16-18-2-112).

(8) An advanced emergency medical technician (as defined in IC 16-18-2-6.5).

(9) A hazardous duty employee of the department of correction who:

(A) works within a prison or juvenile facility; or

(B) performs parole or emergency response operations and functions.

(10) A community corrections officer.

SECTION 4. IC 36-8-3-20, AS AMENDED BY P.L.100-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 20. (a) This section applies to counties and towns as well as cities.

(b) A unit may provide by ordinance for any number of police reserve officers.

(c) Police reserve officers shall be appointed by the same authority that appoints regular members of the department.

(d) Police reserve officers may be designated by another name specified by ordinance.

(e) Police reserve officers may not be members of the regular police department but have all of the same police powers as regular members, except as limited by the rules of the department. Each department may adopt rules to limit the authority of police reserve officers.

(f) To the extent that money is appropriated for a purpose listed in this subsection, police reserve officers may receive any of the following:

(1) A uniform allowance.

(2) Compensation for time lost from other employment because of court appearances.

~~(3) Insurance for life, accident, and sickness coverage.~~

~~(4)~~ **(3)** In the case of county police reserve officers, compensation for lake patrol duties that the county sheriff assigns and approves for compensation.

(g) Police reserve officers are not eligible to participate in any pension program provided for regular members of the department.

(h) A police reserve officer may not be appointed until the officer has completed the training and probationary period specified by rules of the department.

(i) A police reserve officer appointed by the department after June 30, 1993, may not:

(1) make an arrest;

(2) conduct a search or a seizure of a person or property; or

(3) carry a firearm;

unless the police reserve officer successfully completes a pre-basic course under IC 5-2-1-9(f).

~~(j) A police reserve officer may be covered by the medical treatment and burial expense provisions of the worker's compensation law (IC 22-3-2 through IC 22-3-6) and the worker's occupational diseases law (IC 22-3-7). If compensability of the injury is an issue, the administrative procedures of IC 22-3-2 through IC 22-3-6 and IC 22-3-7 shall be used to determine the issue.~~

~~(k)~~ **(j)** A police reserve officer carrying out lake patrol duties under this chapter is immune from liability under IC 34-30-12, notwithstanding the payment of compensation to the officer.

~~(l)~~ **(k)** After June 30, 2015, a police reserve officer who has satisfactorily completed pre-basic training and has been appointed to a law enforcement department or agency on either a full-time or part-time basis is not eligible for continued employment unless the police reserve officer satisfactorily completes the mandatory inservice training requirements established by rules adopted by the law enforcement training board (created by IC 5-2-1-3). Inservice training must include training in interacting with persons with mental illness, addictive disorders, intellectual disabilities, autism, developmental disabilities, and Alzheimer's disease or related senile dementia, to be provided by persons approved by the secretary of family and social services and the board. The inservice training must also concern human and sexual trafficking and high risk missing persons (as defined in IC 5-2-17-1). The board may approve courses offered by other public or private training entities, including postsecondary educational institutions, as necessary in order to ensure the availability of an adequate number of inservice training programs. The board may waive a police reserve officer's inservice training requirements if the board determines that the police reserve officer's reason for lacking the required amount of inservice training hours is due to either of the following:

(1) An emergency situation.

(2) The unavailability of courses.

(l) After December 31, 2017, a unit shall:

(1) provide the coverage specified in section 22 of this chapter; and

(2) pay the amounts specified in section 23 of this chapter;

for a police reserve officer who is injured or contracts an illness in the course of or as the result of the performance of duties as a police reserve officer.

(m) A unit may purchase policies of group insurance or establish a plan of self-insurance to meet its obligations under section 22 or 23 of this chapter. The establishment of a self-insurance program under this subsection is subject to the approval of the unit's fiscal body. Expenses incurred for premiums for insurance or for other charges or expenses under sections 22 and 23 of this chapter shall be paid out of the unit's general fund in the same manner as other expenses of the unit are paid.

SECTION 5. IC 36-8-3-22 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 22. (a) This section applies after December 31, 2017, to a police reserve officer who is injured or contracts an illness in the course of or as the result of performing duties as a police reserve officer.**

(b) A unit shall furnish without charge to a police reserve officer the physician, surgical, hospital, and nursing services and supplies the physician or surgeon in charge determines are necessary, including:

(1) medical and surgical care;

(2) medicines and laboratory, curative, and palliative agents and means;

(3) x-ray, diagnostic, and therapeutic service, including during a recovery period; and

(4) hospital and special nursing care, if the physician or surgeon in charge considers it necessary for proper recovery.

(c) A unit that has paid for the care of a police reserve officer under subsection (b) has a cause of action for reimbursement of the amount paid under subsection (b) against any third party against whom the police reserve officer has a cause of action for an injury sustained because of, or an illness caused by, the third party. The unit's cause of action is in addition to, and not in lieu of, a cause of action of the police reserve officer against the third party.

(d) A unit's obligation under this section supersedes any obligations that another medical insurance carrier has to pay the police reserve officer's expenses.

(e) In addition to purchasing policies of group insurance or establishing a plan of self-insurance under section 20(m) of this chapter, a unit may meet its obligation under this section by covering police reserve officers under the medical treatment and burial expense provisions of the worker's compensation law (IC 22-3-2 through IC 22-3-6) and the worker's occupational diseases law (IC 22-3-7). If compensability of the injury is an issue, the administrative

procedures of IC 22-3-2 through IC 22-3-6 and IC 22-3-7 shall be used to determine the issue.

SECTION 6. IC 36-8-3-23 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 23. (a) This section applies after December 31, 2017, to a police reserve officer who is unable to pursue the officer's usual vocation as the result of an injury or illness occurring in the course of or as the result of the performance of duties as a police reserve officer.**

(b) A unit shall pay a police reserve officer a weekly amount that may not be less than the Indiana minimum wage established under IC 22-2-2 and computed on the basis of a forty (40) hour work week.

(c) A unit shall pay the police reserve officer the weekly amount described in subsection (b) for the lesser of:

(1) the period the police reserve officer is unable to pursue the officer's usual vocation; or

(2) two hundred sixty (260) weeks.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1555 as reprinted February 21, 2017.) and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1642, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

SENATE MOTION

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

SR 47 Senator Lonnie M. Randolph
Honoring John R. Wooden.

SR 48 Senator Lonnie M. Randolph
Honoring Clarence Walker.

HCR 64 Senator G. Taylor
Recognizing Alpha Kappa Alpha Day at the Capitol.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 47

Senate Resolution 47, introduced by Senator Lonnie M. Randolph:

A SENATE RESOLUTION to honor John R. Wooden for taking a stand against segregation in collegiate basketball in 1947.

Whereas, In 1947 while coaching the Indiana State Teacher's College Sycamores (Indiana State University) and having a winning season, Coach Wooden turned down an invitation to participate in the NAIB (NCAA) tournament;

Whereas, Clarence Walker, the only African-American team member for the Sycamores would have had to stay at home;

Whereas, Even though Walker rarely played, Wooden wanted to take a stand against segregation in collegiate basketball;

Whereas, In response to Wooden's decision, several other schools began to decline the invitation in protest as well;

Whereas, In 1948 the NAIB decided to allow integrated teams to play;

Whereas, On March 9, 1948 when Walker went into the game during the first round of the tournament, it was the first time a black player competed in the tournament;

Whereas, The following year three teams brought black players to play in the tournament; and

Whereas, In 1950 City College of New York won both the NIT and NCAA with two black starters: Therefore,

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

SECTION 1. That the Indiana Senate recognizes John R. Wooden for his stand against segregation in 1947 and his contributions to Hoosier basketball.

SECTION 2. That the Secretary of the Senate transmit a copy of this Resolution to Indiana State University.

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

Senate Resolution 48

Senate Resolution 48, introduced by Senator Lonnie M. Randolph:

A SENATE RESOLUTION to remember Clarence Walker for his humble attitude and great contributions to Indiana

Basketball and the African-American community.

Whereas, Clarence Walker arrived in Terre Haute in the fall of 1946, he had a simple dream: earn his degree, return home to East Chicago, marry his high school sweetheart, and start a family, he wasn't looking to make history;

Whereas, Clarence Walker was a speedy guard on John R. Wooden's Indiana State Teachers College Team, now known as Indiana State;

Whereas, During Clarence's freshman year in 1947, after a winning season, Wooden turned down an invitation to the National Association of Intercollegiate Basketball Championship games because of a ban on black players;

Whereas, In 1948 the ban on black players was lifted and the NAACP asked Wooden to accept a compromise deal of allowing Clarence to play but not be seen with his teammates outside of the basketball court;

Whereas, After discussion with Clarence and his parents they decided this would be a monumental first step, and they all agreed Clarence would play;

Whereas, In March of 1948, eleven months after Jackie Robinson, and sixteen years before the Civil Rights Act no black player had ever suited up in a national college basketball tournament until John R. Wooden's team;

Whereas, Clarence being the only black player of the 32 teams that made the trip to Kansas City, quietly broke the color barrier. Clarence waded through a thicket of unforgiving racial tensions along the way, bottling up his private pain for the greater good;

Whereas, Clarence became the first black player to see action in the 10-year old tournament, scoring three points in the Sycamore's first game;

Whereas, The newspapers of the day hardly noticed the history being made and in the following day's news, made no mention of Clarence at all;

Whereas, In 1949 the year after Clarence broke the color barrier for postseason tournaments, three teams brought black players to Kansas City;

Whereas, After graduation, Clarence returned home to East Chicago and married his high school sweetheart and started a family; and

Whereas, 69 years ago this week a basketball pioneer with nothing but his thoughts and resolve had the courage to make a ripple and will always be known to his family for saying "be humble, don't grumble." Therefore,

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

SECTION 1. That the Indiana State Senate remembers Clarence Walker for his humble attitude and great contributions to Indiana Basketball and the African-American Community.

SECTION 2. That the Secretary of the Senate transmit copies of this Resolution to the family of Clarence Walker.

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

House Concurrent Resolution 64

House Concurrent Resolution 64, sponsored by Senator G. Taylor:

A CONCURRENT RESOLUTION recognizing Alpha Kappa Alpha Day at the Capitol.

Whereas, Alpha Kappa Alpha sorority, which has the distinction of being the first sorority established by African-American college women, was founded at Howard University in Washington, D.C., in 1908 and has expanded internationally to 850 chapters;

Whereas, Indiana hosts 22 of these chapters located on college and university campuses and has active alumnae groups in communities throughout the state;

Whereas, Alpha Kappa Alpha is committed to community service and actively contributes to the educational, civic, and social life of Indiana's citizens;

Whereas, Alumnae chapters encourage their members to become involved community volunteers in one of their primary service components that include education, health, the economy, arts, and family;

Whereas, Alpha Kappa Alpha provides community support through service initiatives identified in the sorority's international platform Launching New Dimensions of Service as outlined by Dorothy Buckhanan Wilson, international president;

Whereas, Alpha Kappa Alpha plans to accomplish this goal through initiatives like Emerging Young Leaders, Alzheimer's disease and caregiver support, mental health, childhood hunger, fiscal responsibility, and environmental ownership and global impact;

Whereas, Alpha Kappa Alpha is dedicated to serving all mankind and has improved the lives of many people throughout the years; and

Whereas, This great sisterhood has established a nationally recognized program known as Alpha Kappa Alpha Day at the Capitol: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes Central Regional Director Kathy A. Walker-Steele; State Connection Chair Vanessa J. Summers; and members of the Alpha Kappa Alpha Day at the Capitol for all the good work they accomplish.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Central Regional Director Kathy A. Walker-Steele; State Connection Chair Vanessa J. Summers; and members of the Alpha Kappa Alpha Day at the Capitol.

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 44

Senate Concurrent Resolution 44, introduced by Senator G. Taylor:

A CONCURRENT RESOLUTION to recognize and honor Superintendent Nathaniel (Nate) Jones for his service in public education.

Whereas, Superintendent Nathaniel (Nate) Jones is a native of Indianapolis, Indiana;

Whereas, Nate received his education from the Indianapolis Public School system, where his passion for educating students evolved;

Whereas, After completing his degree program, Nate decided to give back to his community and returned to teach in the Indianapolis Public School System (IPS);

Whereas, In 1980 he left IPS and began his administrative career in the Metropolitan School District of Washington Township, becoming one of the youngest principals in Indiana at the age of 27;

Whereas, Nate served for over 25 years in the Washington Township School system in numerous positions such as Principal, Director of Elementary Education, and Assistant Superintendent of Curriculum/Instruction. All schools where Nate worked as principal received state and national recognition for academic achievement and exceptional leadership;

Whereas, During his career Nate received three degrees, certifications, and multiple awards including the Sagamore of the Wabash and the Congressional Salute. Nate was even selected as one of the top 100 administrators in North America by the Executive Educator;

Whereas, In 2011 Nate was featured in the Education Executive Publication as a Trendsetter, and Who's Who in Black Indianapolis. Nate has also served on numerous not-for-profit organization boards;

Whereas, In 2003 Nate became the first African-American Superintendent to accept the awesome responsibility of leading the Metropolitan School District of Pike Township. Nate is the first African-American Superintendent who graduated from Indianapolis Public Schools and serves in this role in Indiana;

Whereas, During his tenure as Superintendent, the graduation rate has been between 92 and 94%, and his high school has been recognized as one of the most challenging in the nation. His administration has seen an increase in scholarships and grants, implemented new programs, received many awards, and spearheaded major construction and renovation of facilities; and

Whereas, Nate has over 43 years of experience in the field of education and has remained committed not only to the field of education but to his wife Cynthia, two children, and four grandsons: 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 Senate honors and recognizes Nathaniel Jones for his service to public education in Indianapolis, Indiana.

SECTION 2. That the Secretary of the Senate transmit a copy of this resolution to Nathaniel Jones.

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 Pryor.

Senate Concurrent Resolution 40

Senate Concurrent Resolution 40, introduced by Senator M. Young:

A CONCURRENT RESOLUTION honoring the 38th Infantry Division on the occasion of its 100th anniversary.

Whereas, The 38th Infantry Division, known as "The Cyclone Division," will celebrate its 100th anniversary throughout 2017;

Whereas, In August 1917, the 38th Infantry Division was activated as a National Guard Division composed of units from Indiana, Kentucky, and West Virginia;

Whereas, In April 1918, the 38th Infantry Division's initial training camp, located in Camp Shelby, Mississippi, was struck by a tornado, and upon assumption of command in August 1918, Major General Robert L. Howze commemorated the event by giving the 38th Infantry Division the nickname, "The Cyclone Division";

Whereas, The 150th field artillery regiment was the only unit of the 38th Infantry Division to see combat;

Whereas, 301 soldiers died during the Great War, 105 from combat, 47 from wounds, and 149 from accidents and disease;

Whereas, The 38th Infantry Division was inactivated after the Great War, and subsequently reconstituted and reorganized in the National Guard on the 16th of March, 1923;

Whereas, The 38th Infantry Division was activated for federal service on the 17th of January, 1941, in response to the start of World War II;

Whereas, The 38th Infantry Division participated in the New Guinea, Southern Philippines, and Luzon campaigns, earning the nickname, "Avengers of Bataan";

Whereas, The 38th Infantry Division was demobilized and deactivated from federal service on the 9th of November, 1945;

Whereas, Company D (Ranger), 151st Infantry of the 38th Infantry Division was one of only a few National Guard units mobilized for service in the Republic of Vietnam, and was one of the most highly decorated units to serve in the Vietnam conflict;

Whereas, Since the 11th of September, 2001, the 38th Infantry Division has contributed significantly to the United States' security to include Operation Iraqi Freedom in Iraq, Operation Enduring Freedom in Afghanistan, Operation Joint Forge in Bosnia, and Operation Joint Guardian in Kosovo;

Whereas, On the 2nd of January, 2003, the 1st Battalion 293rd Infantry Regiment of the 76th Infantry Brigade, of the 38th Infantry Division, became the first National Guard infantry unit to enter federal service since the Vietnam conflict;

Whereas, On the 30th of August, 2005, the 38th Infantry Division headquarters were activated by the National Guard Bureau in response to Hurricane Katrina, and assumed command of all National Guard elements deployed into the state of Mississippi, with a final strength of 15,500 soldiers; and

Whereas, It is fitting that the 38th Infantry Division's 100th anniversary should be celebrated and honored for its historical significance in the State of Indiana and for the longstanding contributions it has made to the defense of the United States of America: 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 celebrates the 100th anniversary of the 38th Infantry Division and honors the long history and significance of the Division to the security of Indiana and the United States of America.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Commander of the 38th Infantry Division and the Adjutant General of Indiana.

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 Behning and Moed.

MESSAGE FROM THE GOVERNOR

Madam President and Members of the Senate: On Wednesday, March 29, 2017, I signed the following Senate Enrolled Acts into law: SEA 130, 185, 263, 456.

ERIC J. HOLCOMB
Governor

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 66 and 67 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 41 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, with amendments, Engrossed Senate Bill 539 and the same is herewith returned to the Senate for concurrence.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, with amendments, Engrossed Senate Bills 46, 332, 346, 400 and 413 and the same are herewith returned to the Senate for concurrence.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 42 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, with amendments, Engrossed Senate Bills 43, 243, 299, 310, 386, 425, 446, 507, 510 and 515 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, without amendments, Engrossed Senate Bills 42, 121, 220, 265, 275, 300, 312, 344, 421, 442 and 475 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I have received a request from Senator Kenley to be excused from the remainder of session for Thursday, March 30, 2017 due to an unavoidable conflict and that request was hereby granted. He shall be excused from all Senate action occurring after 2:10 p.m. on the Senate Calendar. An appropriate entry shall be made in the Senate Journal.

LONG, Chair

Report adopted.

RESOLUTIONS ON SECOND READING

Senate Concurrent Resolution 32

Senator Hershman called up Senate Concurrent Resolution 32 for second reading. The resolution was read a second time and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Siegrist, T. Brown and Klinker.

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1005

Senator Buck called up Engrossed House Bill 1005 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1005–1)

Madam President: I move that Engrossed House Bill 1005 be amended to read as follows:

Page 14, line 28, delete ", preferably".

Page 14, line 29, delete ", preferably".

(Reference is to EHB 1005 as printed March 28, 2017.)

BREAUX

Upon request of Senator Breaux the President ordered the roll of the Senate to be called. Roll Call 322: yeas 9, nays 40.

Motion failed.

SENATE MOTION
(Amendment 1005–2)

Madam President: I move that Engrossed House Bill 1005 be amended to read as follows:

Page 15, delete line 2.

(Reference is to EHB 1005 as printed March 28, 2017.)

BREAUX

Motion failed. The bill was ordered engrossed.

Engrossed House Bill 1178

Senator Becker called up Engrossed House Bill 1178 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1234

Senator Leising called up Engrossed House Bill 1234 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1235

Senator Leising called up Engrossed House Bill 1235 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1235–1)

Madam President: I move that Engrossed House Bill 1235 be amended to read as follows:

Page 1, line 5, delete "seventy-five (75%) percent." and insert "**seventy-five percent (75%).**".

(Reference is to EHB 1235 as printed March 28, 2017.)

LEISING

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1318

Senator Holdman called up Engrossed House Bill 1318 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1318–1)

Madam President: I move that Engrossed House Bill 1318 be amended to read as follows:

Page 18, delete line 42.

Page 19, delete lines 1 through 25, begin a new paragraph and insert:

"SECTION 14. IC 27-7-6-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. (a) No insurer shall fail to renew a policy unless it shall mail or deliver to the named insured, at the address shown in the policy, at least twenty (20) ~~days'~~ **days** advance notice of its intention not to renew. In the event such policy was procured by an insurance producer duly licensed by the state of Indiana notice of intent not to renew shall be mailed or delivered to the insurance producer at least ten (10) days prior to such mailing or delivery to the named insured unless such notice of intent is or has been waived in writing by the insurance producer.

(b) This section shall not apply:

(1) if the insurer has manifested its willingness to renew; or

(2) in case of nonpayment of premium.

However, notwithstanding the failure of an insurer to comply with this section, the policy shall terminate on the effective date of any other insurance policy with respect to any automobile designated in both policies.

(c) A notice of intention not to renew is not required if:

(1) the insured is transferred from an insurer to an affiliate of the insurer for future coverage; ~~as a result of a merger, an acquisition, or a company restructuring;~~ **and**

(2) the transfer results in the same or broader coverage. ~~and~~

~~(3) the insured approves the transfer.~~

(d) Renewal of a policy shall not constitute a waiver or estoppel with respect to grounds for cancellation which existed before the effective date of such renewal.".

Page 20, delete lines 3 through 5, begin a new paragraph and insert:

"**(c) Notice of nonrenewal under this section is not required if:**

(1) the named insured is transferred from an insurer to an affiliate of the insurer for future coverage; and

(2) the transfer results in the same or broader coverage.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1318 as printed March 28, 2017.)

HOLDMAN

Motion prevailed.

SENATE MOTION
(Amendment 1318–2)

Madam President: I move that Engrossed House Bill 1318 be amended to read as follows:

Page 22, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 22. [EFFECTIVE JULY 1, 2017] **(a) The legislative council is urged to assign to an appropriate interim study committee, for study during the 2017 interim of the general assembly, the topic of statutory incorporation by reference in IC 27 of documents of the National Association of Insurance Commissioners.**

(b) If the legislative council assigns the topic described in subsection (a), the interim study committee to which it is assigned shall make recommendations to the legislative council not later than November 1, 2017, concerning the following:

(1) Whether the general assembly should take action on current statutes that incorporate by reference documents described in subsection (a) and, if so, what action should be taken.

(2) Any other recommendations considered necessary by the legislative council or the interim study committee.

(c) This SECTION expires January 1, 2018.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1318 as printed March 28, 2017.)

HOLDMAN

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1395

Senator Leising called up Engrossed House Bill 1395 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1492

Senator Crider called up Engrossed House Bill 1492 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1521

Senator Walker called up Engrossed House Bill 1521 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1539

Senator Holdman called up Engrossed House Bill 1539 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1004

Senator Raatz called up Engrossed House Bill 1004 for third reading:

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

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

Roll Call 323: yeas 38, nays 11. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1008

Senator Eckerty called up Engrossed House Bill 1008 for third reading:

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

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

Roll Call 324: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1024

Senator Kruse called up Engrossed House Bill 1024 for third reading:

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

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

Roll Call 325: yeas 44, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1065

Senator M. Young called up Engrossed House Bill 1065 for third reading:

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

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

Roll Call 326: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1074

Senator Buck called up Engrossed House Bill 1074 for third reading:

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

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

Roll Call 327: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1200

Senator Messmer called up Engrossed House Bill 1200 for third reading:

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

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

Roll Call 328: yeas 37, nays 12. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1415

Senator Glick called up Engrossed House Bill 1415 for third reading:

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

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

Roll Call 329: yeas 41, nays 8. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1511

Senator Messmer called up Engrossed House Bill 1511 for third reading:

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

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

Roll Call 330: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1516

Senator Crider called up Engrossed House Bill 1516 for third reading:

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

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

Roll Call 331: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1601

Senator Hershman called up Engrossed House Bill 1601 for third reading:

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

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

Roll Call 332: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1654

Senator Merritt called up Engrossed House Bill 1654 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 333: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

MESSAGE FROM THE PRESIDENT PRO TEMPORE

Madam President and Members of the Senate: I have on Thursday, March 30, 2017, signed Senate Enrolled Act: 42.

DAVID C. LONG
President Pro Tempore

MESSAGE FROM THE PRESIDENT PRO TEMPORE

Madam President and Members of the Senate: I have on Thursday, March 30, 2017, signed Senate Enrolled Acts: 121 and 442.

DAVID C. LONG
President Pro Tempore

MESSAGE FROM THE PRESIDENT PRO TEMPORE

Madam President and Members of the Senate: I have on Thursday, March 30, 2017, signed Senate Enrolled Acts: 47, 80, 316, 347 and 407.

DAVID C. LONG
President Pro Tempore

MESSAGE FROM THE PRESIDENT PRO TEMPORE

Madam President and Members of the Senate: I have on Thursday, March 30, 2017, signed Senate Enrolled Acts: 220, 239, 265, 275, 300, 312, 344 and 475.

DAVID C. LONG
President Pro Tempore

SENATE MOTION

Madam President: I move that Senator L. Brown be added as second author, Senator Ruckelshaus be added as third author, and Senator Charbonneau be added as coauthor of Senate Resolution 30.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Resolution 30.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as coauthor of Senate Resolution 36.

MELTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buck, Charbonneau, Crane, Crider, Delph, Doriot, Eckerty, Ford, Freeman, Glick, Grooms, Head, Hershman, Holdman, Houchin, Kenley, Koch, Kruse, Lanane, Leising, Long, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Ruckelshaus, Sandlin, J. Smith, Stoops, Tallian, G. Taylor, Tomes, Walker, Zakas and Zay be added as coauthors of Senate Concurrent Resolution 40.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be added as cosponsor of Engrossed House Bill 1024.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as cosponsor of Engrossed House Bill 1024.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1036.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as cosponsor of Engrossed House Bill 1043.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator G. Taylor be added as cosponsor of Engrossed House Bill 1104.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as cosponsor of Engrossed House Bill 1129.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as cosponsor of Engrossed House Bill 1137.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Sandlin be added as cosponsor of Engrossed House Bill 1218.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as cosponsor of Engrossed House Bill 1234.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as cosponsor of Engrossed House Bill 1235.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as cosponsor of Engrossed House Bill 1273.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as cosponsor of Engrossed House Bill 1318.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as cosponsor of Engrossed House Bill 1369.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as cosponsor of Engrossed House Bill 1391.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as cosponsor of Engrossed House Bill 1394.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as cosponsor of Engrossed House Bill 1395.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as cosponsor of Engrossed House Bill 1406.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1407.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niemeyer be added as second sponsor of Engrossed House Bill 1422.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as cosponsor of Engrossed House Bill 1441.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as cosponsor of Engrossed House Bill 1449.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as cosponsor of Engrossed House Bill 1492.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator G. Taylor be added as cosponsor of Engrossed House Bill 1496.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Delph be added as second sponsor and Senators Crider, Sandlin and Melton be added as cosponsors of Engrossed House Bill 1535.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as cosponsor of Engrossed House Bill 1535.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as cosponsor of Engrossed House Bill 1539.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Eckerty be added as second sponsor and Senator Crane be added as cosponsor of Engrossed House Bill 1555.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as cosponsor of Engrossed House Bill 1555.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second sponsor of Engrossed House Bill 1654.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, April 3, 2017.

LONG

Motion prevailed.

The Senate adjourned at 3:36 p.m.

JENNIFER L. MERTZ	SUZANNE CROUCH
Secretary of the Senate	President of the Senate