



# Journal of the House

State of Indiana

120th General Assembly

First Regular Session

Thirty-eighth Day

Thursday Morning

March 30, 2017

The invocation was offered by Reverend Randy Scott of Pentecostals of South Lake in Merrillville, a guest of Representative Olthoff.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Culver.

The Speaker ordered the roll of the House to be called:

Arnold	Kirchhofer
Austin	Klinker
Aylesworth	Lawson
Bacon	Lehe
Baird	Lehman
Bartlett <input type="checkbox"/>	Leonard
Bauer	Lucas
Behning	Lyness
Beumer	Macer
Borders	Mahan
Braun	May
C. Brown	Mayfield
T. Brown	McNamara
Burton	Miller
Candelaria Reardon <input type="checkbox"/>	Moed
Carbaugh	Morris <input type="checkbox"/>
Cherry	Morrison
Clere	Moseley
Cook	Negele
Culver	Nisly
Davisson <input type="checkbox"/>	Ober <input type="checkbox"/>
DeLaney	Olthoff
DeVon	Pelath
Dvorak <input type="checkbox"/>	Pierce
Eberhart	Porter
Ellington	Pressel
Engleman	Pryor <input type="checkbox"/>
Errington	Richardson
Forestal	Saunders <input type="checkbox"/>
Friend	Schaibley
Frizzell	Shackelford
Frye	Siegrist
GiaQuinta	Slager
Goodin	Smaltz
Gutwein	M. Smith
Hamilton	V. Smith
Hamm	Soliday <input type="checkbox"/>
Harris	Speedy
Hatfield	Stemler
Heaton	Steuerwald
Heine	Sullivan
Huston <input type="checkbox"/>	Summers
Jordan	J. Taylor
Judy	Thompson
Karickhoff	Torr
Kersey	VanNatter <input type="checkbox"/>

Washburne  
Wesco   
Wolkins  
Wright

J. Young  
Zent  
Ziemke  
Mr. Speaker

Roll Call 342: 88 present; 12 excused. The Speaker announced a quorum in attendance. [NOTE:  indicates those who were excused.]

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, April 3, 2017, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

## RESOLUTIONS ON FIRST READING

### Senate Concurrent Resolution 41

The Speaker handed down Senate Concurrent Resolution 41, sponsored by Representative Beumer:

A CONCURRENT RESOLUTION congratulating the Union City High School girls basketball team on its successful season and finishing runner-up in the Indiana High School Athletic Association ("IHSAA") Class A state championship.

*Whereas, On Saturday, February 25, 2017, the Union City High School girls basketball team competed in the Indiana High School Athletic Association ("IHSAA") Class A state championship game at Bankers Life Fieldhouse in Indianapolis;*

*Whereas, By making it to the state championship game, the Union City girls basketball team made it further than any other girls basketball team in the Tri-Eastern Conference or Randolph County during the 2016-2017 season;*

*Whereas, The Union City Lady Indians finished their season with an impressive record of 24-5 overall, and 7-0 within their conference;*

*Whereas, The Union City girls basketball team is comprised of Kora Kerns, Kelsey Zimmers, Courtney Wise, Baylee Hartman, Justiss Cantu, Ellie Kerns, Kelsie Burton, Kahlee Dowler, Mya Carpenter, Sophia Spence, Reagan Hoggatt, Emalee Bocanegra, Luzy Corona, Mackenzie Green, and Maddy Cox;*

*Whereas, Every one of Union City's girls basketball starters holds a school record: Courtney Wise holds the school's record for most points, Baylee Hartman broke a former teammate's record for most rebounds, Kora Kerns is the school's all time leader in steals, Kelsey Zimmers became the all-time leader in 3-pointers, and Justiss Cantu had a clear view of the floor to provide opportunities for the rest of her team;*

*Whereas, The Union City Lady Indians are coached by Sarah Black, who played for the Union City girls basketball team when the Indians advanced to the semi-state championship in 2001;*

*Whereas, When Sarah Black took over the girls basketball program as head coach, the current senior class of Baylee Hartman, Courtney Wise, Kora Kerns, and Kelsey Zimmers, were in seventh grade. Now, they're all record-holders, three-time TEC champions, two-time sectional champions, regional champions, and for the first time ever, semi-state champions;*

*Whereas, The team is also led by assistant coaches Neal Adams, Keith Fields, Tim Adelsperger, Wayne Pratt, Ron Holt, and Michael Dean;*

*Whereas, The team is further assisted by team managers Tiana Davis, Lexi Bissell, Carmen Sigler, and Acacia Clemons, student assistants Conner Kerns, Latrell Hampshire, Dawson Thornburg, Keaton Collins, and statistician Larry Wilson;*

*Whereas, The young women of the Union City High School girls basketball team are student-athletes who managed to balance countless hours of basketball practices and games on top of a full academic course load, and the Indiana General Assembly commends these young women for their commitment to both academics and athletics;*

*Whereas, The coaches, team managers, and team assistants also dedicated their time and energy to the Union City High School girls basketball team, and the Indiana General Assembly recognizes these individuals for their efforts and contributions to the team's successful season; and*

*Whereas, It is fitting that the Indiana General Assembly congratulates the Union City High School girls basketball team on its successful season and making it all the way to the IHSAA Class A state championship game: Therefore,*

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

SECTION 1. That the Indiana General Assembly congratulates the Union City High School girls basketball team on its successful season and finishing runner-up in the 2017 IHSAA Class A state championship.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Head Coach Sarah Black, Assistant Coaches Neal Adams, Keith Fields, Tim Adelsperger, Wayne Pratt, Ron Holt, and Michael Dean, Team Players Kora Kerns, Kelsey Zimmers, Courtney Wise, Baylee Hartman, Justiss Cantu, Ellie Kerns, Kelsie Burton, Kahlee Dowler, Mya Carpenter, Sophia Spence, Reagan Hoggatt, Emalee Bocanegra, Luzy Corona, Mackenzie Green, and Maddy Cox, Team Managers Tiana Davis, Lexi Bissell, Carmen Sigler, and Acacia Clemons, Student Assistants Conner Kerns, Latrell Hampshire, Dawson Thornburg, Keaton Collins, Statistician Larry Wilson, Athletic Director Mike Thornburg, Principal Aaron Black, and Superintendent Lisa Smith.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

### **House Concurrent Resolution 66**

Representatives Austin, Cherry and Wright introduced House Concurrent Resolution 66:

A CONCURRENT RESOLUTION welcoming the 2017 Breeders Crown to Hoosier Park in Anderson, Indiana, and congratulating the Indiana Standardbred industry and its partners on this accomplishment.

*Whereas, The Hambletonian Society, Inc. annually sponsors the Breeders Crown Championship Series, the premier Standardbred racing series in North America;*

*Whereas, For the first time in Indiana horse racing history, the Hambletonian Society has bestowed the high honor of hosting the 2017 Breeders Crown Championship Series on Hoosier Park, which will serve as the unique venue for this year's races October 27-28 in Anderson, Indiana;*

*Whereas, The Breeders Crown is expected to draw thousands of horse racing fans to Madison County and surrounding communities resulting in the expenditure of millions of tourism dollars and much favorable publicity for Indiana and its horse racing industry;*

*Whereas, The selection of Hoosier Park to host the Breeders Crown is further recognition of Indiana's dominance in Standardbred racing and Hoosier Park's emergence as one of the leading Standardbred tracks in North America; and*

*Whereas, The Hambletonian Society's decision to select Indiana as the site for the 2017 Breeders Crown would not have occurred but for the hard work, dedication, and persistence of the Indiana Standardbred Association, Inc., Indiana Horse Racing Commission, city of Anderson, Madison County, State of Indiana, Hoosier Park and its parent Centaur Gaming: 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 and the State of Indiana welcome the 2017 Hambletonian Society's Breeders Crown Championship Series and its thousands of fans, who will watch the races at Hoosier Park and on television around the world.

SECTION 2. That the Indiana General Assembly and the State of Indiana congratulate the Indiana Standardbred Association, Inc., the Indiana Horse Racing Commission, city of Anderson, Madison County, Indiana, and Hoosier Park for their many efforts to attract the Breeders Crown to Indiana.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Indiana Standardbred Association; the mayor of Anderson, Indiana; Indiana Commissioners; and Hoosier Park.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Lanane and Kenley.

### **House Concurrent Resolution 67**

Representative GiaQuinta introduced House Concurrent Resolution 67:

A CONCURRENT RESOLUTION recognizing Mark GiaQuinta.

*Whereas, Mark GiaQuinta served as a member of the Fort Wayne Community Schools board for 10 years, serving as president for the majority of that time;*

*Whereas, Elected to the board in November 2006, Mark GiaQuinta will resign effective April 1, 2017;*

*Whereas, Serving as vice president his first year in office, Mark GiaQuinta presided over the board as president from 2008 until January 2017;*

*Whereas, Under Mark GiaQuinta's leadership, Fort Wayne Community Schools passed two successful building referendums, implemented the Balanced Scorecard, and established a new district mission, vision, set of core values, and strategies;*

*Whereas, The high school district graduation rate increased by more than 10 percent to 89.2 percent under Mark GiaQuinta's guidance;*

*Whereas, Mark GiaQuinta was instrumental in reshaping the nature of board governance and in establishing the proper roles for the governing board and the management team;*

*Whereas, In recognition of his many accomplishments, Mark GiaQuinta was named the 2014 Journal Gazette Citizen of the Year along with Fort Wayne Community Schools Superintendent Dr. Wendy Robinson and was the recipient of the 2015 CUBE Award for Urban School Board Excellence; and*

*Whereas, Known as an ardent champion of public education, Mark GiaQuinta will be greatly missed by the Fort Wayne Community Schools board and by all the citizens of Fort Wayne: 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 Mark GiaQuinta's years of dedicated service to the city of Fort Wayne and its schools and wishes Mark continued success in all his future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Mark GiaQuinta and his family.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Long.

**House Resolution 49**

Representative Shackelford introduced House Resolution 49:

A HOUSE RESOLUTION recognizing the Youth LEADership and Prevention Summit's efforts for a Youth Bill of Rights.

*Whereas, The Youth LEADership Summit is a youth conference geared toward giving youth a platform to hear and learn from professionals regarding academics, decision making, and advocacy;*

*Whereas, The Youth LEADership and Prevention Summit brought together more than 200 motivated students to take the rights of adolescents to heart and begin the task of developing a "Youth Bill of Rights" for the city of Indianapolis;*

*Whereas, This Youth Bill of Rights reflects the values, dreams, and aspirations of area youth;*

*Whereas, The Youth LEADership and Prevention Summit sponsors workshops led by youth about building community and respecting all cultures; food deserts, healthy food, and clean water; understanding healthy relationships; self-determination; social media safety; systemic oppression; and mastering money;*

*Whereas, Upon concluding the summit survey, data was reviewed and the results were used to help shape the framework for the Youth Bill of Rights;*

*Whereas, The survey results indicated that area youth want to develop sustainable relationships and opinions with law enforcement; establish the right for students to be treated with respect and as equals; build healthy relationships based on honesty, trust, and communication; learn about the opportunities and risks of social networking; respect all cultures and address the needs of all people; acquire the skills, training, and access to help them become our nation's future leaders; guarantee the right to make mistakes so they can continue to learn and grow;*

*Whereas, The survey results also indicated that youth want to have the opportunity to study curriculum that is relevant to their life experiences, which includes content acknowledging the struggle of oppressed people and the right to learn about basic money management and a good quality of life; and*

*Whereas, The Youth LEADership and Prevention Summit's facilitators are continuing to learn how to let their rights be known and voices be heard through civic education: Therefore,*

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

SECTION 1. That the Indiana House of Representatives recognizes the efforts made by the Youth LEADership and Prevention Summit to help the youth of Indianapolis and around the country to feel that their voices can be heard through civic participation and the legislative process.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Youth LEADership and Prevention Summit leaders.

The resolution was read a first time and adopted by voice vote.

**House Resolution 50**

Representatives Arnold and Stemler introduced House Resolution 50:

A HOUSE RESOLUTION memorializing First Sergeant Ron Magill.

*Whereas, First Sergeant Ron Magill was born on March 20, 1940, in Paoli and passed away on March 2, 2017, at the age of 76 in New Albany;*

*Whereas, Ron Magill married Linda Kay Milligan on December 18, 1960, and together they had three children — Rick (deceased), Mike, and Ronda;*

*Whereas, Ron Magill was appointed to serve Crawford County as an Indiana conservation officer on November 1, 1963; his responsibilities would later be expanded to include patrol duties in Dubois County;*

*Whereas, Ron Magill was one of a handful of professionals who were instrumental in the reintroduction of wild turkeys into Indiana, securing many of the original release sites and pioneering the trap and transplant program;*

*Whereas, Ron Magill retired as a First Sergeant in Operational District Eight of the Indiana Department of Natural Resources Law Enforcement Division on March 31, 2000, after serving the citizens of Indiana with great distinction for almost 37 years;*

*Whereas, Ron Magill was an avid outdoorsman who enjoyed hunting, especially wild turkey, and fishing, gardening, and woodworking;*

*Whereas, Ron Magill, along with golfing legend Fuzzy Zoeller and ICO Dennis Talley, initiated a program to raise funds for local Crawford County schools;*

*Whereas, Now more than a decade later, the funds raised by this program have been used to provide supplies and to purchase playground equipment, among other uses;*

*Whereas, Ron Magill was also an avid Indiana University fan who enjoyed playing Santa Claus for children and family members in English; and*

*Whereas, The passing of First Sergeant Ron Magill leaves a void in the lives of those he touched that can never be filled: Therefore,*

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

SECTION 1. That the members of the Indiana House of Representatives express their heartfelt sympathies to the family of First Sergeant Ron Magill and their gratitude for a lifetime spent serving others.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the family of First Sergeant Ron Magill.

The resolution was read a first time and adopted by voice vote.

### House Resolution 51

Representative Miller introduced House Resolution 51:

A HOUSE RESOLUTION urging the legislative council to assign to the appropriate committee the topic of applications for certificates of title by using an individual taxpayer identification number instead of a Social Security number.

*Whereas, Today Social Security numbers (SSN) have become the national identifier;*

*Whereas, Identity thieves seek SSNs so they can assume the identity of another person and commit fraud;*

*Whereas, It is wise, therefore, to limit access to SSNs; and*

*Whereas, The creation of new ways to prevent identity theft deserves further study: Therefore,*

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

SECTION 1. That the legislative council is urged to assign to the appropriate committee the topic of applications for certificates of title by using an individual taxpayer identification number instead of a Social Security number.

The resolution was read a first time and referred to the Committee on Roads and Transportation.

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred Senate Bill 1, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 7.1-7-1-1, AS ADDED BY P.L.176-2015, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. **(a) Except as provided in subsection (b),** this article applies to the following:

(1) The commercial manufacturing, bottling, selling, bartering, or importing of e-liquid in Indiana.

(2) The sale, possession, and use of e-liquid products in Indiana.

**(b) This article does not apply to a manufacturer of a closed system vapor product, except as specifically provided in this article."**

Page 2, delete lines 16 through 20.

Page 2, strike line 25.

Page 2, line 26, strike "(2)" and insert **"(1)"**.

Page 2, line 26, after "cartridge" insert ";".

Page 2, line 26, strike "containing not more than".

Page 2, line 27, delete **"five (5)"**.

Page 2, line 27, strike "milliliters of liquid;".

Page 2, line 28, strike "(3)" and insert **"(2)"**.

Page 2, line 33, delete "contains" and insert **"may or may not contain"**.

Page 2, delete lines 39 through 42, begin a new paragraph

and insert:

"SECTION 7. IC 7.1-7-2-12, AS ADDED BY P.L.176-2015, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. **"Flavorings"** **"Flavoring"** means a food grade additive or synthetic flavoring substance that is used to add flavor, that is **approved not prohibited** by the federal Food and Drug Administration as a permissible flavoring, and that is not prohibited by law."

Page 3, delete line 1.

Page 3, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 10. IC 7.1-7-2-15, AS ADDED BY P.L.176-2015, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15. "Manufacturer" means a person, ~~or cooperative~~, located inside or outside Indiana, that is engaged in manufacturing e-liquid.

SECTION 11. IC 7.1-7-2-15.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15.5. "Manufacturer of a closed system vapor product" means a manufacturer of vapor products whose closed system vapor products are for sale in Indiana, but does not produce open system vapor products that are for sale in Indiana."**

Page 3, delete lines 16 through 19, begin a new paragraph and insert:

"SECTION 11. IC 7.1-7-2-17.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 17.5. "Modified risk tobacco product" means a tobacco product that is marketed as having lower health risks than other tobacco products."**

Page 4, delete lines 16 through 22, begin a new paragraph and insert:

"SECTION 17. IC 7.1-7-3-3, AS ADDED BY P.L.176-2015, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. ~~(a) Not later than December 31, 2015,~~ The commission shall adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to implement this article, **including rules concerning e-liquid manufacturing permits and labeling of e-liquids.**

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

Page 6, line 20, delete "(6)".

Page 6, line 20, strike "Written consent allowing the state police department to".

Page 6, strike lines 21 through 22.

Page 6, line 29, delete "(7)" and insert **"(6)"**.

Page 7, line 19, delete "(4)".

Page 7, line 19, strike "Verification that the facility".

Page 7, line 20, delete "complies with all tobacco products good".

Page 7, delete lines 21 through 25.

Page 7, line 26, delete "(5)" and insert **"(4)"**.

Page 7, line 34, delete "(6)" and insert **"(5)"**.

Page 8, line 4, delete "section," and insert "section:

**(1) "adulterated" means a product containing any substance not identified on the product's label or that was manufactured in a filthy, putrid, or unsafe environment; and**

**(2)".**

Page 8, reset in roman lines 21 through 22.

Page 8, line 23, reset in roman "(5)".

Page 8, line 23, delete "(4)".

Page 8, line 23, delete "include" and insert "include:".

Page 8, line 23, strike "a:".

Page 8, line 24, delete "lot code;" and insert **"identifiable and trackable code;"**.

Page 8, line 24, strike "and".

Page 8, line 25, strike "means for the commission to obtain".

Page 8, line 26, delete "." and insert ";

**(C) the Indiana e-liquid manufacturer permit number; and**

**(D) beginning January 1, 2018, and until specific rules are adopted by the commission, the following statement if nicotine is in the product: "WARNING: THIS PRODUCT CONTAINS NICOTINE.""**

Page 8, reset in roman lines 27 through 29.

Page 8, line 30, reset in roman "(7) An e-liquid container must be".

Page 8, line 31, reset in roman "sold by the".

Page 8, line 31, reset in roman "retailer by the earlier of".

Page 8, reset in roman lines 32 through 34.

Page 8, line 37, delete "The" and insert "**(8)** The".

Page 8, line 37, after "manufacturer" insert "retailer".

Page 8, line 37, reset in roman "must take reasonable steps to ensure that an".

Page 8, reset in roman lines 38 through 39.

Page 8, delete lines 40 through 42.

Page 9, delete lines 1 through 7.

Page 9, line 31, after "(17)" insert "**(9)**".

Page 9, line 31, reset in roman "The manufacturer must submit to random site visits by the".

Page 9, reset in roman line 32.

Page 9, delete lines 33 through 35.

Page 9, line 36, delete "(8)" and insert "**(10)**".

Page 10, between lines 2 and 3, begin a new line block indented and insert:

**"(11) A manufacturer may use a flavoring, as defined by IC 7.1-7-2-12, as an ingredient in an e-liquid."**

Page 10, line 3, delete "(9)" and insert "**(12)**".

Page 10, line 4, after "felony" insert ".".

Page 10, line 4, strike "or an offense".

Page 10, strike line 5.

Page 10, between lines 5 and 6, begin a new paragraph and insert:

**"(c) A manufacturer of a closed system vapor product must comply with subsection (b)(4)(A)."**

Page 10, line 25, after "felony" insert ",".

Page 10, line 25, strike "involving a".

Page 10, strike line 26.

Page 10, delete lines 34 through 42, begin a new paragraph and insert:

**"SECTION 22. IC 7.1-7-5-1 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 1: (a) E-liquid distributed and sold within Indiana may be comprised of any of the following ingredients:**

**(1) Vegetable glycerol or vegetable glycerin.**

**(2) Propylene glycol.**

**(3) Nicotine.**

**(4) Flavorings.**

**(5) Water.**

**(6) Other ingredients approved by the department under section 2 of this chapter or any ingredient specifically approved for inclusion in e-liquid by the federal Food and Drug Administration.**

**(b) A person may not purchase, sell, use, or possess any substance intended to be vaporized and inhaled in a vapor pen that contains any ingredient other than an ingredient allowed under subsection (a):**

**(c) All e-liquid retailers, distributors, and manufacturers who mix, bottle, or sell e-liquid in Indiana before July 1, 2015, shall, before July 1, 2016:**

**(1) sell or remove from retail all inventory of e-liquid manufactured before July 1, 2015, that was not manufactured, mixed, bottled, packaged, stored, or sold in compliance with this article; or**

**(2) acquire:**

**(A) a valid tobacco sales certificate issued by the**

**commission in accordance with IC 7.1-3-18.5-1 that contains a separate box to check for identifying a retailer that sells e-liquids;**

**(B) an e-liquid manufacturing permit issued under IC 7.1-7-4; or**

**(C) a distributor's license issued under IC 6-7-2-8.**

**SECTION 22. IC 7.1-7-5-1.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.1 (a) A retailer must have a valid sales certificate issued by the commission in accordance with IC 7.1-3-18.5-1 that contains a separate box to check for identifying a retailer that sells e-liquids.**

**(b) A retailer may purchase e-liquid only from an Indiana e-liquid manufacturing permit holder or an Indiana distributor permit holder.**

**(c) A retailer shall retain all invoices for e-liquid that the retailer purchases for two (2) years.**

**(d) A retailer shall not allow the self-service sale for individuals purchasing e-liquid.**

**(e) A retailer may not sell an electronic cigarette that contains more than seventy-five (75) milligrams per milliliter of nicotine.**

**(f) A manufacturer must have an e-liquid manufacturing permit issued under IC 7.1-7-4.**

**(g) A distributor that does not have a valid e-liquid manufacturing permit issued under IC 7.1-7-4 must have a valid distributor's license issued under IC 6-7-2-8.**

**(h) A distributor shall indicate on each invoice of a sale of an e-liquid product to an Indiana retailer or Indiana distributor if the e-liquid product sold was obtained from an Indiana manufacturer permit holder or from another Indiana distributor. A distributor shall retain all invoices described in this subsection for at least two (2) years.**

**(i) A manufacturer shall quarterly submit a report to the commission setting forth:**

**(1) each new product that the manufacturer is producing with a list of the contents and ingredients by volume; and**

**(2) whether the manufacturer has stopped producing products previously produced.**

**(j) A manufacturer shall annually submit a report to the commission setting forth:**

**(1) the milligrams per milliliter of nicotine in each product the manufacturer produces; and**

**(2) the milliliters of each product sold that current year.**

**(k) A manufacturer, distributor, or retailer may not market e-liquid as a modified risk tobacco product, as defined by IC 7.1-7-2-17.5, that has not been designated as a "modified risk tobacco product" by the federal Food and Drug Administration.**

**(l) Except as provided in subsection (m), a manufacturer, including a manufacturer of a closed system vapor product, shall annually submit a list of the ingredients used in each product the manufacturer produces and that is sold in Indiana.**

**(m) A manufacturer of a closed system vapor product is not required to submit a report described in subsection (l) if the manufacturer submits to the commission a certification that each of the manufacturer's vapor products sold in Indiana has been filed with the federal Food and Drug Administration."**

Page 11, delete lines 1 through 21.

Page 11, line 24, after "manufacturer" insert ", distributor, or retailer".

Page 11, line 25, after "manufacturer" insert ", distributor, or retailer".

Page 11, line 26, after "permit" insert ", distributor's license, or retailer's tobacco sales certificate".

Page 11, line 41, after "manufacturer" insert ", **distributor, or retailer**".

Page 12, line 5, after "knowingly" insert "**and intentionally**".  
Page 12, line 5, delete "or".

Page 12, line 11, after "e-liquid;" insert "**or**

**(3) knowingly and intentionally sells e-liquid to a person and the sale does not occur in a direct, face-to-face exchange;**".

Page 12, line 12, strike "infraction." and insert "**misdemeanor**".

Page 13, line 31, strike "infraction." and insert "**misdemeanor**".

Page 14, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 26. IC 35-52-7-97 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 97. IC 7.1-7-6-2 defines a crime concerning e-liquids.**"

Re-number all SECTIONS consecutively.

(Reference is to SB 1 as reprinted February 28, 2017.)  
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

SMALTZ, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 15, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 4.

Page 5, delete lines 1 through 3.

Page 5, line 9, delete "'caregiver" refers to a parent," and insert "**'healthcare provider" has the meaning set forth in IC 16-18-2-163(a). The term also includes a pharmacy and an advanced practice nurse.**"

Page 5, delete lines 10 through 42.

Delete pages 6 through 7.

Page 8, delete lines 1 through 35.

Page 8, line 36, delete "Sec. 13." and insert "**Sec. 2.**"

Page 8, line 36, delete "and".

Page 8, line 37, delete "criminal".

Page 8, line 37, delete "hemp extract" and insert "**cannabidiol as defined in IC 35-48-1-6.5.**"

Page 8, line 39, delete "hemp extract" and insert "**cannabidiol as defined in IC 35-48-1-6.5.**"

Page 8, line 39, delete "presents and shows to a health care provider:" and insert "**is a part of a clinical trial by a:**

**(1) governmental entity; or**

**(2) regionally accredited college or university.**"

Page 8, delete lines 40 through 42.

Delete pages 9 through 14, begin a new paragraph and insert:  
"SECTION 2. IC 35-48-1-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6.5. "Cannabidiol", for purposes of IC 35-48-4-11 and IC 16-42-28, means 2-(6-isopropenyl-3-methyl-2-cyclohexen-1-yl)- 5-pentyl- 1,3-benzenediol.**

SECTION 3. IC 35-48-4-11, AS AMENDED BY P.L.226-2014(ts), SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. (a) A person who:

(1) knowingly or intentionally possesses (pure or adulterated) marijuana, hash oil, hashish, or salvia;

(2) knowingly or intentionally grows or cultivates marijuana; or

(3) knowing that marijuana is growing on the person's

premises, fails to destroy the marijuana plants; commits possession of marijuana, hash oil, hashish, or salvia, a Class B misdemeanor, except as provided in subsections (b) through (c).

(b) The offense described in subsection (a) is a Class A misdemeanor if the person has a prior conviction for a drug offense.

(c) The offense described in subsection (a) is a Level 6 felony if:

(1) the person has a prior conviction for a drug offense; and

(2) the person possesses:

(A) at least thirty (30) grams of marijuana; or

(B) at least five (5) grams of hash oil, hashish, or salvia.

**(d) It is a defense to a prosecution under subsection (a)(1) based on possession of a substance containing cannabidiol if all of the following apply:**

**(1) The substance containing cannabidiol is a pharmaceutical product provided:**

**(A) by a wholesale drug distributor (as defined in IC 25-26-14-12):**

**(i) approved by the federal Food and Drug Administration; or**

**(ii) subject to regulation by, and in compliance with rules adopted by, the Indiana board of pharmacy; or**

**(B) as part of a clinical trial by a:**

**(i) governmental entity; or**

**(ii) regionally accredited college or university.**

**(2) The substance containing cannabidiol is delivered in a container labeled with the origin, volume, and concentration by weight of total THC, including its precursors and derivatives, and cannabidiol.**

**(3) The substance contains:**

**(A) not more than three-tenths percent (0.3%) total THC, including its precursors and derivatives, by weight; and**

**(B) at least ten percent (10%) cannabidiol by weight.**

**(4) The person who possesses the cannabidiol:**

**(A) has a written diagnosis from a physician stating that the person has been diagnosed with Dravet syndrome or Lennox-Gastaut syndrome; or**

**(B) is the parent or guardian of a child and has a written diagnosis from a physician stating that the child has been diagnosed with Dravet syndrome or Lennox-Gastaut syndrome."**

Re-number all SECTIONS consecutively.

(Reference is to SB 15 as reprinted February 14, 2017.)  
and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

WASHBURN, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 38, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 2. IC 35-38-9-2, AS AMENDED BY P.L.142-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) Except as provided in subsection (b) and section 8.5 of this chapter, this section applies only to a person convicted of a misdemeanor, including a Class D felony (for a crime committed before July

1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) reduced to a misdemeanor.

(b) This section does not apply to **the following**:

(1) A person convicted of two (2) or more felony offenses that:

- (+) (A) involved the unlawful use of a deadly weapon; and
- (-) (B) were not committed as part of the same episode of criminal conduct.

(2) A sex or violent offender (as defined in IC 11-8-8-5).

(c) Not earlier than five (5) years after the date of conviction (unless the prosecuting attorney consents in writing to an earlier period), the person convicted of the misdemeanor may petition a court to expunge all conviction records, including records contained in:

- (1) a court's files;
- (2) the files of the department of correction;
- (3) the files of the bureau of motor vehicles; and
- (4) the files of any other person who provided treatment or services to the petitioning person under a court order;

that relate to the person's misdemeanor conviction.

(d) A person who files a petition to expunge conviction records shall file the petition in a circuit or superior court in the county of conviction.

(e) If the court finds by a preponderance of the evidence that:

- (1) the period required by this section has elapsed;
- (2) no charges are pending against the person;
- (3) the person has paid all fines, fees, and court costs, and satisfied any restitution obligation placed on the person as part of the sentence; and
- (4) the person has not been convicted of a crime within the previous five (5) years (or within a shorter period agreed to by the prosecuting attorney if the prosecuting attorney has consented to a shorter period under subsection (c));

the court shall order the conviction records described in subsection (c) expunged in accordance with section 6 of this chapter."

Renumber all SECTIONS consecutively.

(Reference is to SB 38 as printed February 10, 2017.) and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

WASHBURNE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 51, has had the same under consideration and begs leave to report the same back to the House 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 16-18-2-298.5, AS AMENDED BY P.L.6-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 298.5. (a) "Public health authority", for purposes of IC 16-22-8 and IC 16-41-9, means:

- (1) the state health commissioner of the state department;
- (2) a deputy or an assistant state health commissioner appointed by the state health commissioner, or an agent expressly authorized by the state health commissioner;
- (3) the local health officer; or
- (4) a health and hospital corporation established under IC 16-22-8-6.

(b) "Public health authority", for purposes of IC 16-19 and IC 16-42-27, means any of the following who is a licensed prescriber:

- (1) A deputy or assistant state health commissioner

appointed by the state health commissioner to act as a public health authority.

(2) An agent employed by the state department that is expressly authorized by the state health commissioner to act as a public health authority.

SECTION 2. IC 16-19-4-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 11. (a) The state health commissioner or the commissioner's designated public health authority who is a licensed prescriber may, as part of the individual's official capacity, issue a statewide standing order, prescription, or protocol that allows a pharmacist to administer or dispense an immunization that is recommended by the federal Centers for Disease Control and Prevention Advisory Committee on Immunization Practices for individuals who are not less than eleven (11) years of age.**

**(b) The state health commissioner or designated public health authority who issues a statewide standing order, prescription, or protocol under subsection (a) is immune from civil liability related to the issuing of the standing order, prescription, or protocol.**

SECTION 3. IC 16-38-5-3, AS AMENDED BY P.L.171-2014, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 3. (a) Records maintained as part of the immunization data registry are confidential.**

(b) The state department may release information from the immunization data registry to the individual or to the individual's parent or guardian if the individual is less than eighteen (18) years of age.

(c) Subject to subsection (d), the state department may release information in the immunization data registry concerning an individual to the following persons or entities:

- (1) The immunization data registry of another state.
- (2) A provider or a provider's designee.
- (3) A local health department.
- (4) An elementary or secondary school that is attended by the individual.
- (5) A child care center that is licensed under IC 12-17.2-4 in which the individual is enrolled.
- (6) A child care home that is licensed under IC 12-17.2-5 in which the individual is enrolled.
- (7) A child care ministry that is registered under IC 12-17.2-6 in which the individual is enrolled.
- (8) The office of Medicaid policy and planning or a contractor of the office of Medicaid policy and planning.
- (9) A child placing agency licensed under IC 31-27.
- (10) A college or university (as defined in IC 21-7-13-10) that is attended by the individual.

**(11) An entity, including a private entity, for the purpose of outreach and education to increase immunization rates, if the following conditions are met:**

**(A) The entity provides the following written information to the state department:**

- (i) Information concerning the proposed outreach and education, including the information the entity needs from the immunization data registry.**
- (ii) How the entity intends to use the information.**
- (iii) The safeguards the entity will take to protect the identity of each individual whose records will be released.**

**(B) The state department determines the proposed safeguards are adequate to protect the identity of each individual whose records will be released.**

**(C) An agreement is executed between the state department and the entity that specifies the entity's permitted use of the records and prohibits the release of names of individuals or any facts that**

**may lead to the identification of an individual.**

(d) Before immunization data may be released to a person or an entity, the person or entity must enter into a data use agreement with the state department that provides that information that identifies a patient will not be released to any other person or entity without the written consent of the patient unless the release is to a person or entity described in subsection (c).

(e) The state department may release summary statistics regarding information in the immunization data registry to a person or entity that has entered into a data use agreement with the state department.

SECTION 4. IC 25-26-13-24.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 24.5. The board shall post a copy of all statewide standing orders, prescriptions, and protocols issued under IC 16-19-4-11 on the board's Internet web site.**

Page 2, line 21, strike "sixty-five (65)" and insert "**fifty (50)**".

Page 2, line 38, after "exists," insert "**subject to IC 16-41-9-1.7(a)(2).**"

Page 3, after line 16, begin a new paragraph and insert:

**"(g) A pharmacist may administer an immunization that is provided according to a standing order, prescription, or protocol issued under this section or IC 16-19-4-11 by the state health commissioner or the commissioner's designated public health authority who is a licensed prescriber. If a pharmacist has received a protocol to administer an immunization from a physician and that specific immunization is covered by a standing order, prescription, or protocol issued by the state health commissioner or the commissioner's designated public health authority, the pharmacist must administer the immunization according to the standing order, prescription, or protocol issued by the state health commissioner or the commissioner's designated public health authority.**

SECTION 5. IC 34-30-2-60.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 60.1. IC 16-19-4-11 (Concerning issuance of certain standing orders, prescriptions, or protocols regarding pharmacists).**"

Remember all SECTIONS consecutively.

(Reference is to SB 51 as printed January 24, 2017.)  
and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

KIRCHHOFER, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures, to which was referred Senate Bill 60, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 2, after "SECTION," insert "**commission**" refers to the executive officers compensation advisory commission established by subsection (d).

**(b) As used in this SECTION,**"

Page 1, delete lines 4 through 9, begin a new paragraph and insert:

**"(c) As used in this SECTION, "executive officer" refers to any of the following:"**

Page 1, line 10, delete "governor;" and insert "**Governor.**"

Page 1, line 11, delete "lieutenant governor;" and insert "**Lieutenant governor.**"

Page 1, line 12, delete "secretary of state;" and insert "**Secretary of state.**"

Page 1, line 13, delete "auditor of state;" and insert "**Auditor of state.**"

Page 1, line 14, delete "treasurer of state;" and insert "**Treasurer of state.**"

Page 1, line 15, delete "attorney general; and" and insert "**State superintendent of public instruction.**"

Page 1, line 16, delete "state superintendent of public instruction;" and insert "**Attorney general.**"

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

**"(d) The executive officers compensation advisory commission is established.**

**(e) The commission consists of the following members:**

**(1) Three (3) members appointed by the speaker of the house of representatives. Not more than two (2) members appointed under this subdivision may be members of the same political party.**

**(2) Three (3) members appointed by the president pro tempore of the senate. Not more than two (2) members appointed under this subdivision may be members of the same political party.**

**(3) Three (3) members appointed by the governor. Not more than two (2) members appointed under this subdivision may be members of the same political party.**

**(f) The following may not be a commission member:**

**(1) An executive officer.**

**(2) An employee of the executive branch of state government.**

**(3) An individual who has a pecuniary interest in the salary of an executive officer. For purposes of this subdivision, an individual has a pecuniary interest in the salary of an executive officer if an increase in the salary of an executive officer will result in an ascertainable increase in the income or net worth of the individual.**

**(g) IC 2-5-1.2 applies to the operation of the commission.**

**(h) The legislative services agency may contract with consultants on behalf of the commission as the commission considers necessary.**

**(i) The commission shall do the following:**

**(1) For each executive officer listed in subsection (c), determine the most recent year that the executive officer received a salary increase.**

**(2) Receive information relating to the salaries of executive officers.**

**(3) Consider recommendations for suitable salaries for executive officers.**

**(4) Take testimony relating to the salaries of executive officers.**

**(j) The commission shall make written recommendations to the:**

**(1) legislative council; and**

**(2) budget committee;**

**concerning suitable salaries for executive officers.**

**(k) When making recommendations, the commission shall make a separate recommendation for each separate executive officer listed in subsection (c). If the commission determines that the current salary of an executive officer is appropriate, the commission shall make a recommendation for no adjustment of salary.**

**(l) This SECTION expires July 1, 2019."**

Page 2, delete lines 1 through 7.

(Reference is to SB 60 as printed February 1, 2017.)  
and when so amended that said bill do pass.

Committee Vote: yeas 7, nays 0.

TORR, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Small Business and Economic Development, to which was referred Senate Bill 90, has had the same under consideration and begs leave to



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

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

"SECTION 1. IC 6-2.5-8-7, AS AMENDED BY P.L.242-2015, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. (a) The department may, for good cause, revoke a certificate issued under section 1, 3, or 4 of this chapter. However, the department must give the certificate holder at least five (5) days notice before it revokes the certificate under this subsection. Good cause for revocation may include the following:

- (1) Failure to:
  - (A) file a return required under this chapter or for any tax collected for the state in trust; or
  - (B) remit any tax collected for the state in trust.
- (2) Being charged with a violation of any provision under IC 35.
- (3) Being subject to a court order under IC 7.1-2-6-7, IC 32-30-6-8, IC 32-30-7, or IC 32-30-8.
- (4) Being charged with a violation of IC 23-15-12.**

The department may revoke a certificate before a criminal adjudication or without a criminal charge being filed. If the department gives notice of an intent to revoke based on an alleged violation of subdivision (2), the department shall hold a public hearing to determine whether good cause exists. If the department finds in a public hearing by a preponderance of the evidence that a person has committed a violation described in subdivision (2), the department shall proceed in accordance with subsection (i) (if the violation resulted in a criminal conviction) or subsection (j) (if the violation resulted in a judgment for an infraction).

(b) The department shall revoke a certificate issued under section 1, 3, or 4 of this chapter if, for a period of three (3) years, the certificate holder fails to:

- (1) file the returns required by IC 6-2.5-6-1; or
- (2) report the collection of any state gross retail or use tax on the returns filed under IC 6-2.5-6-1.

However, the department must give the certificate holder at least five (5) days notice before it revokes the certificate.

(c) The department may, for good cause, revoke a certificate issued under section 1 of this chapter after at least five (5) days notice to the certificate holder if:

- (1) the certificate holder is subject to an innkeeper's tax under IC 6-9; and
- (2) a board, bureau, or commission established under IC 6-9 files a written statement with the department.

- (d) The statement filed under subsection (c) must state that:
  - (1) information obtained by the board, bureau, or commission under IC 6-8.1-7-1 indicates that the certificate holder has not complied with IC 6-9; and
  - (2) the board, bureau, or commission has determined that significant harm will result to the county from the certificate holder's failure to comply with IC 6-9.

(e) The department shall revoke or suspend a certificate issued under section 1 of this chapter after at least five (5) days notice to the certificate holder if:

- (1) the certificate holder owes taxes, penalties, fines, interest, or costs due under IC 6-1.1 that remain unpaid at least sixty (60) days after the due date under IC 6-1.1; and
- (2) the treasurer of the county to which the taxes are due requests the department to revoke or suspend the certificate.

(f) The department shall reinstate a certificate suspended under subsection (e) if the taxes and any penalties due under IC 6-1.1 are paid or the county treasurer requests the department to reinstate the certificate because an agreement for the payment of taxes and any penalties due under IC 6-1.1 has been reached to the satisfaction of the county treasurer.

- (g) The department shall revoke a certificate issued under

section 1 of this chapter after at least five (5) days notice to the certificate holder if the department finds in a public hearing by a preponderance of the evidence that the certificate holder has violated IC 35-45-5-3, IC 35-45-5-3.5, or IC 35-45-5-4.

(h) If a person makes a payment for the certificate under section 1 or 3 of this chapter with a check, credit card, debit card, or electronic funds transfer, and the department is unable to obtain payment of the check, credit card, debit card, or electronic funds transfer for its full face amount when the check, credit card, debit card, or electronic funds transfer is presented for payment through normal banking channels, the department shall notify the person by mail that the check, credit card, debit card, or electronic funds transfer was not honored and that the person has five (5) days after the notice is mailed to pay the fee in cash, by certified check, or other guaranteed payment. If the person fails to make the payment within the five (5) day period, the department shall revoke the certificate.

(i) If the department finds in a public hearing by a preponderance of the evidence that a person has a conviction for a violation of IC 35-48-4-10.5 and the conviction involved the sale of or the offer to sell, in the normal course of business, a synthetic drug or a synthetic drug lookalike substance by a retail merchant in a place of business for which the retail merchant has been issued a registered retail merchant certificate under section 1 of this chapter, the department:

- (1) shall suspend the registered retail merchant certificate for the place of business for one (1) year; and
- (2) may not issue another retail merchant certificate under section 1 of this chapter for one (1) year to any person:

- (A) that:
  - (i) applied for; or
  - (ii) made a retail transaction under;
 the retail merchant certificate suspended under subdivision (1); or
- (B) that:
  - (i) owned or co-owned, directly or indirectly; or
  - (ii) was an officer, a director, a manager, or a partner of;
 the retail merchant that was issued the retail merchant certificate suspended under subdivision (1).

(j) If the department finds in a public hearing by a preponderance of the evidence that a person has a judgment for a violation of IC 35-48-4-10.5 as an infraction and the violation involved the sale of or the offer to sell, in the normal course of business, a synthetic drug or a synthetic drug lookalike substance by a retail merchant in a place of business for which the retail merchant has been issued a registered retail merchant certificate under section 1 of this chapter, the department:

- (1) may suspend the registered retail merchant certificate for the place of business for six (6) months; and
- (2) may withhold issuance of another retail merchant certificate under section 1 of this chapter for six (6) months to any person:

- (A) that:
  - (i) applied for; or
  - (ii) made a retail transaction under;
 the retail merchant certificate suspended under subdivision (1); or
- (B) that:
  - (i) owned or co-owned, directly or indirectly; or
  - (ii) was an officer, a director, a manager, or a partner of;
 the retail merchant that was issued the retail merchant certificate suspended under subdivision (1).

Page 3, line 18, delete "cooperative or mutual entity" and insert **"cooperative entity"**.

Page 3, line 20, delete "cooperative or mutually" and insert **"cooperatively"**.

Page 3, line 25, after "governed" insert ";".

Page 3, delete line 26.

Page 3, line 33, delete "or mutual".  
 Page 3, line 35, after ";" insert "or".  
 Page 3, line 36, delete "or".  
 Page 3, delete line 37.  
 Page 3, line 38, delete "through (C)" and insert "**and (B)**".  
 Page 3, line 41, delete "or".  
 Page 3, line 42, delete "mutual".  
 Page 4, line 3, delete "or mutual".  
 Page 4, line 4, delete "or mutual".  
 Page 4, line 5, delete "(a)".  
 Page 4, line 8, delete "cooperative or" and insert "**cooperative**".  
 Page 4, line 9, delete "mutual".  
 Page 4, delete lines 18 through 24.  
 Page 4, line 31, after ";" insert "or".  
 Page 4, line 32, delete "or".  
 Page 4, delete line 33.  
 Page 4, line 34, delete "through (3)," and insert "**and (2),**".  
 Page 4, line 42, delete "." and insert "**under section 4 of this chapter.**".  
 Page 5, line 15, after ";" insert "or".  
 Page 5, line 16, delete "or".  
 Page 5, delete line 17.  
 Page 5, line 18, delete "through (C);" and insert "**and (B);**".  
 Page 6, line 15, delete "upon the business entity under section 5(b)".  
 Page 6, line 16, delete "of this chapter or".  
 Renumber all SECTIONS consecutively.  
 (Reference is to SB 90 as printed February 7, 2017.)  
 and when so amended that said bill do pass.  
 Committee Vote: yeas 8, nays 0.

MORRIS, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Engrossed Senate Bill 128, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to ESB 128 as printed March 21, 2017.)

Committee Vote: Yeas 20, Nays 0.

BROWN T, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred Senate Bill 154, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 11, delete "ten thousand dollars (\$10,000)." and insert "**five thousand dollars (\$5,000).**".

Page 1, line 12, delete "subsection:" and insert "**subsection, an individual's funeral and burial resources, including both revocable and irrevocable resources, may not be counted.**".

Page 1, delete lines 13 through 17.

Page 2, delete lines 1 through 3.

Page 2, after line 5, begin a new paragraph and insert:

**"(d) Before November 1, 2018, the division shall submit a report in an electronic format under IC 5-14-6 to the legislative council concerning the projected total amounts that individuals receiving SNAP benefits would be required to repay over the period beginning January 1, 2018, and ending December 31, 2019, due to positive errors, in which individuals are approved for an amount in error and then are required to repay the amount. The projected total amounts must be based on the amounts that individuals receiving SNAP benefits have been required to repay over**

**the period beginning January 1, 2018, and ending September 30, 2018, due to positive errors."**

(Reference is to SB 154 as reprinted February 28, 2017.)  
 and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

FRIZZELL, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 156, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, after line 18, begin a new paragraph and insert:

**"SECTION 2. [EFFECTIVE JULY 1, 2017] (a) Not later than January 1, 2018, the office of the secretary of family and social services, with the assistance of the state department of health and the department of administration, shall report to the legislative council in an electronic format under IC 5-14-6 a comprehensive plan to increase the number of inpatient and residential beds used for detoxification, treatment, and rehabilitation. The report must include the following:**

**(1) The number, location, and availability of beds in Indiana that are used for drug and alcohol detoxification, treatment, and rehabilitation.**

**(2) The location and physical description of state owned buildings that are currently available, or expected to be available before July 1, 2018, and are appropriate for conversion and use to provide beds in Indiana for drug and alcohol detoxification, treatment, and rehabilitation.**

**(3) The feasibility of using currently unused hospital and health care facility beds for drug and alcohol detoxification, treatment, and rehabilitation, including the following:**

**(A) Licensure, regulatory, or statutory barriers that would prevent or affect use of the currently unused beds for drug and alcohol detoxification, treatment, and rehabilitation.**

**(B) Possible methods of payment and reimbursement for drug and alcohol detoxification, treatment, and rehabilitation provided in a hospital or health care facility.**

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

Renumber all SECTIONS consecutively.

(Reference is to SB 156 as reprinted February 1, 2017.)  
 and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

KIRCHHOFER, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 190, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 6, delete "single episode of criminal" and insert "**thirty (30) day period**".

Page 1, line 7, delete "conduct (as defined in IC 35-50-1-2(b))".

Page 1, line 9, delete "single episode of criminal conduct" and insert "**thirty (30) day period**".

Renumber all SECTIONS consecutively.

(Reference is to SB 190 as printed January 13, 2017.)  
 and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

WASHBURNE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 198, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

- Page 1, delete lines 1 through 8.
- Page 2, reset in roman line 4.
- Page 2, line 5, delete "(5)".
- Page 2, line 5, strike "the state workforce innovation council;"
- Page 3, reset in roman line 31.
- Page 3, line 32, reset in roman "(C)".
- Page 3, line 32, delete "(B)".
- Page 3, line 34, reset in roman "(D)".
- Page 3, line 34, delete "(C)".
- Page 3, line 35, reset in roman "(E)".
- Page 3, line 35, delete "(D)".
- Page 3, line 36, reset in roman "(F)".
- Page 3, line 36, delete "(E)".
- Page 3, line 37, delete "(F)".
- Page 3, line 37, strike "The state workforce innovation council;"
- Page 4, reset in roman lines 13 through 17.
- Page 6, delete lines 12 through 42, begin a new paragraph and insert:  
 "SECTION 8. IC 20-20-38-12, AS ADDED BY P.L.7-2011, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. (a) The state board shall review the legislative budget requests for secondary and postsecondary career and technical education prepared by the state educational institutions.  
 (b) After the review under subsection (a) and a review of any recommendations from the council, the state board shall make recommendations to the budget committee concerning the appropriation of state funds and the allocation of federal funds for secondary and postsecondary career and technical education, including federal funds available under the Carl D. Perkins Vocational and Applied Technology Act (20 U.S.C. 2301 et seq.). The state board's recommendations concerning appropriations and allocations for secondary and postsecondary career and technical education by secondary schools and state educational institutions must specify:  
 (1) the minimum funding levels required by 20 U.S.C. 2301 et seq.;  
 (2) the categories of expenditures and the distribution plan or formula for secondary schools; and  
 (3) the categories of expenditures for each state educational institution.  
 (c) After reviewing the state board's recommendations, and each agency's budget request, the budget committee shall make recommendations to the general assembly for funding to implement secondary and postsecondary career and technical education. The general assembly shall biennially appropriate state funds for secondary and postsecondary career and technical education and allocate federal funds available under 20 U.S.C. 2301 et seq. for secondary and postsecondary career and technical education. At least sixty percent (60%) of the federal funds available under 20 U.S.C. 2301 et seq. must be allocated to secondary level career and technical education to implement the long range state plan developed under section 4 of this chapter.  
 (d) The budget agency, with the advice of the state board, and the budget committee, may augment or proportionately reduce an allocation of federal funds made under subsection (c).

**(e) The state board shall use data from the department of workforce development in making a recommendation under this section."**

- Delete page 7.
- Page 8, delete lines 1 through 36.
- Page 10, line 5, after "department" insert ", in consultation with the department of workforce development,"
- Page 10, line 7, delete "schools in fifteen (15) school" and insert "a school selected by the department in consultation with the department of workforce development. The department shall select fifteen (15) schools to participate in the pilot program, which must include the following:"
- Page 10, delete lines 8 through 9.
- Page 10, line 10, after "(5)" insert "schools in".
- Page 10, line 11, after "(5)" insert "schools in".
- Page 10, line 12, after "(5)" insert "schools in".
- Page 10, line 13, delete "." and insert ", unless the department determines that the pilot program should be continued for an additional year to improve implementation in the pilot schools selected under this subsection. If the department determines that the pilot program should be extended, the pilot program expires July 1, 2019.
- (i) Beginning July 1 in the year in which the pilot program described in subsection (h) expires, each school within a school corporation and charter school shall include in the school's curriculum for all students in grade 8 instruction in and the use of either:  
 (1) the Indiana career explorer program and curriculum; or  
 (2) an alternative Internet based system and curriculum that provides students with career and college planning resources that has been approved by the department under subsection (j).
- (j) A school corporation or charter school may submit a request to the department to approve an alternative Internet based system and curriculum that provides students with career and college planning resources. The department, in consultation with the department of workforce development, may approve an alternative system and curriculum if the department determines that the alternative system:  
 (1) has an aptitude assessment tool;  
 (2) contains educational course track information;  
 (3) has a tool for the preparation and development of the graduation plan prescribed in IC 20-30-4, including a parent sign in component; and  
 (4) allows access to education and career demand information using data prepared by the department of workforce development."
- Page 10, delete lines 14 through 42, begin a new paragraph and insert:  
 "SECTION 10. 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. "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 11. 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. "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 12. 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. "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 13. 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) **This subsection applies after June 30, 2018. The state board shall adopt rules that further define the nature and extent of participation in a program qualifying for approval.**

(d) 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 14. 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) For state fiscal years beginning after June 30, 2015, and ending before July 1, 2018, under section 12 of this chapter.

(3) For state fiscal years beginning after June 30, 2018, under section 16 of this chapter.

SECTION 15. 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 16. 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 17. 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 18. 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) This section applies after June 30, 2018.**

**(b) 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.

**(c) If a new career and technical education program is created by rule, the department of workforce development, in consultation with the department, shall determine the category in which the program is designated under subsection (b). A career and technical education program must be approved by the department of workforce development, in consultation with the department, in order for a school corporation to be eligible to receive a grant under section 16 of this chapter. However, the state board is responsible for implementing career and technical education programs in the manner prescribed in IC 20-20-38.**

SECTION 19. 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, 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.

(e) (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 20. 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) 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) 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) 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 21. 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 state board adjusts a count of ADM after a distribution is made under this chapter, the adjusted count retroactively applies to the grant amounts distributed to a 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 must report to the department, in a manner prescribed by the department, 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 per pupil costs reported to the department under this subsection on the department's Internet web site.

SECTION 22. 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) Before December 1 of each year, the department of workforce development shall provide a report to all school corporations that includes the following information:

(1) A list of the career and technical education courses that are designated by the department of workforce development as:

- (A) an apprenticeship program;
- (B) a cooperative education program;
- (C) a work based learning course;
- (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) 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 23. 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 24. 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 (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) 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 course 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 25. IC 20-43-8-18 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 18. 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 26. IC 22-4.1-4-9, AS AMENDED BY P.L.141-2016, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 9. (a) Before December 1 of each year, the department shall provide the department of education (established by IC 20-19-3-1) with a report, to be used to determine career and technical education grant amounts in the state fiscal year beginning after the year in which the report is provided, listing whether the labor market demand for each generally recognized labor category is more than moderate, moderate, or less than moderate. In the report, the department shall categorize each of the career and technical education programs using the following four (4) categories:**

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

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

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

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

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

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

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

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

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

**(e) This section expires June 30, 2018."**

Delete pages 11 through 20.

Renumber all SECTIONS consecutively.

(Reference is to SB 198 as printed February 24, 2017.) and when so amended that said bill do pass.

Committee Vote: yeas 18, nays 0.

BROWN T, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred Senate Bill 213, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 8, delete ""."

Page 1, line 9, delete "micro" and insert ""micro".

Page 1, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 3. IC 8-1-32.3-8, AS ADDED BY P.L.145-2015, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 8. (a) As used in this chapter, "permit authority" means a unit, a board, a commission, or any other governing body that makes legislative or administrative decisions concerning the construction, installation, modification, or siting of wireless facilities or wireless support structures. The term does not include:

- (1) the Indiana department of transportation;
- (2) the Indiana finance authority;
- (3) the state or any of its agencies, departments, boards, commissions, authorities, or instrumentalities;
- (4) the director of the department of natural resources; or
- (5) a court or other judicial body that reviews decisions or rulings made by a permit authority.

**(b) With respect to decisions concerning the construction, installation, modification, or siting of wireless facilities or wireless support structures in an area designated as:**

**(1) a historic preservation district under IC 36-7-11, "permit authority" means the historic preservation commission that:**

- (A) is established under IC 36-7-11-4; and**
- (B) has jurisdiction over the historic preservation district; or**

**(2) a historic preservation area under IC 36-7-11.1, "permit authority" means the historic preservation commission that:**

- (A) is established under IC 36-7-11.1-3; and**
- (B) has jurisdiction over the historic preservation area."**

Page 4, line 14, delete "An application for a permit or approval" and insert **"This section does not apply to an application for a permit or approval for the construction, placement, or use of small cell facilities in or within five hundred (500) feet of the boundaries of an area designated as:**

- (1) a historic preservation district under IC 36-7-11; or**
- (2) a historic preservation area under IC 36-7-11.1.**

**(b) An application for a permit or approval for the construction, placement, or use of small cell facilities is subject to the following:"**

Page 4, delete lines 15 through 16.

Page 4, line 21, delete "the greater of:" and insert **"fifty (50) feet measured from grade."**

Page 4, delete lines 22 through 25.

Page 5, line 1, delete "one hundred dollars (\$100)" and insert **"five hundred dollars (\$500)".**

Page 5, line 5, delete "fifty dollars (\$50)" and insert **"two hundred fifty dollars (\$250)".**

Page 5, between lines 6 and 7, begin a new line block indented and insert:

**"(4) With respect to an application for the construction, placement, or use of a small cell facility and the associated supporting structure, a permit authority may propose, as an alternative location for the proposed small cell facility, that the small cell facility be collocated on an existing utility pole or on an existing wireless support structure if the existing utility pole or the existing wireless support structure is located within fifty (50) feet of the location proposed in the application. The applicant shall use the alternative location proposed by the permit authority if:**

- (A) the applicant will have the right to use the alternative location on reasonable terms and conditions; and**
- (B) the alternative location will not result in**

**technical limitations or additional costs, as determined by the applicant."**

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

Page 5, line 12, after "chapter." insert **"However, notwithstanding section 22(f) of this chapter, not more than sixty (60) days after making an initial determination of completeness under section 22(d) of this chapter with respect to an application for the construction, placement, or use of a small cell facility and the associated supporting structure, a permit authority shall notify the applicant in writing whether the application is approved or denied. However, if the applicant requested additional time as allowed under section 22(e) of this chapter to cure defects in the application, the sixty (60) day period is extended for a corresponding amount of time."**

Page 5, line 13, delete "(b) With" and insert **"(c) Subject to subsection (d), with"**.

Page 5, delete lines 18 through 22.

Page 5, line 23, delete "(3)" and insert **"(2)".**

Page 5, line 23, delete "applicant's" and insert **"applicant's"**.

Page 5, line 27, delete "(4)" and insert **"(3)".**

Page 5, line 31, delete "(5)" and insert **"(4)".**

Page 5, line 32, delete "area" and insert **"area."**

Page 5, delete lines 33 through 38.

Page 5, line 39, delete "(7)" and insert **"(5)".**

Page 6, between lines 4 and 5, begin a new paragraph and insert:

**"(d) This chapter does not prohibit a permit authority from applying a reasonable and generally applicable safety regulation under IC 8-1-2-101(b) to the construction, placement, or use of small cell facilities and associated supporting structures in the public right-of-way."**

Page 6, line 5, delete "(c)" and insert **"(e)".**

Page 6, line 10, delete "the lesser of:" and insert **"fifty dollars (\$50) per utility pole per year."**

Page 6, delete lines 11 through 15.

Page 6, line 19, delete "\$".

Page 7, line 1, delete "consultants" and insert **"consultants"**.

Page 7, line 2, delete "The" and insert **"Subject to subdivision (7), the"**.

Page 7, after line 19, begin a new line block indented and insert:

**"(7) The unit may impose additional general terms and conditions for the construction, placement, or use of small cell facilities on utility poles owned or controlled by the unit if the additional general terms and conditions are reasonable and consistent with this chapter. Any additional general terms and conditions authorized by this subdivision must be included in the rates, fees, and terms that the unit is required to establish and make available under subdivision (5)."**

Renumber all SECTIONS consecutively.

(Reference is to SB 213 as reprinted February 24, 2017.) and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 2.

OBER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred Senate Bill 242, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 242 as printed February 24, 2017.)

Committee Vote: Yeas 9, Nays 0.

FRIZZELL, Chair

Report adopted.



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Insurance, to which was referred Senate Bill 303, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 12 through 13, begin a new line block indented and insert:

**"(2) does not bill a third party that provides coverage to the patient for the primary care health services; and".**

Page 1, line 14, after "for" insert **"the primary care health"**.

Page 2, line 2, delete "include" and insert **"includes"**.

(Reference is to SB 303 as printed February 10, 2017.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

CARBAUGH, Chair

Report adopted.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred Senate Bill 309, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, delete lines 21 through 33.

Page 3, reset in roman line 39.

Page 3, line 40, reset in roman "small hydro".

Page 3, line 40, delete "eligible".

Page 4, line 8, reset in roman "alternate energy production facilities, cogeneration facilities, or".

Page 4, line 9, reset in roman "small hydro".

Page 4, line 9, delete "eligible".

Page 4, line 11, reset in roman "alternate".

Page 4, line 12, reset in roman "energy production facility, cogeneration facility, or small hydro".

Page 4, line 12, delete "eligible".

Page 4, line 16, reset in roman "alternate energy".

Page 4, line 17, reset in roman "production, cogeneration, and small hydro".

Page 4, line 17, delete "eligible".

Page 5, line 3, reset in roman "alternate energy production facility,".

Page 5, line 4, reset in roman "cogeneration facility, or small hydro".

Page 5, line 4, delete "eligible".

Page 5, line 12, reset in roman "alternate energy".

Page 5, line 13, reset in roman "production facility, cogeneration facility, or small hydro".

Page 5, line 13, delete "eligible".

Page 7, line 14, after "(B)" insert **"if the applicant is an electricity supplier (as defined in IC 8-1-37-6),"**.

Page 7, line 37, reset in roman "alternate energy production facility,".

Page 7, line 38, reset in roman "cogeneration facility, or a small hydro".

Page 7, line 38, delete "eligible".

Page 11, delete lines 5 through 32, begin a new paragraph and insert the following:

**"Sec. 13. (a) This section applies to a customer that installs a net metering facility (as defined in 170 IAC 4-4.2-1(k)) on the customer's premises:**

**(1) after December 31, 2017; and**

**(2) before the date on which the net metering tariff of the customer's electricity supplier terminates under section 10(1) or 10(2) of this chapter.**

**(b) A customer that is participating in an electricity supplier's net metering tariff on the date on which the electricity supplier's net metering tariff terminates under section 10(1) or 10(2) of this chapter shall continue to be**

**served under the terms and conditions of the net metering tariff until:**

**(1) the customer removes from the customer's premises or replaces the net metering facility (as defined in 170 IAC 4-4.2-1(k)); or**

**(2) July 1, 2032;**

**whichever occurs earlier.**

**(c) A successor in interest to a customer's premises on which a net metering facility (as defined in 170 IAC 4-4.2-1(k)) that was installed during the period described in subsection (a) is located may, if the successor in interest chooses, be served under the terms and conditions of the net metering tariff of the electricity supplier that provides retail electric service at the premises until:**

**(1) the net metering facility (as defined in 170 IAC 4-4.2-1(k)) is removed from the premises or is replaced; or**

**(2) July 1, 2032;**

**whichever occurs earlier.**

**Sec. 14. (a) This section applies to a customer that installs a net metering facility (as defined in 170 IAC 4-4.2-1(k)) on the customer's premises before January 1, 2018.**

**(b) A customer that is participating in an electricity supplier's net metering tariff on December 31, 2017, shall continue to be served under the terms and conditions of the net metering tariff until:**

**(1) the customer removes from the customer's premises or replaces the net metering facility (as defined in 170 IAC 4-4.2-1(k)); or**

**(2) July 1, 2047;**

**whichever occurs earlier.**

**(c) A successor in interest to a customer's premises on which is located a net metering facility (as defined in 170 IAC 4-4.2-1(k)) that was installed before January 1, 2018, may, if the successor in interest chooses, be served under the terms and conditions of the net metering tariff of the electricity supplier that provides retail electric service at the premises until:**

**(1) the net metering facility (as defined in 170 IAC 4-4.2-1(k)) is removed from the premises or is replaced; or**

**(2) July 1, 2047;**

**whichever occurs earlier."**

Page 12, line 6, delete "(a) Subject to subsection (b), the" and insert **"The"**.

Page 12, delete lines 17 through 25.

Page 15, after line 3, begin a new paragraph and insert:

**"SECTION 7. [EFFECTIVE JULY 1, 2017] (a) As used in this SECTION, "legislative council" refers to the legislative council established by IC 2-5-1.1-1.**

**(b) As used in this SECTION, "committee" refers to the interim study committee on energy, utilities, and telecommunications established by IC 2-5-1.3-4(8).**

**(c) The legislative council is urged to assign to the committee during the 2017 legislative interim the topic of self-generation of electricity by school corporations.**

**(d) If the topic described in subsection (c) is assigned to the committee, the committee may:**

**(1) consider, as part of its study:**

**(A) use of self-generation of electricity by school corporations;**

**(B) funding of self-generation of electricity by school corporations; and**

**(C) any other matter concerning self-generation of electricity by school corporations that the committee considers appropriate; and**

**(2) request information from:**

**(A) the Indiana utility regulatory commission;**

**(B) school corporations; and**

**(C) any experts, stakeholders, or other interested parties;**



concerning the issues set forth in subdivision (1).

(e) If the topic described in subsection (c) is assigned to the committee, the committee shall issue a final report to the legislative council containing the committee's findings and recommendations, including any recommended legislation concerning the topic described in subsection (c) or the specific issues described in subsection (d)(1), in an electronic format under IC 5-14-6 not later than November 1, 2017.

(f) This SECTION expires December 31, 2017."

Renumber all SECTIONS consecutively.

(Reference is to SB 309 as reprinted February 24, 2017.) and when so amended that said bill do pass.

Committee Vote: yeas 8, nays 5.

OBER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 322, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 322 as reprinted February 28, 2017.)

Committee Vote: Yeas 10, Nays 1.

STEUERWALD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 324, has had the same under consideration and begs leave to report the same back to the House 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 35-31.5-2-235.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 235.3. "Pharmacist", for purposes of IC 35-42-5-1, means an individual who is licensed, registered, or otherwise permitted by the laws of Indiana or the United States to:**

- (1) dispense;
- (2) distribute; or
- (3) prescribe;

**a controlled substance as part of the individual's professional practice.**

SECTION 2. IC 35-31.5-2-235.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 235.4. "Pharmacy", for purposes of IC 35-42-5-1, means a facility or part of a facility used to:**

- (1) dispense;
- (2) distribute; or
- (3) store;

**controlled substances.**

SECTION 3. IC 35-42-5-1, AS AMENDED BY P.L.158-2013, SECTION 450, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 1. (a) Except as provided in subsection (b), a person who knowingly or intentionally takes property from another person or from the presence of another person:**

- (1) by using or threatening the use of force on any person; or
- (2) by putting any person in fear;

commits robbery, a Level 5 felony. However, the offense is a Level 3 felony if it is committed while armed with a deadly weapon or results in bodily injury to any person other than a defendant, and a Level 2 felony if it results in serious bodily injury to any person other than a defendant.

(b) A person who knowingly or intentionally takes a controlled substance from a pharmacist acting in an official capacity or from a pharmacy by:

- (1) using or threatening the use of force on any person; or
- (2) putting any person in fear;

commits robbery, a Level 4 felony. However, the offense is a Level 2 felony if it is committed while armed with a deadly weapon or results in bodily injury to any person other than the defendant, and the offense is a Level 1 felony if it results in serious bodily injury to any person other than the defendant."

Renumber all SECTIONS consecutively.

(Reference is to SB 324 as printed February 24, 2017.) and when so amended that said bill do pass.

Committee Vote: yeas 8, nays 1.

WASHBURNE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred Senate Bill 402, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 402 as printed February 14, 2017.)

Committee Vote: Yeas 9, Nays 0.

FRIZZELL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 408, has had the same under consideration and begs leave to report the same back to the House 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 2.

Page 1, line 3, delete "1, 2017]: Sec. 10. (a)", begin a new paragraph and insert:

"SECTION 1. [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)".

Page 1, line 3, delete "section," and insert "SECTION,".

Page 1, delete lines 5 through 17, begin a new paragraph and insert:

"(c) The legislative council is urged to assign to the appropriate interim study committee during the 2017 legislative interim the topic of potential improvements to the INSPECT program under IC 35-48-7, including the following:

- (1) Examining the best practices from other state controlled substance monitoring programs.
- (2) The feasibility of the INSPECT program becoming interoperable with other similar registries.
- (3) The benefits and costs of establishing requirements that a practitioner obtain information from the INSPECT program data base for patients who are prescribed certain specified drugs.

(d) If the topic described in subsection (c) is assigned to an interim study committee, the interim study committee shall issue a final report to the legislative council containing the interim study committee's findings and recommendations, including any recommended legislation, in an electronic format under IC 5-14-6, not later than

November 1, 2017.

(e) **This SECTION expires December 31, 2017.**"

Delete pages 2 through 9.

Page 10, delete line 1.

Page 10, delete "8." and insert "2."

Renumber all SECTIONS consecutively.

(Reference is to SB 408 as reprinted February 15, 2017.)  
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

KIRCHHOFER, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred Senate Bill 447, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 2. IC 12-17.2-3.5-8.5, AS ADDED BY P.L.171-2014, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 8.5. (a) A provider shall provide to all employees and volunteers of the provider the written material prepared and made available by the division under subsection (c).

(b) An employee or a volunteer of a provider who has reason to believe that a child in the provider's care is a victim of child abuse or neglect shall make a report as required under IC 31-33-5.

(c) The division shall do the following:

(1) Prepare written material specifying the following:

(A) The duty to report known or suspected child abuse or neglect under IC 31-33-5.

(B) That knowing failure to make a report required by:

(i) IC 31-33-5-1; **or**

(ii) IC 31-33-5-2; **or**

(iii) **IC 31-33-5-2.5;**

is a Class B misdemeanor under IC 31-33-22-1.

(2) Make the written material under subdivision (1) available to providers."

Page 7, line 18, delete "of:" and insert ", including the following:".

Page 7, line 19, after "(1)" insert "**Return to or continuation of existing custodial care within the home of the child's parent, guardian, or custodian or placement of the child with the child's noncustodial parent.**

(2) **Placement of the child for adoption.**

(3) **Placement of the child with a fit and willing relative who is able and willing to act as the child's permanent custodian and carry out the responsibilities required by the permanency plan.**

(4) **Appointment of a legal guardian.**

(5) **A supervised independent living arrangement or foster care for the child with a permanency plan of another planned, permanent living arrangement. However, a child less than sixteen (16) years of age may not have another planned, permanent living arrangement as the child's permanency plan."**

Page 7, delete lines 20 through 32.

Page 7, line 34, delete "concurrent".

Page 9, between lines 22 and 23, begin a new paragraph and insert:

"SECTION 9. IC 31-19-9-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 18. (a) **This section does not apply to the consent of an agency or local office that is served with notice under IC 31-19-4.5 and has lawful custody of a child whose adoption is being sought.**

(~~b~~) (b) The consent of a person who is served with notice

under IC 31-19-4.5 to adoption is irrevocably implied without further court action if the person:

(1) fails to file a motion to contest the adoption as required under IC 31-19-10 not later than thirty (30) days after service of notice under IC 31-19-4.5; or

(2) files a motion to contest the adoption as required under IC 31-19-10 but fails to:

(A) appear at the hearing to contest the adoption; and

(B) prosecute the motion to contest without unreasonable delay.

(~~b~~) (c) A court shall dismiss a motion to contest an adoption filed under subsection (a)(2) with prejudice and the person's consent to the adoption shall be irrevocably implied if the court finds that the person who filed the motion to contest is failing to prosecute the motion without unreasonable delay."

Page 12, line 36, delete "(f)".

Page 12, line 36, strike "Unless a person whose driving license or permit is suspended".

Page 12, line 37, strike "under this chapter has been".

Page 12, line 38, delete "granted".

Page 12, line 39, delete "specialized driving privileges under IC 9-30-16-4,".

Page 12, line 39, strike "a person who".

Page 12, strike lines 40 through 41.

Page 19, line 3, after "described" delete "a".

Page 41, line 17, reset in roman "(a)" and insert "**This section does not apply to an individual required to make a report under this article in the individual's capacity as a member of the staff of a hospital licensed under IC 16-21-2. An individual required to make a report under this article in the individual's capacity as a member of the staff of a hospital licensed under IC 16-21-2 is subject to section 2.5 of this chapter.**

(b)".

Page 41, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 33. IC 31-33-5-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2.5. (a) **This section applies only to an individual required to make a report under this article in the individual's capacity as a member of the staff of a hospital licensed under IC 16-21-2.**

(b) **If an individual is required to make a report under this article in the individual's capacity as a member of the staff of a hospital licensed under IC 16-21-2, the individual shall immediately notify the individual in charge of the hospital or the designated agent of the individual in charge of the hospital.**

(c) **An individual notified under subsection (b) shall immediately report or cause a report to be made to:**

(1) **the department; or**

(2) **the local law enforcement agency."**

Page 41, line 40, after "5." insert "**(a) This section does not apply to a hospital licensed under IC 16-21-2.**

(b)".

Page 42, between lines 1 and 2, begin a new paragraph and insert:

"SECTION 36. IC 31-33-7-4, AS AMENDED BY P.L.234-2005, SECTION 111, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. (a) **Except as provided in subsection (b), the department shall make a written report of a child who may be a victim of child abuse or neglect not later than forty-eight (48) hours after receipt of the oral or written report required of individuals by IC 31-33-5-4.**

(b) **The department shall make a written report of a child who is a missing child (as defined in IC 10-13-5-4) not later than twenty-four (24) hours after receipt of the oral or written report required of individuals by IC 31-33-5-4.**

(~~b~~) (c) Written reports under this section must be made on forms supplied by the administrator. The written reports must

include, if known, the following information:

- (1) The names and addresses of the following:
  - (A) The child.
  - (B) The child's parents, guardian, custodian, or other person responsible for the child's care.
- (2) The child's age and sex.
- (3) The nature and apparent extent of the child's injuries, abuse, or neglect, including any evidence of prior:
  - (A) injuries of the child; or
  - (B) abuse or neglect of the child or the child's siblings.
- (4) The name of the person allegedly responsible for causing the injury, abuse, or neglect.
- (5) The source of the report.
- (6) The person making the report and where the person can be reached.
- (7) The actions taken by the reporting source, including the following:
  - (A) Taking of photographs and x-rays.
  - (B) Removal or keeping of the child.
  - (C) Notifying the coroner.
- (8) The written documentation required by IC 31-34-2-3 if a child was taken into custody without a court order.
- (9) If the report concerns a missing child, any information concerning the time and circumstances related to the child becoming a missing child, including the child's last known location.**
- ~~(9)~~ **(10) Any other information that:**
  - (A) the director requires by rule; or
  - (B) the person making the report believes might be helpful."

Page 43, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 38. IC 31-33-22-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) A person who knowingly fails to make a report required by IC 31-33-5-1 commits a Class B misdemeanor.

(b) A person who knowingly fails to make a report required by IC 31-33-5-2 **or IC 31-33-5-2.5** commits a Class B misdemeanor. This penalty is in addition to the penalty imposed by subsection (a)."

Page 48, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 46. IC 31-34-15-4, AS AMENDED BY P.L.104-2015, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. A child's case plan must be set out in a form prescribed by the department that meets the specifications set by 45 CFR 1356.21. The case plan must include a description and discussion of the following:

- (1) A permanent plan, **or two (2) permanent plans if concurrent planning**, for the child and an estimated date for achieving the goal of the plan **or plans**.
- (2) The appropriate placement for the child based on the child's special needs and best interests.
- (3) The least restrictive family-like setting that is close to the home of the child's parent, custodian, or guardian if out-of-home placement is recommended. If an out-of-home placement is appropriate, the local office or department shall consider whether a child in need of services should be placed with the child's suitable and willing blood or adoptive relative caretaker, including a grandparent, an aunt, an uncle, or an adult sibling, before considering other out-of-home placements for the child.
- (4) Family services recommended for the child, parent, guardian, or custodian.
- (5) Efforts already made to provide family services to the child, parent, guardian, or custodian.
- (6) Efforts that will be made to provide family services that are ordered by the court.
- (7) A plan for ensuring the educational stability of the child while in foster care that includes assurances that the:

(A) placement of the child in foster care considers the appropriateness of the current educational setting of the child and the proximity to the school where the child is presently enrolled; and

(B) department has coordinated with local educational agencies to ensure:

- (i) the child remains in the school where the child is enrolled at the time of removal; or
- (ii) immediate, appropriate enrollment of the child in a different school, including arrangements for the transfer of the child's school records to the new school, if remaining in the same school is not in the best interests of the child.

(8) Any age appropriate activities that the child is interested in pursuing.

(9) If the case plan is for a child in foster care who is at least fourteen (14) years of age, the following:

(A) A document that describes the rights of the child with respect to:

- (i) education, health, visitation, and court participation;
- (ii) the right to be provided with the child's medical documents and other medical information; and
- (iii) the right to stay safe and avoid exploitation.

(B) A signed acknowledgment by the child that the:

- (i) child has been provided with a copy of the document described in clause (A); and
- (ii) rights contained in the document have been explained to the individual in an age appropriate manner."

Page 53, line 33, after "plan" insert ", **or plans, if concurrent planning,**".

Page 53, line 35, after "any" insert "**one (1), or two (2), if concurrent planning,**".

Page 53, strike lines 41 through 42.

Page 54, line 1, strike "(C)" and insert "**(B)**".

Page 54, line 2, strike "(D)" and insert "**(C)**".

Page 54, line 13, strike "(E)" and insert "**(D)**".

Page 54, line 21, strike "(F)" and insert "**(E)**".

Page 55, line 33, delete "P.L. 128-2012," and insert "SEA 49-2017,".

Page 55, line 34, delete "170," and insert "1,".

Page 56, between lines 15 and 16, begin a new paragraph and insert:

"(c) At the time the petitioner files the verified petition described in subsection (b) with the juvenile or probate court, the petitioner shall also file a:

- (1) copy of the order approving the permanency plan under IC 31-34-21-7 for the child; or
- (2) permanency plan for the child as described by IC 31-34-21-7.5."

Page 56, line 35, delete "the National Center for Missing and Exploited Children." and insert "**the department.**".

Page 56, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 54. IC 31-36-1-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 3.5. (a) If the department receives a report concerning a missing child who is described in 42 U.S.C. 671(a)(9)(C)(i)(I), the department shall provide the following information to the National Center for Missing and Exploited Children:**

- (1) Within twenty-four (24) hours of receipt, a copy of the report received by the department.**
- (2) Any other information or documentation in the possession of the department concerning the missing child that the department determines may be relevant to the location and return of the missing child.**

**(b) If the department receives a report concerning a missing child who is not described in 42 U.S.C.**

671(a)(9)(C)(i)(I), the department may provide a copy of any report received by the department that is relevant to the location of the child to the National Center for Missing and Exploited Children.

(c) If the department provides information to the National Center for Missing and Exploited Children as provided in subsection (b) or (c), the department shall also provide the following to the National Center for Missing and Exploited Children:

(1) A copy of any updated report provided to the department under IC 31-36-2-2.

(2) A copy of an assessment report completed by the department under IC 31-33-8.

(3) Any notification received by the department that the missing child has been located."

Renumber all SECTIONS consecutively.

(Reference is to SB 447 as printed February 7, 2017.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

FRIZZELL, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 457, has had the same under consideration and begs leave to report the same back to the House 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 9-25-2-1.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1.4. "Compliance response period", with respect to the occurrence of an event for which a person is required to provide evidence of financial responsibility, means the period:

(1) beginning on the date the bureau first issues a request to the person under this article to provide evidence of financial responsibility after the occurrence of the event; and

(2) ending on:

(A) the fortieth day following the date described in subdivision (1), for a request to provide evidence of financial responsibility issued before July 1, 2017; or

(B) the ninetieth day following the date described in subdivision (1), for a request to provide evidence of financial responsibility issued after June 30, 2017.

SECTION 2. IC 9-25-5-4, AS AMENDED BY P.L.125-2012, SECTION 251, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. (a) To avoid suspension of driving privileges or motor vehicle registration suspension, or both, under this article, a person identified under section 2 of this chapter who receives a request for evidence of financial responsibility must ensure that the insurance company of the person provides the bureau with a certificate of compliance indicating that financial responsibility required by IC 9-25-4-1 was in effect with respect to the motor vehicle, or the operation of the motor vehicle, on the date of the accident described in the accident report. It is the responsibility of the person who receives a request for evidence of financial responsibility to ensure that the insurance company of the person has provided a certificate of compliance.

(b) Proof that the bureau:

(1) did not receive a certificate of compliance **during the applicable compliance response period** for a person presented with a request for evidence of financial responsibility under section 2 of this chapter; ~~within forty (40) days after the date on which the person was presented~~

with the request;

(2) received a certificate of compliance that did not indicate that financial responsibility was in effect with respect to the motor vehicle that the person was operating on the date of the accident described in the accident report; or

(3) suspended the driving privileges or motor vehicle registration, or both, under IC 9-25-6-3 after presenting a person with a request for evidence of financial responsibility under section 2 of this chapter;

is prima facie evidence in a civil action that the person presented with the request for evidence of financial responsibility did not have an operator's or a motor vehicle liability policy in effect with respect to the motor vehicle that the person was operating on the date of the accident described in the accident report.

SECTION 3. IC 9-25-6-1, AS AMENDED BY P.L.59-2013, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) If:

(1) the bureau receives a certificate of compliance **during the applicable compliance response period** for a person identified under IC 9-25-5-2; ~~within forty (40) days after the date on which the bureau mailed the request for evidence of financial responsibility to the person;~~ and

(2) the certificate of compliance indicates that financial responsibility was in effect with respect to the motor vehicle or the operation of the motor vehicle at the time of the accident described in the accident report;

the bureau may not suspend the person's driving privileges.

(b) If:

(1) the bureau receives a certificate of compliance **during the applicable compliance response period** from a person presented with a request for evidence of financial responsibility under IC 9-25-9-1; ~~within forty (40) days after the date on which the person was presented with the request;~~ and

(2) the certificate of compliance indicates that financial responsibility was in effect with respect to the motor vehicle or the operation of the motor vehicle that the person was operating when the person committed the violation described in the judgment or abstract received by the bureau under IC 9-25-9-1;

the bureau may not suspend the person's driving privileges.

(c) If:

(1) the bureau receives a certificate of compliance **during the applicable compliance response period** for a person identified under IC 9-25-10 (before its repeal); ~~within forty (40) days after the date on which the bureau mailed the request for evidence of financial responsibility to the person;~~ and

(2) the certificate of compliance indicates that financial responsibility was in effect with respect to the motor vehicle or the operation of the motor vehicle for the date requested;

the bureau may not suspend the driving privileges of the person.

SECTION 4. IC 9-25-6-3, AS AMENDED BY P.L.188-2015, SECTION 97, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) If the bureau:

(1) does not receive a certificate of compliance **during the applicable compliance response period** for a person identified under IC 9-25-5-2; ~~within forty (40) days after the date on which the bureau mailed the request for evidence of financial responsibility to the person;~~ or

(2) receives a certificate that does not indicate that financial responsibility was in effect with respect to the motor vehicle operated by the person or operation of the motor vehicle by the person on the date of the accident referred to in IC 9-25-5-2;

the bureau shall take action under subsection (d).

(b) If the bureau:

(1) does not receive a certificate of compliance **during the applicable compliance response period** for a person presented with a request for evidence of financial responsibility under IC 9-25-9-1; ~~within forty (40) days after the date on which the person was presented with the request;~~ or

(2) receives a certificate that does not indicate that financial responsibility was in effect with respect to the motor vehicle or operation of the motor vehicle that the person was operating when the person committed the violation described in the judgment or abstract received by the bureau under IC 9-25-9-1;

the bureau shall take action under subsection (d).

(c) If the bureau:

(1) does not receive a certificate of compliance **during the applicable compliance response period** for a person presented with a request under IC 9-25-10 (before its repeal); ~~not later than forty (40) days after the date on which the person was presented with the request;~~ or

(2) receives a certificate that does not indicate that financial responsibility was in effect on the date requested;

the bureau shall take action under subsection (d).

(d) Under the conditions set forth in subsection (a), (b), or (c), the bureau shall immediately suspend the person's driving privileges or motor vehicle registration, or both, as determined by the bureau, for at least ninety (90) days and not more than one (1) year. The suspension of a person's driving privileges or motor vehicle registration, or both, may be imposed only one (1) time under this subsection or IC 9-25-8-2 for the same incident.

(e) Except as provided in subsection (f), if subsection (a), (b), or (c) applies to a person, the bureau shall suspend the driving privileges of the person irrespective of the following:

(1) The sale or other disposition of the motor vehicle by the owner.

(2) The cancellation or expiration of the registration of the motor vehicle.

(3) An assertion by the person that the person did not own the motor vehicle and therefore had no control over whether financial responsibility was in effect with respect to the motor vehicle.

(f) The bureau shall not suspend the driving privileges of a person to which subsection (a), (b), or (c) applies if the person, through a certificate of compliance or another communication with the bureau, establishes to the satisfaction of the bureau that the motor vehicle that the person was operating when the accident referred to in subsection (a) took place or when the violation referred to in subsection (b) or (c) was committed was:

(1) rented from a rental company; or

(2) owned by the person's employer and operated by the person in the normal course of the person's employment.".

Renumber all SECTIONS consecutively.

(Reference is to SB 457 as reprinted January 27, 2017.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures, to which was referred Senate Bill 466, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 466 as reprinted February 17, 2017.)

Committee Vote: Yeas 7, Nays 0.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred Senate Bill 472, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 472 as printed February 21, 2017.)

Committee Vote: Yeas 12, Nays 0.

OBER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 479, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 479 as reprinted February 28, 2017.)

Committee Vote: Yeas 9, Nays 0.

WASHBURN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 514, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, delete lines 10 through 42, begin a new paragraph and insert:

"SECTION 3. IC 5-28-15.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]:

**Chapter 15.5. Entrepreneur and Enterprise District Pilot Program**

**Sec. 1. The following definitions apply throughout this chapter:**

(1) "District" refers to an entrepreneur and enterprise district designated by the executive of a qualified municipality under section 2(a) of this chapter.

(2) "District board" refers to the board of directors of a district as specified in section 2(d) of the chapter.

(3) "District business" means an entity that accesses at least one (1) incentive available under the following:

(A) This chapter.

(B) IC 6-1.1-3-25.

(C) IC 6-1.1-45.

(D) IC 6-1.1-46.

(4) "Qualified municipality" means the following:

(A) The city of Lafayette.

(B) The city of Fort Wayne.

(C) The city of Indianapolis.

**Sec. 2. (a) The executive of a qualified municipality may designate one (1) entrepreneur and enterprise district in the qualified municipality.**

**(b) The territory of a district designated under subsection (a) may not exceed the lesser of:**

**(1) four (4) square miles; or**

**(2) ten percent (10%) of the territory of the qualified municipality.**

**(c) A district is established only if the legislative body of the qualified municipality approves the action taken by the executive of the qualified municipality under subsection (a).**

**(d) After the legislative body of the qualified municipality approves the action taken by the executive of the qualified municipality under subsection (a), the mayor of the qualified municipality shall designate the board of directors of the district by doing one (1) of the following:**

**(1) Designate the urban enterprise association**

established under IC 5-28-15-13 for an enterprise zone in the city as the board of directors of the district.

(2) Appoint a board of directors of the district consisting of seven (7) members as follows:

(A) Four (4) members selected by the mayor of the qualified municipality.

(B) Three (3) members selected by the fiscal body of the qualified municipality.

Sec. 3. A district expires on the earlier of the following:

(1) Five (5) years after the date on which it is designated as a district by the executive of the qualified municipality.

(2) December 31, 2022.

Sec. 4. (a) The district board has the following powers, in addition to other powers that are contained in this chapter:

(1) To request the waiver of a municipal ordinance or regulation as provided in this chapter.

(2) To adopt guidelines for the disqualification of a district business from eligibility for one (1) or more incentives available to district businesses, if that district business does not do one (1) of the following:

(A) If all its incentives, as contained in the summary required under section 6 of this chapter, exceed one thousand dollars (\$1,000) in any year, pay a registration fee to the district board in an amount equal to one percent (1%) of all its incentives.

(B) Use all its incentives, except for the amount of the registration fee, for its property or employees in the district.

(C) Remain open and operating as a district business for twelve (12) months of the year for which the incentive is claimed.

(3) To modify the boundary of the district if the district board determines that the modification is in the best interests of the district.

(4) To employ staff and contract for services to carry out this chapter.

(b) In addition to a registration fee paid under subsection (a)(2)(A), each district business that receives an incentive specified in section 1(3) of this chapter shall assist the district board in an amount determined by the legislative body of the qualified municipality in which the district business is located. If a district business does not assist a district board, the legislative body of the qualified municipality in which the district is located may pass an ordinance disqualifying the district business from eligibility for all incentives available to district businesses. If the legislative body disqualifies a district business under this subsection, the legislative body shall notify the department of local government finance in writing not more than thirty (30) days after the passage of the ordinance disqualifying the district business. Disqualification of a district business under this section is effective beginning with the taxable year in which the ordinance disqualifying the district business is adopted.

Sec. 5. (a) The corporation may make grants to a district board from money appropriated by the general assembly to the corporation for advancing innovation and entrepreneurship.

(b) A district board that applies to the corporation for a grant under this section must be able to contribute to the project for which the grant is sought an amount equal to or greater than the amount of the grant awarded by the corporation under this section. The district board's contribution to the project may come from any source other than money appropriated to the corporation for advancing innovation and entrepreneurship, including:

(1) the district's own funds;

(2) contributions from district businesses; and

(3) contributions from local governmental entities.

(c) The corporation shall develop guidelines, without

complying with IC 4-22-2, for awarding grants under this section.

Sec. 6. (a) Subject to subsection (c), a district business that claims any of the incentives available to district businesses shall, before June 1 of each year:

(1) submit to the district board a verified summary concerning the amount of incentives claimed by the district business in the preceding year;

(2) pay the amount specified in section 4(a)(2)(A) of this chapter to the corporation; and

(3) pay the amount determined under section 4(b) of this chapter to the district board.

(b) In order to determine the accuracy of the summary submitted under subsection (a), the district board is entitled to obtain copies of a district business's tax records directly from the department of local government finance or a county official, notwithstanding any other law. A summary submitted to a district board and any records obtained by the district board under this section are confidential. A member of a district board or an agent of a district board who knowingly or intentionally discloses information that is confidential under this section commits a Class A misdemeanor.

(c) If a district business does not comply with subsection (a) before June 1, the amount of the incentives for the preceding year that were otherwise available to the district business because the business was a district business are waived.

(d) This subsection is in addition to any other sanction imposed by subsection (c) or any other law. If a district business fails to comply with subsection (a) before June 1 of a year, the district business is:

(1) denied all the incentives available to a district business because the business was a district business for that year; and

(2) disqualified from further participation in the pilot program under this chapter until the district business petitions the district board for, and is granted, readmission to the pilot program under this chapter.

Sec. 7. (a) A district board shall do the following:

(1) Coordinate development activities within the district.

(2) Serve as a catalyst for development within the district.

(3) Promote the district to outside groups and individuals.

(4) Establish a formal line of communication with residents and businesses in the district.

(5) Act as a liaison among residents, businesses, the municipality, and the board for any development activity that may affect the district or district residents.

(6) Use revenue derived from:

(A) registration fees paid under section 4(a)(2)(A) of this chapter; and

(B) amounts paid under section 4(b) of this chapter; only for the administration of the district and the benefit of district businesses.

(b) A district board shall:

(1) develop metrics for the annual reporting of information about the district to the legislative body of the qualified municipality that established the district; and

(2) submit the metrics for approval to the legislative body of the qualified municipality and the executive of the qualified municipality.

The metrics for the annual reporting of information may be revised and reapproved from time to time.

(c) Each year before September 1, a district board shall present a written report to the legislative body of the qualified municipality that established the district. The

annual written report must provide information about the district in terms of the metrics approved under subsection (b).

Sec. 8. (a) A district board may do the following:

- (1) Initiate and coordinate any community development activities that improve the physical environment or encourage the turnover or retention of capital in the district.
- (2) Modify a district boundary or disqualify a district business from eligibility for one (1) or more incentives available to district businesses.
- (3) Apply to the corporation for a grant under section 5 of this chapter.

(b) The district board may request, by majority vote, that the legislative body of the municipality in which the district is located modify or waive any municipal ordinance or regulation that is in effect in the district. The legislative body may, by ordinance, waive or modify the operation of the ordinance or regulation, if the ordinance or regulation does not affect health (including environmental health), safety, civil rights, or employment rights."

Delete pages 4 through 12.  
 Page 13, delete lines 1 through 30.  
 Page 22, delete lines 23 through 42.  
 Page 23, delete lines 1 through 8.  
 Page 23, delete lines 37 through 42.  
 Delete pages 24 through 35.  
 Page 36, delete lines 1 through 39.  
 Page 37, line 5, delete "IC 5-28-15.5-11 or IC 5-28-15.5-12." and insert "**IC 5-28-15.5-6**."  
 Page 37, line 8, delete "IC 5-28-15.5-11" and insert "**IC 5-28-15.5-6**".  
 Page 37, delete lines 10 through 17.  
 Page 37, line 19, after "IC 6-1.1-46," insert "**both**".  
 Renumber all SECTIONS consecutively.  
 (Reference is to SB 514 as printed February 22, 2017.)  
 and when so amended that said bill do pass.  
 Committee Vote: yeas 18, nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Concurrent Resolution 7, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said resolution do pass.

(Reference is to HC 7 as introduced.)  
Committee Vote: Yeas 9, Nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Concurrent Resolution 8, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said resolution do pass.

(Reference is to HC 8 as introduced.)  
Committee Vote: Yeas 9, Nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Concurrent Resolution 2, has had the same under consideration and begs leave to report the same

back to the House with the recommendation that said resolution do pass.

(Reference is to SC 2 as introduced.)  
Committee Vote: Yeas 9, Nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Joint Resolution 7, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said resolution do pass.

(Reference is to SJ 7 as printed March 28, 2017.)  
Committee Vote: Yeas 17, Nays 2.

BROWN T, Chair

Report adopted.

ENGROSSED SENATE BILLS ON SECOND READING

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: Engrossed Senate Bills 61, 105, 112, 175, 182, 222, 231, 283, 355, 423 and 497.

Engrossed Senate Bill 59

Representative Frizzell called down Engrossed Senate Bill 59 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 59-1)

Mr. Speaker: I move that Engrossed Senate Bill 59 be amended to read as follows:

- Page 1, delete lines 1 through 17.
- Page 2, delete line 1.
- Page 2, delete lines 37 through 42.
- Page 3, delete lines 1 through 24.

Page 5, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 5. IC 25-23.6-10.1-1, AS ADDED BY P.L.122-2009, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) Beginning July 1, 2010, an individual may not:

- (1) profess to be a licensed addiction counselor or licensed clinical addiction counselor;
- (2) use the title:
  - (A) "licensed addiction counselor";
  - (B) "licensed clinical addiction counselor";
  - (C) "licensed clinical addiction therapist";
  - (D) "licensed addiction therapist";
  - (E) "addiction counselor";
  - (F) "addiction therapist";
  - (G) "clinical addiction counselor";
  - (H) "clinical addiction therapist";
  - (I) "substance abuse counselor";
  - (J) "substance abuse therapist";
  - (K) "clinical substance abuse counselor"; or
  - (L) "clinical substance abuse therapist";
- (3) use any other title containing the words:
  - (A) "licensed addiction counselor";
  - (B) "licensed addiction therapist";
  - (C) "licensed clinical addiction counselor";
  - (D) "licensed clinical addiction therapist";
  - (E) "addiction counselor";
  - (F) "addiction therapist";
  - (G) "clinical addiction counselor";
  - (H) "clinical addiction therapist";
  - (I) "substance abuse counselor";

- (J) "substance abuse therapist";
  - (K) "clinical substance abuse counselor"; or
  - (L) "clinical substance abuse therapist";
  - (M) "licensed addiction counselor associate"; or
  - (N) "licensed clinical addiction counselor associate";
- (4) use any other:
- (A) words;
  - (B) letters;
  - (C) abbreviations; or
  - (D) insignia;

indicating or implying that the individual is a licensed addiction counselor or licensed clinical addiction counselor; or

- (5) practice as an addiction counselor or clinical addiction counselor for compensation;

unless the individual is licensed under this article.

(b) Subsection (a)(5) does not apply to a person who is described in section 2(a) or 3 of this chapter.

(c) An individual who is exempt from licensing under section 2(a)(4) of this chapter may use the title "pastoral addiction counselor" and may engage in the practice of addiction counseling for compensation.

SECTION 6. IC 25-23.6-10.5-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 1.5. An individual who applies for a license as an addiction counselor associate must meet the following requirements:**

- (1) Furnish satisfactory evidence to the board that the individual has:**

**(A) received a baccalaureate or higher degree in addiction counseling, or in a related area as determined by the board, from:**

- (i) an eligible postsecondary educational institution that meets the requirement under section 3(1) of this chapter; or**
- (ii) a foreign school that has a program of study that meets the requirement under section 3(2) or 3(3) of this chapter; and**

**(B) completed the education requirements under section 5 of this chapter.**

- (2) Furnish satisfactory evidence to the board that the individual does not have a:**

**(A) conviction for a crime of violence (as defined in IC 35-50-1-2(a)(1) through IC 35-50-1-2(a)(18)); or**

**(B) conviction in the previous two (2) years that has a direct bearing on the individual's ability to practice competently.**

- (3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as an addiction counselor associate without endangering the public.**

**(4) Pass an examination established by the board.**

**(5) Pay the fee established by the board.**

SECTION 7. IC 25-23.6-10.5-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 2.5. An individual who applies for a license as a clinical addiction counselor associate must meet the following requirements:**

- (1) Furnish satisfactory evidence to the board that the individual has:**

**(A) received a master's or doctor's degree in addiction counseling, or in a related area as determined by the board, from an eligible postsecondary educational institution that meets the requirement under section 4(a)(1) of this chapter or from a foreign school that has a program of study that meets the requirements under section 4(a)(2) or**

**4(a)(3) of this chapter; and**

**(B) completed the educational requirements under section 6 of this chapter.**

- (2) Furnish satisfactory evidence to the board that the individual does not have a:**

**(A) conviction for a crime of violence (as defined in IC 35-50-1-2(a)(1) through IC 35-50-1-2(a)(18)); or**

**(B) conviction in the previous two (2) years that has a direct bearing on the individual's ability to practice competently.**

- (3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as a clinical addiction counselor associate without endangering the public.**

**(4) Pass an examination established by the board.**

**(5) Pay the fee established by the board."**

Page 6, line 10, delete "and".

Page 6, between lines 10 and 11, begin a new line block indented and insert:

**"(3) has passed an examination substantially equivalent to the level for which the individual is requesting licensure; and"**

Page 6, line 11, delete "(3)" and insert "(4)".

Renumber all SECTIONS consecutively.

(Reference is to ESB 59 as printed March 21, 2017.)

FRIZZELL

Motion prevailed. The bill was ordered engrossed.

#### Engrossed Senate Bill 129

Representative DeVon called down Engrossed Senate Bill 129 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 129-1)

Mr. Speaker: I move that Engrossed Senate Bill 129 be amended to read as follows:

Page 3, line 33, after "board" insert "**or other appropriate body of the municipality**".

Page 3, line 35, after "board" insert "**or other appropriate body of the municipality**".

(Reference is to ESB 129 as printed March 28, 2017.)

MILLER

Motion prevailed. The bill was ordered engrossed.

#### Engrossed Senate Bill 505

Representative Zent called down Engrossed Senate Bill 505 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 505-1)

Mr. Speaker: I move that Engrossed Senate Bill 505 be amended to read as follows:

Page 13, delete lines 21 through 26, begin a new paragraph and insert:

**"Sec. 9. (a) The electronic recording commission is established to adopt standards to implement this chapter before January 1, 2018. The commission consists of the following five (5) members appointed by the governor:**

**(1) Three (3) members must be county recorders.**

**(2) One (1) member must be employed in Indiana in the banking or mortgage lending industry.**

**(3) One (1) member must be employed in Indiana in the land title industry."**

Page 36, line 35, delete "at least".

Page 36, between lines 41 and 42, begin a new line blocked left and insert:

**"A contract required under this subsection may not include any restrictions on a bulk form user's use of the bulk form copies other than those contained in this section."**



Page 37, line 25, delete "." and insert "if all termination provisions and procedures in the contract have been met by the county recorder."

Page 106, between lines 41 and 42, begin a new paragraph and insert:

"(h) After June 30, 2017, at least forty percent (40%) of the money deposited in the housing trust fund shall be used for the following purposes:

- (1) To assist existing owner occupants with the repair, rehabilitation, or reconstruction of their homes.
- (2) To finance the acquisition, rehabilitation, or new construction of homes for home buyers.
- (3) To acquire, rehabilitate, or construct rental housing."

Page 106, line 42, strike "(h)" and insert "(i)".

Page 107, line 5, strike "(i)" and insert "(j)".

Page 107, line 38, strike "(j)" and insert "(k)".

Page 108, line 13, strike "(k)" and insert "(l)".

(Reference is to ESB 505 as printed March 28, 2017.)

ZENT

Motion prevailed. The bill was ordered engrossed.

Representatives Davisson and VanNatter, who had been excused, are now present.

**ENGROSSED SENATE BILLS ON THIRD READING**

**Engrossed Senate Bill 539**

Representative Carbaugh called down Engrossed Senate Bill 539 for third reading:

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

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

Roll Call 343: yeas 85, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**RECESS**

The House was called back to order at 12:23 p.m. by the Speaker.

**ENGROSSED SENATE BILLS ON SECOND READING**

**Engrossed Senate Bill 404**

Representative Mayfield called down Engrossed Senate Bill 404 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**Engrossed Senate Bill 455**

Representative Engleman called down Engrossed Senate Bill 455 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 455-1)

Mr. Speaker: I move that Engrossed Senate Bill 455 be amended to read as follows:

Page 26, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 1. IC 33-37-7-6, AS AMENDED BY P.L.201-2011, SECTION 102, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. (a) The qualified municipality share to be distributed to each city and town maintaining a law enforcement agency that prosecutes at

least fifty percent (50%) of the city's or town's ordinance violations that are not deferred or dismissed in a circuit or superior court located in the county is three percent (3%) of the amount of fees collected under the following:

- (1) IC 33-37-4-1(a) (criminal costs fees).
- (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
- (3) IC 33-37-4-3(a) (juvenile costs fees).
- (4) IC 33-37-4-4(a) (civil costs fees).
- (5) IC 33-37-4-6(a)(1) (small claims costs fees).
- (6) IC 33-37-4-7(a) (probate costs fees).
- (7) IC 33-37-5-17 (deferred prosecution fees).

(b) The county auditor shall determine the amount to be distributed to each city and town qualified under subsection (a) as follows:

STEP ONE: Determine the population of the qualified city or town: number of city or town ordinance violation actions that are not deferred or dismissed in a circuit or superior court for each qualified city or town.

STEP TWO: Add together the populations of all qualified cities and towns determined number of city or town ordinance violations not dismissed or deferred in a circuit or superior court for each city or town considered under STEP ONE.

STEP THREE: Divide the number of city or town ordinance violations actions not deferred or dismissed in a circuit or superior court for a specific city or town population of each qualified city and town by the sum determined under STEP TWO.

STEP FOUR: Multiply the result determined under STEP THREE for each qualified city and town by the amount of the qualified municipality share described in subsection (a).

(c) The county auditor shall distribute semiannually to each city and town described in subsection (a) the amount computed for that city or town under STEP FOUR of subsection (b).

(d) This section applies after June 30, 2005."

Renumber all SECTIONS consecutively.

(Reference is to ESB 455 as printed March 28, 2017.)

THOMPSON

Motion prevailed. The bill was ordered engrossed.

Representatives Ober, Pryor, Soliday and Wesco, who had been excused, are now present.

Representative Summers, who had been present, is now excused.

**Engrossed Senate Bill 499**

Representative Kirchhofer called down Engrossed Senate Bill 499 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 499-2)

Mr. Speaker: I move that Engrossed Senate Bill 499 be amended to read as follows:

Page 4, between lines 5 and 6, begin a new paragraph and insert:

"SECTION 2. IC 16-41-7.5-6, AS ADDED BY P.L.208-2015, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. A qualified entity that operates a program under this chapter must do the following:

- (1) Annually register the program in a manner prescribed by the state department with the:
  - (A) state department; and
  - (B) local health department in the county where services will be provided by the qualified entity if the qualified entity is not the local health department.
- (2) Have one (1) of the following licensed in Indiana provide oversight to the qualified entity's programs:

- (A) A physician.
- (B) A registered nurse.
- (C) A physician assistant.

(3) Store and dispose of all syringes and needles collected in a safe and legal manner.

(4) Provide education and training on drug overdose response and treatment, including the administration of an overdose intervention drug.

(5) Provide drug addiction treatment information and referrals to drug treatment programs, including programs in the local area and programs that offer medication assisted treatment that includes a federal Food and Drug Administration approved long acting, nonaddictive medication for the treatment of opioid or alcohol dependence.

(6) **Provide birth control information developed by the local health department to an individual on the individual's initial visit in which the individual is served by the program.**

(7) Provide syringe and needle distribution and collection without collecting or recording personally identifiable information.

(7) (8) Operate in a manner consistent with public health and safety.

(8) (9) Ensure the program is medically appropriate and part of a comprehensive public health response."

Renumber all SECTIONS consecutively.

(Reference is to ESB 499 as printed March 24, 2017.)

GOODIN

Upon request of Representatives Pelath and Lawson, the Speaker ordered the roll of the House to be called. Roll Call 344: yeas 30, nays 59. Motion failed. The bill was ordered engrossed.

### Engrossed Senate Bill 348

Representative Speedy called down Engrossed Senate Bill 348 for second reading. The bill was read a second time by title.

#### HOUSE MOTION (Amendment 348-1)

Mr. Speaker: I move that Engrossed Senate Bill 348 be amended to read as follows:

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

**"(d) This section does not prohibit a political subdivision from enforcing provisions of an ordinance or regulation pertaining to the number or size of signs at any time:**

**(1) to ensure public safety; or**

**(2) in an area defined in the ordinance or regulation where the posted speed limit on roads and streets in the area does not exceed thirty (30) miles per hour."**

(Reference is to ESB 348 as printed March 28, 2017.)

SPEEDY

Motion withdrawn. The bill was ordered engrossed.

### REPORTS FROM COMMITTEES

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 532, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 3, strike "sheriff" and insert "**clerk**".

Page 1, line 4, delete "thirteen dollars (\$13)" and insert "**twenty-eight dollars (\$28)**".

Page 1, line 6, reset in roman "A service of".

Page 1, reset in roman line 7.

Page 1, line 8, reset in roman "(1) time per case for the duration of the case."

Page 1, line 8, delete "A service of process fee".

Page 1, delete line 9.

Page 1, line 10, delete "sheriff serves a document completed by the sheriff."

Page 1, line 10, strike "A" and insert "**The**".

Page 1, line 11, strike "sheriff" and insert "**clerk**".

Page 1, line 11, strike "may" and insert "**shall**".

Page 1, line 13, strike "sheriff" and insert "**clerk**".

Page 2, line 2, strike "sheriff" and insert "**clerk**".

Page 2, line 3, strike "in which the sheriff has jurisdiction." and insert "**where the clerk is located.**".

Page 2, line 4, after "(d)" insert "**Except as provided in subsection (e),**".

Page 2, line 4, delete "The" and insert "the".

Page 2, after line 9, begin a new paragraph and insert:

**"(e) Three dollars (\$3) from each service of process fee described in subsection (a) shall be deposited, by the county auditor, into the clerk's record perpetuation fund established by the clerk under IC 33-37-5-2."**

Renumber all SECTIONS consecutively.

(Reference is to SB 532 as reprinted February 28, 2017.) and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

STEUERWALD, Chair

Report adopted.

#### MESSAGE FROM THE GOVERNOR

Mr. Speaker and Members of the House of Representatives: On March 29, 2017, I signed into law House Enrolled Acts 1010, 1019, 1020, 1023, 1039, 1064, 1080, 1123, 1189, 1245, 1250, 1268, 1335 and 1396.

ERIC HOLCOMB  
Governor

### OTHER BUSINESS ON THE SPEAKER'S TABLE

#### Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that Engrossed Senate Bills 15, 322 532 had been referred to the Committee on Ways and Means.

#### HOUSE MOTION

Mr. Speaker: I move that Representative Richardson be added as cosponsor of Engrossed Senate Bill 20.

FRIEND

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as cosponsor of Engrossed Senate Bill 29.

COOK

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as cosponsor of Engrossed Senate Bill 30.

COOK

Motion prevailed.

#### HOUSE MOTION

Mr. Speaker: I move that Representatives Klinker, Cook and DeLaney be added as cosponsors of Engrossed Senate Bill 61.

CLERE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lawson be added as cosponsor of Engrossed Senate Bill 154.

OLTHOFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three cosponsors and that Representative Bacon be added as cosponsor of Engrossed Senate Bill 175.

KIRCHHOFER

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Cook be added as cosponsor of Engrossed Senate Bill 182.

BEHNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Schaibley, Heaton and Carbaugh be added as cosponsors of Engrossed Senate Bill 303.

KIRCHHOFER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative McNamara be added as cosponsor of Engrossed Senate Bill 322.

STEUERWALD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as cosponsor of Engrossed Senate Bill 337.

BEHNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives DeLaney, Austin, Moseley, Negele, Engleman, Pryor, Wright, Hamilton, Hatfield, Kirchhofer, Cook, Davisson, Lawson, Forestal, Siegrist, Macer, Pelath, Frye, J. Taylor, Burton and Errington be added as coauthors of House Concurrent Resolution 41.

SHACKLEFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Braun, Burton, Engleman, Frizzell, Negele, Richardson, Speedy, Sullivan and Wolkins be added as coauthors of House Concurrent Resolution 55.

KLINKER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Porter be added as coauthor of House Concurrent Resolution 61.

MILLER

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bills 1033, 1048, 1100, 1295, 1308, 1467, 1520, 1536 and 1644 and the same are herewith returned to the House.

JENNIFER L. MERTZ

Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bills 1031, 1079, 1091, 1101, 1119, 1122, 1154, 1157, 1171, 1211, 1237, 1260, 1274, 1281, 1336, 1342, 1370, 1447, 1495, 1526, 1540, 1571, 1617 and 1622 with amendments and the same are herewith returned to the House for concurrence.

JENNIFER L. MERTZ

Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 56, 57, 58, 59, 60, 61, 62, 63 and 65 and the same are herewith returned to the House.

JENNIFER L. MERTZ

Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 41 and 42 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ

Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Speedy, the House adjourned at 12:49 p.m., this thirtieth day of March, 2017, until Monday, April 3, 2017, at 1:30 p.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives