



Journal of the Senate

State of Indiana

118th General Assembly

Second Regular Session

Tenth Meeting Day

Thursday Afternoon

January 23, 2014

The Senate convened at 1:36 p.m., with the President Pro Tempore of the Senate, David C. Long, in the Chair.

Prayer was offered by Senator James R. Arnold.

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

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

Alting	Merritt
Arnold	Miller, Patricia
Banks	Miller, Pete
Becker	Mishler
Boots	Mrvan
Bray	Nugent
Breaux	Paul
Broden	Randolph
Buck	Rogers
Charbonneau	Schneider
Crider	Skinner
Delph	Smith
Eckerty	Steele
Glick	Stoops
Grooms	Tallian
Head	Taylor
Hershman	Tomes
Holdman	Walker
Hume	Waltz
Kenley <input type="checkbox"/>	Waterman
Kruse	Wyss
Lanane	Yoder
Landske <input type="checkbox"/>	Young, M.
Leising	Young, R.
Long	Zakas

Roll Call 21: present 48; excused 2. [Note: A indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

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

Page 1, line 13, delete "assessed".

Page 1, line 14, after "property" delete ":" and insert "as

determined under subsection (e):".

Page 2, line 9, delete "filing" and insert "end of the calendar year containing the assessment date, file with the county assessor an annual certification stating that the taxpayer's business personal property in the county is exempt from taxation under this section for that assessment date. If a taxpayer that is required to file an annual certification under this subsection does not file the annual certification by the due date for the annual certification, the taxpayer must pay to the county assessor a penalty of fifty dollars (\$50). The county assessor shall deposit any such penalty collected into the county general fund.

(e) For the purposes of subsection (c), the value of a taxpayer's business personal property shall be determined based on the value of that property as reflected on the books and records of the taxpayer at the adjusted cost reported by the taxpayer for federal income tax purposes.

SECTION 2. IC 6-1.1-12.1-12.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 12.5. Except as provided in section 12(f) of this chapter, if a county or municipality receives a reimbursement, repayment, or penalty from a taxpayer on account of the taxpayer's failure to comply with the statement of benefits provided by the taxpayer or on account of the taxpayer's failure to comply with any other requirement to receive a deduction under this chapter, the county or municipal fiscal officer shall distribute the amount of the reimbursement, repayment, or penalty on a pro rata basis to each taxing unit that contains the property that was subject to the deduction. The amount to be distributed to each taxing unit that contains the property that was subject to the deduction shall be determined according to the following formula:**

STEP ONE: Determine the total aggregate property tax rate imposed in the preceding year by the taxing unit.

STEP TWO: Determine the sum of the STEP ONE amounts for all taxing units that contain the property that was subject to the deduction.

STEP THREE: Divide the STEP ONE amount by the sum determined under STEP TWO.

STEP FOUR: Multiply the amount of the reimbursement, repayment, or penalty by the STEP THREE quotient."

Page 2, delete lines 10 through 12.

Re-number all SECTIONS consecutively.

(Reference is to SB 1 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 2.

HERSHMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 41, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

Page 2, line 23, delete "without relief" and insert "**The manner of appraising property described in this section satisfies the appraisal requirement under IC 34-55-4 or any other statute. However, if the parties waive appraisal of the property:**

- (A) the court shall order the sale to proceed without relief from valuation or appraisal under IC 34-55-4 or any other statute; and**
(B) IC 34-55-4-1 does not apply to the sale."

Page 2, delete lines 24 through 25.

Page 3, delete lines 26 through 33, begin a new paragraph and insert:

"SECTION 2. IC 32-21-7-1, AS AMENDED BY P.L.171-2006, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. **(a) Except as provided in subsection (b), in any suit an action to establish title to land or real estate property, possession of the land or real estate property is not adverse to the owner in a manner as to establish title or rights in and to the land or real estate property unless the adverse possessor or claimant pays and discharges all taxes and special assessments that the adverse possessor or claimant reasonably believes in good faith to be due on the land or real estate property during the period the adverse possessor or claimant claims to have adversely possessed the land or real estate property. adversely.** However, this section does not relieve any adverse possessor or claimant from proving all the elements of title by adverse possession required by law.

(b) A person may claim title to real property by adverse possession without having paid all taxes and special assessments due on the real property during the period of adverse possession if the person is a governmental entity or other person who was exempt from the payment of property taxes and special assessments during the period of adverse possession."

(Reference is to SB 41 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 43, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, line 11, delete "and".

Page 4, between lines 11 and 12, begin a new line block indented and insert:

"(2) has contact with the child while acting within the scope of the law enforcement officer's official duties with respect to the child; and".

Page 4, line 12, delete "(2) engages" and insert "**(3) uses or exerts the law enforcement officer's professional relationship with the child to engage"**.

Page 4, line 25, strike "subsection (n)," and insert "**this section,"**.

(Reference is to SB 43 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

M. YOUNG, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 14

House Concurrent Resolution 14, sponsored by Senator Becker:

A CONCURRENT RESOLUTION recognizing January 2014 as Cervical Cancer Awareness Month.

Whereas, Many women are unaware of cervical cancer and the steps that can be taken to prevent this disease;

Whereas, Approximately 250 women are diagnosed each year and every three days a woman dies of cervical cancer in Indiana;

Whereas, Mortality from cervical cancer is associated with being diagnosed at a later stage, which often stems from poor access to preventive services and a lack of understanding about following up or care after an abnormal finding;

Whereas, Indiana's HPV vaccination rate is 46th out of 50 states and only half of the rates of top states; and

Whereas, Awareness of cervical cancer, its risk factors, and the importance of access to preventive measures, including regular Pap test and the HPV vaccination, are critical to perpetuating the continual decrease of the incidence of cervical cancer in woman: 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 urges the recognition of January as Cervical Cancer Awareness Month in the hope that this recognition will encourage prompt access to preventive services and high-quality medical care and treatment in order to overcome existing barriers to care for all women.

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

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill 58, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

WYSS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 59, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 16, after "(5) a" insert "**petition to**".

Page 1, line 16, delete "for permission to file a petition of" and insert "**the authority to petition for**".

Page 2, line 1, delete "marriage" and insert "**marriage, legal separation, or annulment of marriage**".

Page 2, line 1, delete "person;" and insert "**person as provided under IC 29-3-9-12;**".

Page 2, delete lines 14 through 27, begin a new paragraph and insert:

"SECTION 2. IC 29-3-8-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. A guardian (other than a temporary guardian) may exercise all of the powers required to perform the guardian's responsibilities, including the following:

(1) To receive and issue a receipt for property payable to the protected person or the protected person's parent, guardian, or custodian from any source, including any statutory benefit, insurance system, or any private contract, devise, trust, guardianship, or custodianship.

(2) If reasonable, to delegate to the protected person certain responsibilities for decisions affecting the protected person's business affairs and well-being.

(3) To invest and reinvest the property of the protected person in accordance with powers vested in, and according to the standards imposed upon, trustees under IC 30-4-3-3(c).

(4) To secure the appointment of a guardian or co-guardian in any other state, when needed, with respect to any part or all of the guardianship property located in another state, to confer upon the appointed guardian any or all of the guardian's powers as guardian with respect to the property.

(5) To continue any business of the protected person, whether in corporate, partnership, or proprietorship form, according to the rules for continuing the business of a decedent specified in IC 29-1-13-11.

(6) To pay to the person, guardian, department, bureau, or agency having care and custody of the protected person, or to the protected person if at least fourteen (14) years of age, a reasonable amount to be expended for the support of the protected person and the protected person's dependents,

with due regard to the following:

(A) The size of the guardianship property, the probable duration of the guardianship, and the extent to which the protected person in the future may be self-sufficient and able to manage the protected person's financial affairs and property.

(B) The accustomed standard of living of the protected person and the protected person's dependents.

(C) Other funds or sources used for the support of the protected person and the protected person's dependents.

(7) To distribute income and discretionary amounts of principal in one (1) or more of the following ways as the guardian believes to be in the best interests of the protected person:

(A) Directly to the protected person.

(B) To a guardian of the protected person appointed in another state.

(C) To a custodian for the protected person under IC 30-2-8.5.

(D) To an adult relative of the protected person.

(E) By expending the money or using the property directly for the benefit of the protected person.

(8) To apply the guardianship property to or for the benefit of any person, including the protected person, in reimbursement for reasonable expenditures made in good faith on behalf of the protected person that the guardian might have made, or in advance for services to be rendered to the protected person if it is reasonable to expect that the services will be performed and advance payments are reasonably necessary under the circumstances.

(9) To bind all or any part of the guardianship property in a transaction for the benefit of the protected person, unless the third party dealing with the guardian is acting in bad faith.

(10) Except as provided in IC 29-3-2-6(d), powers conferred upon trustees and personal representatives respectively by IC 30-4-3-3 and IC 29-1-7.5-3. However, if there is a conflict, the broader power controls.

(11) To exercise on behalf of the protected person powers that are the same as those granted to the parent of a minor under IC 29-3-3-3.

(12) To petition the court to request the authority to petition for dissolution of marriage, legal separation, or annulment of marriage on behalf of the protected person, if the protected person is an incapacitated person, as provided under IC 29-3-9-12."

Page 3, delete lines 6 through 8, begin a new line block indented and insert:

"(7) petition the court to request the authority to petition for dissolution of marriage, legal separation, or annulment of marriage on behalf of an incapacitated person as provided under IC 29-3-9-12."

Page 3, line 31, delete "request permission to file a petition for dissolution" and insert "**petition the court to request the authority to petition for dissolution of marriage, legal separation, or annulment**".

Page 3, line 32, delete "as described in" and insert "**as**

provided under IC 29-3-9-12."

Page 3, delete line 33.

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

"SECTION 5. IC 29-3-9-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 12. (a) If a guardian of an incapacitated person determines that:**

- (1) a dissolution of the incapacitated person's marriage;
- (2) a legal separation of the incapacitated person and the incapacitated person's spouse; or
- (3) an annulment of the incapacitated person's marriage;

is in the best interests of the incapacitated person, the guardian shall petition the court to request the authority to petition for a dissolution of marriage, a legal separation, or an annulment of marriage on behalf of the incapacitated person.

(b) The petition to request authority described in subsection (a) must set forth the following:

- (1) The purpose for petitioning for dissolution of marriage, legal separation, or annulment of marriage.
- (2) The names and addresses of all the following:
 - (A) The incapacitated person's spouse.
 - (B) If the incapacitated person has adult children, any adult children of the incapacitated person who are not guardians of the incapacitated person.
 - (C) If the incapacitated person is a minor, a parent of the incapacitated person whose parental rights have not been terminated.

(c) A guardian that petitions the court to request authority as described in subsection (a) shall provide a copy of the petition, on or before the date the petition is filed, to all the following:

- (1) The individuals listed in subsection (b)(2).
- (2) Any other interested person as ordered by the court.

(d) The court shall:

- (1) set a date for a hearing on the petition to request authority described in subsection (a);
- (2) notify:
 - (A) all the parties; and
 - (B) any other individual listed in subsection (c);
 of the hearing at least thirty (30) days before the hearing; and
- (3) hold a hearing on the petition to request the authority described in subsection (a).

(e) If the court determines by a preponderance of the evidence that petitioning for:

- (1) a dissolution of the incapacitated person's marriage;
- (2) a legal separation of the incapacitated person and the incapacitated person's spouse; or
- (3) an annulment of the incapacitated person's marriage;

is in the best interests of the incapacitated person, the court shall grant the petition and authorize the guardian to petition for dissolution of marriage, legal separation, or annulment of marriage on behalf of the incapacitated person.

(f) This section does not require a guardian of an incapacitated person to file a petition under this section in order to:

(1) defend the incapacitated person against a petition for dissolution, legal separation, or annulment of marriage that was filed before or after the filing of the petition for guardianship; or

(2) finalize:

- (A) a dissolution of the incapacitated person's marriage;
- (B) a legal separation between the incapacitated person and the incapacitated person's spouse; or
- (C) an annulment of the incapacitated person's marriage;

if the petition for dissolution of marriage, legal separation, or annulment of marriage was filed by the incapacitated person or the incapacitated person's spouse before the appointment of the guardian.

SECTION 6. IC 29-3-9-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 13. (a) This section applies if a court has authorized a guardian to petition for dissolution of marriage, legal separation, or annulment of marriage on behalf of an incapacitated person under section 12 of this chapter.**

(b) A guardian may file a petition for dissolution on behalf of an incapacitated person under IC 31-15-2-4 in the county where the guardian resides in accordance with IC 31-15-2-6.

(c) A guardian may file a petition for legal separation on behalf of an incapacitated person under IC 31-15-3-4 in the county where the guardian resides in accordance with IC 31-15-3-6.

(d) A guardian may file an action to annul a marriage under IC 31-11-10 in the county where the guardian resides in accordance with IC 31-11-10-4."

Page 4, line 12, after "of" insert "IC 31-11-10-1,".

Page 4, line 12, after "IC 31-15-2-5," insert "and IC 31-15-3-4,".

Page 4, delete lines 17 through 20, begin a new paragraph and insert:

"SECTION 7. IC 31-9-2-53.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 53.5. "Incapacitated person", for purposes of IC 31-11-10-1, IC 31-15-2-5, and IC 31-15-3-4, has the meaning set forth in IC 29-3-1-7.5.**

SECTION 8. IC 31-11-10-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 1. (a) This section applies to a marriage that is voidable under IC 31-11-9-2 on the ground that a party to the marriage was incapable because of age or mental incompetency of contracting the marriage.**

(b) The incapable party described in subsection (a) may file an action to annul the marriage in a court that has jurisdiction over the action under section 3 of this chapter.

(c) If a guardian of an incapacitated person is filing a petition for annulment of a marriage on behalf of the incapacitated person, the petition for annulment must set forth the name and address of the guardian.

(d) If a guardian of an incapacitated person files a petition for annulment of a marriage on behalf of the incapacitated person, the guardian shall file with the petition a copy of the court order granting authority to petition for annulment of marriage described in IC 29-3-9-12.

SECTION 9. IC 31-11-10-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. **(a)** An action to annul a voidable marriage under this chapter must be conducted in accordance with IC 31-15.

(b) If a court has authorized a guardian to file an action to annul a marriage on behalf of an incapacitated person under IC 29-3-9-12, the guardian may file an action to annul a marriage in the guardian's county of residence if the guardian has resided in that county for at least three (3) months immediately preceding the filing of the action."

Page 4, line 37, delete "a protected" and insert "an incapacitated".

Page 4, line 38, delete "protected" and insert "incapacitated".

Page 4, line 40, delete "a protected" and insert "an incapacitated".

Page 4, line 41, delete "protected" and insert "incapacitated".

Page 5, line 1, delete "permission to file the" and insert "authority to".

Page 5, line 2, delete "IC 29-3-8-4.5." and insert "IC 29-3-9-12."

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

"SECTION 10. IC 31-15-2-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 6. (a) At the time of the filing of a petition under section 4 of this chapter, at least one (1) of the parties must have been:

- (1) a resident of Indiana; or
- (2) stationed at a United States military installation within Indiana;

for six (6) months immediately preceding the filing of the petition.

(b) Except as provided in subsection (c), at the time of the filing of a petition under section 4 of this chapter, at least one (1) of the parties must have been:

- (1) a resident of the county; or
- (2) stationed at a United States military installation within the county;

where the petition is filed for three (3) months immediately preceding the filing of the petition.

(c) If a court has authorized a guardian to file a petition under section 4 of this chapter on behalf of an incapacitated person under IC 29-3-9-12, the guardian may file the petition for dissolution in the guardian's county of residence if the guardian has resided in that county for at least three (3) months immediately preceding the filing of the petition.

SECTION 11. IC 31-15-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. **(a)** A proceeding for legal separation is commenced by the filing of a petition entitled, "In Re the legal separation of _____ and _____". The petition must:

- (1) be verified; and
- (2) set forth the following:
 - (A) The residence of each party and the length of residence in the state and county.

- (B) The date of the marriage.
 - (C) The date on which the parties separated.
 - (D) The names, ages, and addresses of:
 - (i) any living child less than twenty-one (21) years of age; and
 - (ii) any incapacitated child;
 - of the marriage and whether the wife is pregnant.
 - (E) The grounds for legal separation.
 - (F) The relief sought.
- (G) If a guardian of an incapacitated person is filing the petition for legal separation on behalf of the incapacitated person, the name and address of the guardian.**

(b) If a guardian of an incapacitated person files a petition for legal separation on behalf of the incapacitated person, the guardian shall file with the petition a copy of the court order granting authority to petition for legal separation described in IC 29-3-9-12.

SECTION 12. IC 31-15-3-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 6. (a) At the time of the filing of a petition for legal separation under section 4 of this chapter, at least one (1) of the parties must have been:

- (1) a resident of Indiana; or
- (2) stationed at a United States military installation within Indiana;

for six (6) months immediately preceding the filing of each petition.

(b) Except as provided in subsection (c), at the time of the filing of a petition for legal separation under section 4 of this chapter, at least one (1) of the parties must have been:

- (1) a resident of the county; or
- (2) stationed at a United States military installation within the county;

where the petition is filed for three (3) months immediately preceding the filing of the petition.

(c) If a court has authorized a guardian to file an petition for legal separation under section 4 of this chapter on behalf of an incapacitated person under IC 29-3-9-12, the guardian may file the petition in the guardian's county of residence if the guardian has resided in that county for at least three (3) months immediately preceding the filing of the petition."

Renumber all SECTIONS consecutively.

(Reference is to SB 59 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 3.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 101, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 6 through 16, begin a new paragraph and insert:

"SECTION 2. IC 35-43-1-2, AS AMENDED BY P.L.158-2013, SECTION 453, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) A person who recklessly, knowingly, or intentionally damages or defaces property of another person without the other person's consent commits criminal mischief, a Class B misdemeanor. However, the offense is:

- (1) a Class A misdemeanor if the pecuniary loss is at least ~~two hundred fifty dollars (\$250)~~ **seven hundred fifty dollars (\$750)** but less than ~~two thousand five hundred dollars (\$2,500)~~; **fifty thousand dollars (\$50,000)**; and
 (2) a Level 6 felony if:

- (A) the pecuniary loss is at least ~~two thousand five hundred dollars (\$2,500)~~; **fifty thousand dollars (\$50,000)**;
 (B) the damage causes a substantial interruption or impairment of utility service rendered to the public;
 (C) the damage is to a public record; or
 (D) the damage is to a law enforcement animal (as defined in IC 35-46-3-4.5).

(b) A person who recklessly, knowingly, or intentionally damages:

- (1) a structure used for religious worship;
 (2) a school or community center;
(3) the property of an agricultural operation (as defined in IC 32-30-6-1);
~~(3) (4) the grounds:~~
 (A) adjacent to; and
 (B) owned or rented in common with;
 a structure or facility identified in subdivision ~~(1) or (2);~~ **through (3);** or
~~(4) (5) personal property contained in a structure or located at a facility identified in subdivision (1) or (2);~~ **through (3);**

without the consent of the owner, possessor, or occupant of the property that is damaged, commits institutional criminal mischief, a Class A misdemeanor. However, the offense is a Level 6 felony if the pecuniary loss **(or property damage, in the case of an agricultural operation)** is at least ~~two hundred fifty dollars (\$250)~~ **seven hundred fifty dollars (\$750)** but less than ~~two thousand five hundred dollars (\$2,500)~~; **fifty thousand dollars (\$50,000)**, and a Level 5 felony if the pecuniary loss **(or property damage, in the case of an agricultural operation)** is at least ~~two thousand five hundred dollars (\$2,500)~~; **fifty thousand dollars (\$50,000)**.

(c) If a person is convicted of an offense under this section that involves the use of graffiti, the court may, in addition to any other penalty, order that the person's operator's license be suspended or invalidated by the bureau of motor vehicles for not more than one (1) year.

(d) The court may rescind an order for suspension or invalidation under subsection (c) and allow the person to receive a license or permit before the period of suspension or invalidation ends if the court determines that the person has removed or painted over the graffiti or has made other suitable restitution."

Page 2, line 22, delete "real property or" and insert "":

(A) property of an agricultural operation that is used for the production, processing, propagation, packaging, cultivation, harvesting, care, management, or storage of an animal, plant, or other agricultural product, including any pasturage or land used for timber management; or
(B)".

Page 3, line 3, delete "a pecuniary loss" and insert "**property damage**".

Page 3, line 8, after "operation;" insert "**or**".

Page 3, delete lines 9 through 15.

Page 3, line 16, delete "(10)" and insert "**(9)**".

Page 3, line 32, delete "subdivisions (8) through (9)," and insert "**subdivision (8)**".

Page 3, line 33, delete "pecuniary loss" and insert "**property damage**".

Page 3, line 35, delete "subdivisions (8) through (9)," and insert "**subdivision (8)**".

Page 3, line 36, delete "pecuniary loss" and insert "**property damage**".

Page 4, line 13, delete "(b)(10)" and insert "**(b)(9)**".

Page 4, line 14, delete "(b)(10)" and insert "**(b)(9)**".

Re-number all SECTIONS consecutively.

(Reference is to SB 101 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 2.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 106, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, line 19, after "the" insert "**board's organizational structure, the board's composition, the number of board members, and the**".

Page 4, delete lines 35 through 39 and insert "**the executive of a political subdivision may request technical assistance from the board in helping prevent the political subdivision from becoming a distressed political subdivision. The board, by using the health fiscal indicators developed under IC 5-14-3.7-16 or IC 5-14-3.8-8, shall determine whether to provide assistance to the political subdivision.**".

Page 4, line 41, delete "requests" and insert "**receives**".

(Reference is to SB 106 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

MISHLER, Acting Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 114, has had the same under consideration and begs leave to report the

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

Page 1, line 7, delete "in" and insert "**or exhibits in an approved activity at**".

Page 1, line 11, delete "in" and insert "**or exhibit in an approved activity at**".

(Reference is to SB 114 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 7, Nays 2.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 134, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 32-28-13-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 9. (a) A person who is injured by a common law lien that is recorded under section 5 of this chapter may bring a civil action against the lienholder for:

- (1) actual damages;
- (2) costs; and
- (3) reasonable attorney's fees.

(b) A person who knowingly or intentionally:

(1) files a false lien or false encumbrance against another person or another person's property with knowledge that the lien or encumbrance is a false lien or false encumbrance; and

(2) files the false lien or false encumbrance in a:

- (A) public record; or**
- (B) private record that is generally available to the public;**

commits lien or encumbrance fraud under IC 35-43-5-2(f)."

Page 2, delete lines 8 through 21, begin a new paragraph and insert:

"SECTION 3. IC 35-43-5-2, AS AMENDED BY P.L.158-2013, SECTION 469, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) A person who knowingly or intentionally:

- (1) makes or utters a written instrument in such a manner that it purports to have been made:
 - (A) by another person;
 - (B) at another time;
 - (C) with different provisions; or
 - (D) by authority of one who did not give authority; or
- (2) possesses more than one (1) written instrument knowing that the written instruments were made in a manner that they purport to have been made:
 - (A) by another person;
 - (B) at another time;
 - (C) with different provisions; or
 - (D) by authority of one who did not give authority;

commits counterfeiting, a Level 6 felony.

(b) A person who, with intent to defraud:

- (1) makes or delivers to another person:
 - (A) a false sales receipt;
 - (B) a duplicate of a sales receipt; or
 - (C) a label or other item with a false universal product code (UPC) or other product identification code; or
- (2) places a false universal product code (UPC) or another product identification code on property displayed or offered for sale;

commits making or delivering a false sales document, a Level 6 felony.

(c) A person who, with intent to defraud, possesses:

- (1) a retail sales receipt;
- (2) a label or other item with a universal product code (UPC); or
- (3) a label or other item that contains a product identification code that applies to an item other than the item to which the label or other item applies;

commits possession of a fraudulent sales document, a Class A misdemeanor. However, the offense is a Level 6 felony if the person possesses at least fifteen (15) retail sales receipts, at least fifteen (15) labels containing a universal product code (UPC), at least fifteen (15) labels containing another product identification code, or at least fifteen (15) of any combination of the items described in subdivisions (1) through (3).

(d) A person who, with intent to defraud, makes, utters, or possesses a written instrument in such a manner that it purports to have been made:

- (1) by another person;
- (2) at another time;
- (3) with different provisions; or
- (4) by authority of one who did not give authority;

commits forgery, a Level 6 felony.

(e) This subsection applies to a person who applies for a driver's license (as defined in IC 9-13-2-48) or a state identification card (as described in IC 9-24-16). A person who:

- (1) knowingly or intentionally uses a false or fictitious name or gives a false or fictitious address in an application for a driver's license or a state identification card or for a renewal or a duplicate of a driver's license or a state identification card; or
- (2) knowingly or intentionally makes a false statement or conceals a material fact in an application for a driver's license or a state identification card;

commits application fraud, a Level 6 felony.

(f) As used in this subsection, "false lien or false encumbrance" means a lien or encumbrance that is false or contains a false, fictitious, or fraudulent statement or representation. A person who knowingly or intentionally:

- (1) files a false lien or false encumbrance against another person or another person's property with knowledge that the lien or encumbrance is a false lien or false encumbrance; and**
- (2) files the false lien or false encumbrance in a:**
 - (A) public record; or**
 - (B) private record that is generally available to the public;**

commits lien or encumbrance fraud, a Level 6 felony. The court may order a person who knowingly or intentionally commits lien or encumbrance fraud to pay treble damages."

Renumber all SECTIONS consecutively.
(Reference is to SB 134 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 138, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 7, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 139, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 26, delete "2018." and insert "**2016.**"
(Reference is to SB 139 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 142, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 4 with "[EFFECTIVE UPON PASSAGE]".

Page 1, delete lines 11 through 13, begin a new paragraph and insert:

"SECTION 3. IC 12-8-6.5-4, AS ADDED BY P.L.160-2012, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. **Under the direction of the secretary**, the office shall develop and coordinate Medicaid policy for the state."

Page 2, after line 1, begin a new paragraph and insert:

"SECTION 5. IC 12-15-13-0.4, AS ADDED BY P.L.117-2008, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 0.4. As used in this chapter, "office" includes the following:

(1) The office of ~~Medicaid policy and planning~~: the **secretary of family and social services**.

(2) A managed care organization that has contracted with the office of Medicaid policy and planning under this article.

(3) A person that has contracted with a managed care organization described in subdivision (2).

SECTION 6. An emergency is declared for this act."

Renumber all SECTIONS consecutively.
(Reference is to SB 142 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 143, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 10, Nays 1.

MISHLER, Acting Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 156, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, line 16, after "property." insert "**The fiscal body of the unit that established the redevelopment commission must separately approve each grant, loan, or other expenditure for financial assistance under this subdivision. The terms of any loan that is made under this subdivision may be changed only if the change is approved by the fiscal body of the unit that established the redevelopment commission. A redevelopment commission may not provide financial assistance under this subdivision after June 30, 2019.**"

Page 4, line 18, after "if this subdivision" insert "**(excluding the requirement of prior approval by the fiscal body)**".

Page 10, line 1, after "chapter." insert "**The fiscal body of the unit that established the redevelopment commission must separately approve each grant, loan, or other expenditure for financial assistance that is funded from allocated property taxes under this clause. This clause expires July 1, 2019.**"

Page 15, line 35, after "property." insert "**The fiscal body of the unit that established the redevelopment commission must separately approve each grant, loan, or other expenditure for financial assistance under this subdivision. The terms of any loan that is made under this subdivision may be changed only if the change is approved by the fiscal body of the unit that established the redevelopment commission. This subdivision expires July 1, 2019.**"

Page 21, line 19, after "chapter." insert "**The fiscal body of the unit that established the redevelopment commission must separately approve each grant, loan, or other expenditure for**

financial assistance that is funded from allocated property taxes under this clause. This clause expires July 1, 2019."

(Reference is to HB 156 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 8, Nays 1.

HERSHMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 158, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 6-1.1-10-16, AS AMENDED BY P.L.197-2011, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 16. (a) All or part of a building is exempt from property taxation if it is owned, occupied, and used by a person for educational, literary, scientific, religious, or charitable purposes.

(b) A building is exempt from property taxation if it is owned, occupied, and used by a town, city, township, or county for educational, literary, scientific, fraternal, or charitable purposes.

(c) A tract of land, including the campus and athletic grounds of an educational institution, is exempt from property taxation if:

- (1) a building that is exempt under subsection (a) or (b) is situated on it;
- (2) a parking lot or structure that serves a building referred to in subdivision (1) is situated on it; or
- (3) the tract:
 - (A) is owned by a nonprofit entity established for the purpose of retaining and preserving land and water for their natural characteristics;
 - (B) does not exceed five hundred (500) acres; and
 - (C) is not used by the nonprofit entity to make a profit.

(d) A tract of land is exempt from property taxation if:

- (1) it is purchased for the purpose of erecting a building that is to be owned, occupied, and used in such a manner that the building will be exempt under subsection (a) or (b); and
- (2) not more than four (4) years after the property is purchased, and for each year after the four (4) year period, the owner demonstrates substantial progress and active pursuit towards the erection of the intended building and use of the tract for the exempt purpose. To establish substantial progress and active pursuit under this subdivision, the owner must prove the existence of factors such as the following:

- (A) Organization of and activity by a building committee or other oversight group.
- (B) Completion and filing of building plans with the appropriate local government authority.
- (C) Cash reserves dedicated to the project of a sufficient amount to lead a reasonable individual to believe the actual construction can and will begin within four (4)

years.

(D) The breaking of ground and the beginning of actual construction.

(E) Any other factor that would lead a reasonable individual to believe that construction of the building is an active plan and that the building is capable of being completed within eight (8) years considering the circumstances of the owner.

If the owner of the property sells, leases, or otherwise transfers a tract of land that is exempt under this subsection, the owner is liable for the property taxes that were not imposed upon the tract of land during the period beginning January 1 of the fourth year following the purchase of the property and ending on December 31 of the year of the sale, lease, or transfer. The county auditor of the county in which the tract of land is located may establish an installment plan for the repayment of taxes due under this subsection. The plan established by the county auditor may allow the repayment of the taxes over a period of years equal to the number of years for which property taxes must be repaid under this subsection.

(e) Personal property is exempt from property taxation if it is owned and used in such a manner that it would be exempt under subsection (a) or (b) if it were a building.

(f) A hospital's property that is exempt from property taxation under subsection (a), (b), or (e) shall remain exempt from property taxation even if the property is used in part to furnish goods or services to another hospital whose property qualifies for exemption under this section.

(g) Property owned by a shared hospital services organization that is exempt from federal income taxation under Section 501(c)(3) or 501(e) of the Internal Revenue Code is exempt from property taxation if it is owned, occupied, and used exclusively to furnish goods or services to a hospital whose property is exempt from property taxation under subsection (a), (b), or (e).

(h) This section does not exempt from property tax an office or a practice of a physician or group of physicians that is owned by a hospital licensed under IC 16-21-2 or other property that is not substantially related to or supportive of the inpatient facility of the hospital unless the office, practice, or other property:

- (1) provides or supports the provision of charity care (as defined in IC 16-18-2-52.5), including providing funds or other financial support for health care services for individuals who are indigent (as defined in IC 16-18-2-52.5(b) and IC 16-18-2-52.5(c)); or
- (2) provides or supports the provision of community benefits (as defined in IC 16-21-9-1), including research, education, or government sponsored indigent health care (as defined in IC 16-21-9-2).

However, participation in the Medicaid or Medicare program alone does not entitle an office, practice, or other property described in this subsection to an exemption under this section.

(i) A tract of land or a tract of land plus all or part of a structure on the land is exempt from property taxation if:

- (1) the tract is acquired for the purpose of erecting, renovating, or improving a single family residential structure that is to be given away or sold:

- (A) in a charitable manner;
- (B) by a nonprofit organization; and
- (C) to low income individuals who will:
 - (i) use the land as a family residence; and
 - (ii) not have an exemption for the land under this section;
- (2) the tract does not exceed three (3) acres;
- (3) the tract of land or the tract of land plus all or part of a structure on the land is not used for profit while exempt under this section; and
- (4) not more than four (4) years after the property is acquired for the purpose described in subdivision (1), and for each year after the four (4) year period, the owner demonstrates substantial progress and active pursuit towards the erection, renovation, or improvement of the intended structure. To establish substantial progress and active pursuit under this subdivision, the owner must prove the existence of factors such as the following:
 - (A) Organization of and activity by a building committee or other oversight group.
 - (B) Completion and filing of building plans with the appropriate local government authority.
 - (C) Cash reserves dedicated to the project of a sufficient amount to lead a reasonable individual to believe the actual construction can and will begin within five (5) years of the initial exemption received under this subsection.
 - (D) The breaking of ground and the beginning of actual construction.
 - (E) Any other factor that would lead a reasonable individual to believe that construction of the structure is an active plan and that the structure is capable of being:
 - (i) completed; and
 - (ii) transferred to a low income individual who does not receive an exemption under this section; within eight (8) years considering the circumstances of the owner.
- (j) An exemption under subsection (i) terminates when the property is conveyed by the nonprofit organization to another owner. When the property is conveyed to another owner, the nonprofit organization receiving the exemption must file a certified statement with the auditor of the county, notifying the auditor of the change not later than sixty (60) days after the date of the conveyance. The county auditor shall immediately forward a copy of the certified statement to the county assessor. A nonprofit organization that fails to file the statement required by this subsection is liable for the amount of property taxes due on the property conveyed if it were not for the exemption allowed under this chapter.
- (k) If property is granted an exemption in any year under subsection (i) and the owner:
 - (1) ceases to be eligible for the exemption under subsection (i)(4);
 - (2) fails to transfer the tangible property within eight (8) years after the assessment date for which the exemption is initially granted; or
 - (3) transfers the tangible property to a person who:

- (A) is not a low income individual; or
- (B) does not use the transferred property as a residence for at least one (1) year after the property is transferred;

the person receiving the exemption shall notify the county recorder and the county auditor of the county in which the property is located not later than sixty (60) days after the event described in subdivision (1), (2), or (3) occurs. The county auditor shall immediately inform the county assessor of a notification received under this subsection.

(l) If subsection (k)(1), (k)(2), or (k)(3) applies, the owner shall pay, not later than the date that the next installment of property taxes is due, an amount equal to the sum of the following:

- (1) The total property taxes that, if it were not for the exemption under subsection (i), would have been levied on the property in each year in which an exemption was allowed.

- (2) Interest on the property taxes at the rate of ten percent (10%) per year.

(m) The liability imposed by subsection (l) is a lien upon the property receiving the exemption under subsection (i). An amount collected under subsection (l) shall be collected as an excess levy. If the amount is not paid, it shall be collected in the same manner that delinquent taxes on real property are collected.

(n) Property referred to in this section shall be assessed to the extent required under IC 6-1.1-11-9.

(o) A for-profit provider of early childhood education services to children who are at least four (4) but less than six (6) years of age on the annual assessment date may receive the exemption provided by this section for property used for educational purposes only if all the requirements of section 46 of this chapter are satisfied. A for-profit provider of early childhood education services that provides the services only to children younger than four (4) years of age may not receive the exemption provided by this section for property used for educational purposes.

SECTION 2. IC 6-1.1-10-36.3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 36.3. (a) For purposes of this section, property is predominantly used or occupied for one (1) or more stated purposes if it is used or occupied for one (1) or more of those purposes during more than fifty percent (50%) of the time that it is used or occupied in the year that ends on the assessment date of the property.

(b) The determination under subsection (c) of:

- (1) the use or occupation of the property; and
- (2) the application of an exemption;

applies separately to each part of the property identified under IC 6-1.1-11-3(c)(5).

(c) If a section of this chapter states one (1) or more purposes for which property must be used or occupied in order to qualify for an exemption, then the exemption applies as follows:

- (1) Property that is exclusively used or occupied for one (1) or more of the stated purposes is totally exempt under that section.
- (2) Property that is predominantly used or occupied for one (1) or more of the stated purposes by a church, religious society, or not-for-profit school is totally exempt under that section.

(3) Property that is predominantly used or occupied for one (1) or more of the stated purposes by a person other than a church, religious society, or not-for-profit school is exempt under that section from property tax on the part of the assessment of the property that bears the same proportion to the total assessment of the property as the amount of time that the property was used or occupied for one (1) or more of the stated purposes during the year that ends on the assessment date of the property bears to the amount of time that the property was used or occupied for any purpose during that year. **This subdivision does not apply to a for-profit provider of early childhood education services covered by section 46 of this chapter.**

(4) Property that is predominantly used or occupied for a purpose other than one (1) of the stated purposes is not exempt from any part of the property tax.

(d) Property is not used or occupied for one (1) or more of the stated purposes during the time that a predominant part of the property is used or occupied in connection with a trade or business that is not substantially related to the exercise or performance of one (1) or more of the stated purposes."

Page 1, line 3, after "46." insert "(a)".

Page 1, line 3, after "property" insert **"owned, occupied, or used by a for-profit provider of early childhood education services to children who are at least four (4) but less than six (6) years of age"**.

Page 1, delete lines 4 through 16 and insert **"property taxation under section 16 of this chapter only if all the following requirements are satisfied:**

- (1) **The primary purpose of the provider is educational.**
- (2) **The provider is the property owner and the provider also predominantly occupies and uses the tangible property for providing early childhood education services to children who are at least four (4) but less than six (6) years of age.**
- (3) **The provider participates in the early education evaluation program established under IC 12-17.2-3.7 and meets the standards of quality recognized by a Level 3 or Level 4 Paths to QUALITY program rating or has a comparable rating from a nationally recognized accrediting body.**

If the property owner provides early childhood education services to children who are at least four (4) but less than six (6) years of age and to children younger than four (4) years of age, the amount of the exemption must be on that part of the assessment of the property that bears the same proportion to the total assessment of the property as the percentage of the property owner's enrollment count of children who are at least four (4) but less than six (6) years of age compared to the property owner's total enrollment count of children of all ages.

(b) For purposes of this section, the annual assessment date or, if the annual assessment date is not a business day for the property owner, the business day closest to the annual assessment date, must be used for the enrollment count under this section. However, a property owner that believes that the enrollment count on this date for a particular year does not accurately represent the property owner's normal enrollment

count for that year may appeal to the county assessor for a change in the date to be used under this section for that year. The appeal must be filed on or before the deadline for filing an exemption under section 16 of this chapter. If the county assessor finds that the property owner's appeal substantiates that the property's owner's normal enrollment count is not accurately represented by using the required date, the assessor shall establish an alternate date to be used for that year that represents the property's owner's normal enrollment count for that year."

Delete pages 2 through 7.

Renumber all SECTIONS consecutively.

(Reference is to SB 158 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

HERSHMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 159, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, delete lines 28 through 39, begin a new line double block indented and insert:

"(B) that students will not complete the majority of instruction of the school's curriculum online or through an electronic medium;

(C) that the school will offer dual credit or industry certification course work that aligns with career pathways as recommended by the Indiana career council established by IC 22-4.5-9-3; and

(D) a plan:

(1) to support successful program completion and to assist transition of graduates to the workforce or to a postsecondary education upon receiving a diploma from the adult high school; and

(2) to review individual student accomplishments and success after a student receives a diploma from the adult high school."

Page 5, line 4, delete "apples" and insert **"applies"**.

Page 6, line 9, delete "The Christel House Academies that have been".

Page 6, delete line 10.

Page 6, line 11, delete "high schools before July 1, 2013, are" and insert **"A Christel House Academy that, before July 1, 2013, was granted a charter by the mayor of Indianapolis to establish an adult high school is"**.

Page 6, line 11, delete "." and insert **"if the adult high school was not in operation on May 1, 2013."**

Page 6, after line 27, begin a new paragraph and insert:

"SECTION 8. IC 20-31-8-5.2, AS ADDED BY SEA 24-2014, SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 5.2. (a) The state board shall establish an alternative accountability system to assess the performance of an adult high school. a charter school that is

sponsored by the Indiana charter school board established by ~~IC 20-24-2.1-1~~ and designated as a recovery school or an accelerated learning center. The system shall:

- (1) establish rigorous academic outcomes criteria;
- (2) measure college and career readiness outcomes for each graduate;
- (3) measure student accomplishments and success after graduation for a period of time as determined by the state board; and
- (4) require that a substantial majority of graduates who receive waiver diplomas must also be on track to receive or have already received an industry certification that aligns with career pathways as recommended by the Indiana career council established by IC 22-4.5-9-3.

(b) An adult high school is subject to the alternative accountability system developed by the state board under subsection (a)."

(Reference is to SB 159 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 163, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

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

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

"SECTION 1. IC 6-1.1-17-22 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 22. In determining the amount of the levy for a debt service fund for an ensuing year, the maximum amount allowed for an operating balance in the debt service fund is:**

- (1) for ensuing years 2015 through 2018:
 - (A) ten percent (10%) of the budget estimate for the debt service fund for the ensuing year for debt originally incurred after June 30, 2014; and
 - (B) fifty percent (50%) of the budget estimate for the debt service fund for the ensuing year for debt originally incurred before July 1, 2014; and
- (2) for an ensuing year after 2018, ten percent (10%) of the budget estimate for the debt service fund for the ensuing year, regardless of the date the debt was originally incurred.

SECTION 2. IC 6-1.1-20.6-9.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 9.9. (a) A school corporation is eligible under this section for 2014, 2015, or 2016, if the school corporation's percentage**

computed under this subsection is at least twenty percent (20%) for its transportation fund levy for that year, as certified by the department of local government finance. A school corporation shall compute its percentage under this subsection as follows:

- (1) Compute the amount of credits granted under this chapter against the school corporation's levy for the school corporation's transportation fund.
- (2) Compute the school corporation's levy for the school corporation's transportation fund.
- (3) Divide the amount computed under subdivision (1) by the amount computed under subdivision (2) and express it as a percentage.

The computation must be made by taking into account the requirements of section 9.8 of this chapter regarding protected taxes and the impact of credits granted under this chapter on the revenue to be distributed to the school corporation's transportation fund for the particular year.

(b) A school corporation that desires to be an eligible school corporation under this section must, before May 1 of the year for which it wants a determination, submit a written request for a certification by the department of local government finance that the computation of the school corporation's percentage under subsection (a) is correct. The department of local government finance shall, not later than June 1 of that year, determine whether the percentage computed by the school corporation is accurate and certify whether the school corporation is eligible under this section.

(c) For a school corporation that is certified as eligible under this section, the school corporation may allocate the effect of the credits granted under this chapter proportionately among all the school corporation's property tax funds, that are not exempt under section 7.5(b) or 7.5(c) of this chapter, based on the levy for each fund and without taking into account the requirements of section 9.8 of this chapter regarding protected taxes.

SECTION 3. **An emergency is declared for this act."**

Delete pages 2 through 3.

(Reference is to SB 163 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 12, Nays 0.

MISHLER, Acting Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill 166, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 8, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 222, has had

the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 1.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 227, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 3 with "[EFFECTIVE UPON PASSAGE]".

Page 2, line 3, after "reported" insert "**what the person reasonably believed to be**".

Page 3, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 3. IC 16-18-2-263.9 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 263.9. "Overdose prevention drug", for purposes of IC 16-31, means naloxone or any other drug that:**

- (1) is an opioid, opiate, or morphine antagonist; and**
- (2) prevents or reverses the effects of:**
 - (A) opioids;**
 - (B) opiates; or**
 - (C) morphine;**

including respiratory depression, sedation, and hypotension.

SECTION 4. IC 16-31-2-9, AS AMENDED BY P.L. 77-2012, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. The commission shall establish the following:

- (1) Standards for persons who provide emergency medical services and who are not licensed or regulated under IC 16-31-3.
- (2) Training standards for the administration of antidotes, vaccines, and antibiotics to prepare for or respond to a terrorist or military attack.
- (3) Training and certification standards for the administration of epinephrine through an auto-injector by an emergency medical technician.
- (4) Training standards to permit the use of antidote kits containing atropine and pralidoxime chloride for the treatment of exposure to nerve agents by an emergency medical technician or an emergency medical responder.
- (5) Standards for distribution, administration, use, and training in the use of an overdose prevention drug.**

SECTION 5. IC 16-31-3-23.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 23.5. An emergency medical responder may administer an overdose prevention drug to an individual who is suffering from an overdose.**

SECTION 6. IC 16-31-6-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2.5. (a) Except for an act of gross negligence or willful misconduct, an emergency medical responder who administers an overdose prevention drug according to standards established by the commission under IC 16-31-2-9 to an individual suffering from an overdose is immune from civil liability for acts or omissions when administering the drug.**

(b) If the emergency medical responder is immune from civil liability for the emergency medical responder's act or omission, a person who has only an agency relationship with the emergency medical responder is also immune from civil liability for the act or omission.

SECTION 7. IC 34-31-2-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2.5. IC 16-31-6-2.5 (Concerning emergency medical responders who administer an overdose prevention drug)."**

Page 5, after line 16, begin a new paragraph and insert: "SECTION 9. **An emergency is declared for this act.**".

Renummer all SECTIONS consecutively. (Reference is to SB 227 as introduced.)

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

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 229, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 6, Nays 2.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill 238, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 32, delete "2014," and insert "**2015**,".

Page 3, line 5, delete "2014." and insert "**2015**,".

(Reference is to SB 238 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

WYSS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill 254, has had the same under

consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 262, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 8, delete ";" and insert "**or has been approved based on an application filed under 21 U.S.C. 355(b)(2);**".

Page 3, line 15, delete "means a" and insert "**means:**

(1) a determination by the federal Food and Drug Administration that a biosimilar product may be substituted for a reference biological product without the intervention of the health care provider that prescribed the biological product; or

(2) concerning a biological product filed under 21 U.S.C. 355(b)(2), a product that is designated as therapeutically equivalent by the federal Food and Drug Administration in the Approved Drug Products with Therapeutic Equivalence Evaluations."

Page 3, delete lines 16 through 19.

Page 3, line 20, delete "a biosimilar product".

Page 3, line 22, delete "biosimilar product" and insert "**substitute**".

Page 3, delete lines 33 through 38.

Page 3, line 39, after "(a)" insert "**Except as provided in subsection (b), in order to ensure medical records are complete and accurate, a pharmacist shall, not later than ten (10) calendar days after dispensing a biologic product, record the name and manufacturer of the biologic product dispensed using:**

(1) an interoperable electronic health records system shared with the prescribing practitioner, to the extent a system is in place between the pharmacist and the practitioner; or

(2) if an electronic health records system is not in place between the pharmacist and the prescribing practitioner, any prevailing means available to communicate to the prescribing practitioner the name and manufacturer of the biologic product dispensed.

(b) The pharmacist is not required to report to or communicate with the prescribing practitioner under subsection (a)(2) if:

(1) there is no federal Food and Drug Administration approved interchangeable biological product for the prescribed biological product; or

(2) the refill prescription is not changed from the product originally dispensed.

Sec. 6. (a) The pharmacy shall retain a record in accordance with IC 25-26-13-25(a) of the dispensed biological product.

(b) The prescribing practitioner shall retain a record in accordance with IC 16-39-7-1 of the dispensed biological product.

Sec. 7. (a)".

Page 3, line 39, after "maintain a" insert "**link on the board's Internet web site to the current list of all biological products determined by the United States Food and Drug Administration to be interchangeable with a specific reference biological product."**

Page 3, delete lines 40 through 42.

Page 4, line 3, delete "6." and insert "**8."**

(Reference is to SB 262 as introduced.) and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 3.

PATRICIA MILLER, Chair

Report adopted.

The Senate recessed for the remarks of United States Congressman Marlin A. Stutzman.

SENATE MOTION

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

- HCR 10 Senator Holdman
Congratulating James Dolan on his 90th birthday.
- HCR 11 Senator M. Young
Congratulating Dan Wilson on his selection as the 2014 Indiana Middle School Principal of the Year.
- SCR 5 Senator Wyss
Congratulating Keefer Printing Company on the 100th anniversary of its founding.
- SCR 9 Senator Hershman
Recognizing the value of a Presidential Youth Council.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 10

House Concurrent Resolution 10, sponsored by Senator Holdman:

A CONCURRENT RESOLUTION congratulating James Dolan on the occasion of his 90th birthday.

Whereas, James Dolan celebrated 90 years of life on December 26, 2013;

Whereas, James Dolan served his country bravely during World War II as a member of the 386th Bomb Squadron, 312th Bomb Group of the 5th United States Army Air Force;

Whereas, James Dolan was stationed in New Guinea and the Philippines from 1944 to June 1945 where he flew on an A-20 low-level bomber;

Whereas, While Don Livengood was piloting the plane, James Dolan manned a twin 50 caliber machine gun during 60 missions, strafing enemy troops at tree top level – approximately 10 to 50 feet above the ground;

Whereas, James Dolan served his state as a doorkeeper for the Indiana General Assembly in 1999, 2000, and 2001 and as a Veteran Affairs Officer for Blackford County from 2002 through 2006; and

Whereas, It is fitting and proper that an outstanding Hoosier such as James Dolan receive special recognition on the occasion of the 90th anniversary of his birth: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates James Dolan on the occasion of his 90th birthday and wishes him many more healthy, happy years.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to James Dolan and his family.

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

House Concurrent Resolution 11

House Concurrent Resolution 11, sponsored by Senators M. Young and Delph:

A CONCURRENT RESOLUTION congratulating Dan Wilson on his selection as the 2014 Indiana Middle School Principal of the Year.

Whereas, The people of Indiana take great pride in the educational system of Indiana and the faculty members who make it one of the finest systems in the nation;

Whereas, The Indiana Association of School Principals (IASP) selected Dan Wilson the 2014 Indiana Middle School Principal of the Year;

Whereas, A graduate of Indiana University with a bachelor's degree in Social Studies and a master's degree in Secondary Administration, Dan Wilson began his teaching career at Sam Houston High School in Houston, Texas;

Whereas, Before coming to Lynhurst 7th & 8th Grade Center, Dan Wilson was a Paraprofessional at Fulton Junior High School in the Metropolitan School District of Wayne Township and a teacher at Ben Davis Junior High School;

Whereas, Dan Wilson moved to the administrative department at South Wayne/Lynhurst 7th & 8th Grade Center in 2002 and

was named the Principal at Lynhurst 7th & 8th Grade Center in 2006;

Whereas, Through hard work, dedication, and special devotion to the children of Lynhurst 7th & 8th Grade Center, Dan Wilson has transitioned the school from a low expectations institution to a school that pushes students to do their best and set high goals and supports them with love and a nurturing attitude; and

Whereas, The key to success for Dan Wilson has been his ability to make the children of Lynhurst 7th & 8th Grade Center his top priority: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates Dan Wilson on his selection as Indiana's Middle School Principal of the Year and encourages him to continue the good work.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Dan Wilson and his family and Metropolitan School District of Wayne Township Superintendent Jeff Butts.

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

Senate Concurrent Resolution 5

Senate Concurrent Resolution 5, introduced by Senators Wyss and Long:

A CONCURRENT RESOLUTION congratulating Keefer Printing Company, Inc., on the occasion of the 100th anniversary of its founding.

Whereas, In January 1914, James Keefer moved his family to Fort Wayne from Ossian, where he had served as publisher of the Ossian News since 1889;

Whereas, In Fort Wayne James Keefer opened a small printing company at 921 Broadway that would be known as the Keefer Printing Company, Inc.;

Whereas, Under the guidance of James and his four sons, Keefer Printing began by specializing in stationery, posters, tickets, and other printing jobs;

Whereas, The company's reputation for excellence grew and, in the 1940s and 1950s, Keefer Printing became widely known for printing in-house newspapers for several of the largest companies in the area, including General Electric and International Harvester, along with many other publications, including yearbooks for some local high schools and game

programs for the Fort Wayne Komet Hockey Club, a job it still performs today;

Whereas, With the installation of new offset presses in the 1960s, the company began to concentrate on printing color brochures and catalogs for many of Fort Wayne's leading businesses and organizations; and

Whereas, For five generations the Keefer family has maintained its commitment to serving a wide range of businesses and charitable organizations in the Fort Wayne community: 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 Keefer Printing Company, Inc., on the occasion of the 100th anniversary of its founding and recognizes the many contributions Keefer Printing Company, Inc., has made to the community and Indiana.

SECTION 2. That copies of this resolution be transmitted by the Secretary of the Senate to president and owner Richard Keefer and the Keefer family.

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

Senate Concurrent Resolution 9

Senate Concurrent Resolution 9, introduced by Senator Hershman:

A CONCURRENT RESOLUTION recognizing the value of a Presidential Youth Council.

Whereas, Our nation faces serious challenges in the near future that could significantly impact the lives of young Americans for decades to come;

Whereas, The majority of 18- to 29-year-old Americans (71%) do not believe they have a voice in their government;

Whereas, The unique perspectives and insights of these young people are vital to the future success of our nation;

Whereas, The Millennial Generation is the generation that is most likely to be involved in service to their communities but the least likely to be civically engaged;

Whereas, Bridging this gap in interest is a necessity;

Whereas, A Presidential Youth Council could help young Americans believe their voices are being heard;

Whereas, A Presidential Youth Council could provide the 104 million Americans under the age of 24 a substantive say in governmental policies that affect them;

Whereas, This council, representing the diversity of Americans, could serve as a sounding board for federal agencies' youth-related initiatives making the federal government more efficient and effective; and

Whereas, Governors, state legislatures, mayors, and city councils have created youth councils that have proven to be an effective means of garnering input from young people, leading to more effective and efficient policies: 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 urges the establishment of a Presidential Youth Council to advise the President and the administration on the perspectives of young people, to make public policy-related youth programs more efficient and effective, and to address issues that will affect the long-term future of the United States.

SECTION 2. That copies of this resolution be transmitted by the Secretary of the Senate to the members of the Indiana Congressional delegation.

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

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 10 and 14 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1004 and 1037 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 11 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE BILLS ON SECOND READING

Senate Bill 4

Senator Steele called up Senate Bill 4 for second reading. The bill was reread a second time by title.

SENATE MOTION (Amendment 4-1)

Madam President: I move that Senate Bill 4 be amended to read as follows:

Page 3, line 3, after "department." insert **"If the manager of a public use airport (as defined by 49 U.S.C. 47102(22)) or the manager's designee does not provide the information requested by the department within the required fourteen (14) day period, the manager of the public use airport (as defined by 49 U.S.C. 47102(22)) and any designee of the manager are required to obtain a permit from the department to chase or take a wild animal during the following calendar year."**

(Reference is to SB 4 as printed January 15, 2014.)

STEELE

Motion prevailed. The bill was ordered engrossed.

Senate Bill 54

Senator Zakas called up Senate Bill 54 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 54-1)

Madam President: I move that Senate Bill 54 be amended to read as follows:

Page 1, line 8, after "fund" delete "," and insert **"and the financial effects on participating local government units of withdrawing or excluding new hires from the plans,"**.

(Reference is to SB 54 as printed January 17, 2014.)

ZAKAS

Motion prevailed. The bill was ordered engrossed.

Senate Bill 56

Senator Paul called up Senate Bill 56 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 57

Senator Paul called up Senate Bill 57 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 107

Senator Charbonneau called up Senate Bill 107 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 107-4)

Madam President: I move that Senate Bill 107 be amended to read as follows:

Page 1, delete lines 1 through 16.

Delete pages 2 through 4.

Page 5, delete lines 1 through 8, begin a new paragraph and insert:

"SECTION 1. IC 13-13-7-9, AS AMENDED BY P.L.6-2012, SECTION 102, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: (a) Sec. 9. The council shall do the following:

(1) Conduct the following studies:

- (A) Study issues designated by the legislative council.
- (B) In 2011, study each program administered by the department for which the program's annual cost of administration exceeds the annual revenue generated by the program and evaluate whether to recommend measures to reduce or eliminate the excess cost.
- (C) Study the following in 2012:

(i) The effectiveness of the electronic waste provisions of IC 13-20.5.

(ii) Appropriate guidelines for the Indiana recycling market development board for determining under IC 13-20.5-2-2 whether a manufacturer has made good faith progress to achieve substantial compliance with IC 13-20.5.

(2) Advise the commissioner on policy issues decided on by the council.

(3) Review the mission and goals of the department and evaluate the implementation of the mission.

(4) Serve as a council of the general assembly to evaluate:

- (A) resources and structural capabilities of the department to meet the department's priorities; and
- (B) program requirements and resource requirements for the department.

(5) Serve as a forum for citizens, the regulated community, and legislators to discuss broad policy directions.

(6) Review and discuss various topics related to the Great Lakes and the Great Lakes watershed, including:

(A) the availability of federal funds for projects related to water quality, supply, and protection;

(B) the extent of water consumption and use from the Great Lakes, including the Great Lakes watershed;

(C) levels of water pollution and the sources affecting water quality of the Great Lakes, including the Great Lakes watershed;

(D) the impact of water quality and supply issues on recreational activities and natural habitats;

(E) the impact of invasive species on the Great Lakes and the Great Lakes watershed ecosystem;

(F) current laws and regulations affecting the Great Lakes, including the Great Lakes—St. Lawrence River Basin Water Resources Compact (IC 14-25-15);

(G) current laws, regulations, and infrastructure conditions affecting shipping in the Great Lakes; and

(H) other matters relevant to the condition of the Great Lakes and the Great Lakes Watershed.

(7) Submit a final report to the legislative council, in an electronic format under IC 5-14-6, that contains at least the following:

- (A) An outline of activities of the council.
- (B) Recommendations for department action.
- (C) Recommendations for legislative action.

CHARBONNEAU

Motion prevailed. The bill was ordered engrossed.

(b) During the 2014 legislative interim, the state department of health established by IC 16-19-1-1 and the department of environmental management shall report to the council on the progress in transferring from the state department of health to the department of environmental management the authority to regulate:

- (1) residential onsite sewage systems;**
- (2) commercial onsite sewage systems; and**
- (3) sewage disposal systems of mobile home communities that employ septic tank absorption fields.**

SECTION 2. IC 13-18-24 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 24. Transfer of Authority Over Onsite Sewage Systems and Mobile Home Community Sewage Disposal Systems

Sec. 1. (a) Notwithstanding any other provision of this title or IC 16, the state department of health established by IC 16-19-1-1 shall transfer to the department of environmental management, and the department of environmental management shall assume, the authority for regulating the following:

- (1) Commercial onsite sewage systems.**
- (2) Residential onsite sewage systems.**
- (3) Sewage disposal systems of mobile home communities that employ septic tank absorption fields.**

(b) The transfer of authority required by subsection (a) shall take place:

- (1) as soon as reasonably possible, consistent with the goal of avoiding undue disruption for persons and entities affected by or involved in the regulatory activity, including local boards of health and their local health departments; but**
- (2) in no event later than July 1, 2015.**

Sec. 2. (a) The environmental rules board shall adopt rules under IC 4-22-2 and IC 13-14-9 concerning the exercise by the department of environmental management of the authority for regulating:

- (1) commercial onsite sewage systems;**
- (2) residential onsite sewage systems; and**
- (3) sewage disposal systems of mobile home communities that employ septic tank absorption fields."**

Page 5, line 19, delete "January 1, 2015." and insert "**the transfer of authority required by section 1(a) of this chapter.**

Sec. 3. (a) The legislative services agency shall prepare legislation for introduction in the 2015 regular session of the general assembly to make changes in statutes that are necessary or appropriate because of the transfer of authority required by section 1(a) of this chapter.

(b) This section expires July 1, 2015.

SECTION 3. An emergency is declared for this act."

Page 5, delete lines 20 through 42.

Delete pages 6 through 18.

(Reference is to SB 107 as printed January 15, 2014.)

Senate Bill 137

Senator Lanane called up Senate Bill 137 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 137-1)

Madam President: I move that Senate Bill 137 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning human services.

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

"SECTION 1. [EFFECTIVE UPON PASSAGE] **(a) The legislative council shall assign to an appropriate study committee during the 2014 interim the topic of adult protective service laws. The committee shall do the following:"**

Page 2, delete lines 12 through 40, begin a new paragraph, and insert:

"(b) The committee shall issue to the legislative council a final report containing the committee's findings and recommendations, including any recommended legislation, in an electronic format under IC 5-14-6 not later than November 1, 2014.

(c) This SECTION expires January 1, 2015."

(Reference is to SB 137 as printed January 15, 2014.)

LANANE

Motion prevailed. The bill was ordered engrossed.

Senate Bill 151

Senator Zakas called up Senate Bill 151 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 220

Senator Holdman called up Senate Bill 220 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 220-1)

Madam President: I move that Senate Bill 220 be amended to read as follows:

Page 3, between lines 5 and 6, begin a new paragraph and insert:

"Sec. 11. (a) This section applies only to the following:

- (1) A policy issued in Indiana after June 30, 2015.**
- (2) An annuity contract issued or entered into in Indiana after June 30, 2015.**
- (3) A retained asset account established after June 30, 2015, by an insurer conducting business in Indiana."**

Page 3, line 6, delete "Sec. 11. (a)" and insert "**(b)**".

Page 3, line 10, delete "**(b)**" and insert "**(c)**".

Page 3, line 10, delete "(a)" and insert "(b)".
 Page 3, line 16, delete "(a)." and insert "(b)".
 Page 3, line 17, delete "(c)" and insert "(d)".
 Page 3, line 21, delete "person," and insert "**person through a comparison performed under section 11 of this chapter,**".
 (Reference is to SB 220 as printed January 17, 2014.)

HOLDMAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 266

Senator Schneider called up Senate Bill 266 for second reading. The bill was read a second time by title.

SENATE MOTION
 (Amendment 266-1)

Madam President: I move that Senate Bill 266 be amended to read as follows:

Page 3, line 7, after "IC 6-1.1-15-1" insert "**or an appeal to the Indiana board of tax review or the Indiana tax court**".

Page 3, line 9, after "IC 6-1.1-15-1" delete ":" and insert "**or an appeal to the Indiana board of tax review or the Indiana tax court**".

Page 3, line 15, after "to" insert ":

**(A) any change in use of a property; or
 (B)**".

Page 3, line 21, delete "years" and insert "**assessment dates**".

Page 3, line 22, after "is" insert "**finally**".

Page 3, line 23, after "IC 6-1.1-15-1" delete "," and insert "**or an appeal to the Indiana board of tax review or the Indiana tax court**".

Page 3, line 30, after "review" insert "**or appeal**".

Page 3, delete lines 41 through 42, begin a new line double block indented and insert:

"STEP THREE: Increase the STEP ONE amount to:

(A) if the assessed value was not determined based on the gross rent multiplier method, the result of the STEP ONE amount as adjusted by applying to the assessed value of the property the applicable annual adjustment for the assessment date as determined under rules adopted under IC 6-1.1-4-4.5; and

(B) if the assessed value was determined based on the gross rent multiplier method, the lesser of:

(i) the result of the STEP ONE amount as adjusted by applying to the assessed value of the property the applicable annual adjustment for the assessment date as determined under rules adopted under IC 6-1.1-4-4.5; or

(ii) the result of multiplying the STEP ONE amount by the STEP TWO result."

Page 4, delete lines 1 through 8.

Page 4, delete lines 29 through 38, begin a new line double block indented and insert:

"STEP THREE: Increase the STEP ONE amount to:

(A) if the assessed value was not determined based on the gross rent multiplier method, the result of the STEP ONE amount as adjusted by applying to

the assessed value of the property the applicable annual adjustment for the assessment date as determined under rules adopted under IC 6-1.1-4-4.5; and

(B) if the assessed value in the review was determined based on the gross rent multiplier method, the lesser of:

(i) the result of the STEP ONE amount as adjusted by applying to the assessed value of the property the applicable annual adjustment for the assessment date as determined under rules adopted under IC 6-1.1-4-4.5; or

(ii) the result of multiplying the STEP ONE amount by the STEP TWO result."

(Reference is to SB 266 as printed January 17, 2014.)

SCHNEIDER

Motion prevailed. The bill was ordered engrossed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 285, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 291, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill 300, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

WYSS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 305, has had the same under consideration and begs leave to report the same back to the

Senate with the recommendation that said bill be amended as follows:

- Page 1, line 10, reset in roman "However, the".
- Page 1, reset in roman lines 11 through 13.
- Page 1, line 14, reset in roman "of a".
- Page 1, line 14, after "of a" insert ":".
- Page 1, between lines 15 and 16, begin a new line double block indented and insert:
 - "(A) **schedule I controlled substance; or**
 - (B) controlled substance lookalike;**
 - by a retail merchant (as defined in IC 6-2.5-1-8) or a supplier (as defined in IC 24-5-0.5-2) if the alleged violation occurs in the normal course of the retail merchant's or supplier's business."**
- Page 2, line 8, reset in roman "Good".
- Page 2, reset in roman line 9.
- Page 2, line 10, reset in roman "(1) Sale or solicitation of a sale involving a".
- Page 2, line 10, after "involving a" insert "**controlled substance or controlled substance lookalike (IC 35-31.5-2-65.5)**".
- Page 2, line 13, reset in roman "(2) Failure to collect sales tax on a sale involving a".
- Page 2, line 13, after "involving a" insert "**controlled substance or controlled substance lookalike (IC 35-31.5-2-65.5)**".
- Page 2, reset in roman lines 15 through 19.
- Page 2, line 20, reset in roman "subdivision (1) or (2), the department shall".
- Page 2, line 20, after "shall" insert "**revoke the person's registered retail merchant certificate for the place of business where the violation occurred for up to one (1) year.**".
- Page 3, reset in roman line 34.
- Page 3, line 35, reset in roman "the evidence that a person has a conviction for a".
- Page 3, line 35, after "for a" insert "**controlled substance offense, including an offense relating to the sale of a controlled substance lookalike,**".
- Page 3, line 36, reset in roman "and the conviction involved the sale of or the offer to".
- Page 3, line 37, reset in roman "sell, in the normal course of business, a".
- Page 3, line 37, after "a" insert "**controlled substance or controlled substance lookalike (IC 35-31.5-2-65.5)**".
- Page 3, line 38, reset in roman "by a retail merchant in a place of business for".
- Page 3, reset in roman lines 39 through 42.
- Page 4, reset in roman lines 1 through 15.
- Page 4, line 16, reset in roman "or the offer to sell, in the normal course of business, a".
- Page 4, line 16, after "a" insert "**controlled substance or controlled substance lookalike**".
- Page 4, line 17, reset in roman "by a retail merchant in a place".
- Page 4, reset in roman lines 18 through 34.
- Page 8, line 20, delete "(before its" and insert "**(for an offense committed before July 1, 2014)**".

Page 8, line 21, delete "repeal)".

Page 8, line 21, delete "." and insert ", **or possession of a controlled substance lookalike as a Level 6 felony under IC 35-48-4-11.5 (for an offense committed after June 30, 2014)**".

Page 10, line 4, strike "or manufacturing".

Page 10, line 23, delete "(before its repeal)" and insert "**(for an offense committed before July 1, 2014)**".

Page 10, line 24, delete "." and insert ", **or dealing in a controlled substance lookalike under IC 35-48-4-10.5 (for an offense committed after June 30, 2014)**".

Page 11, line 30, strike "or manufacturing".

Page 11, line 42, delete "(before its repeal)" and insert "**(for an offense committed before July 1, 2014)**".

Page 12, line 1, delete "." and insert ", **or dealing in a controlled substance lookalike under IC 35-48-4-10.5 (for an offense committed after June 30, 2014)**".

Page 12, line 3, strike "Homicide (IC 35-42-1)." and insert "**Murder (IC 35-42-1-1)**".

Page 12, between lines 4 and 5, begin a new line block indented and insert:

"(23) Involuntary manslaughter (IC 35-42-1-4).".

Page 12, line 5, strike "(23)" and insert "(24)".

Page 12, line 6, strike "(24)" and insert "(25)".

Page 12, line 16, strike "(25)" and insert "(26)".

Page 12, line 17, strike "(26)" and insert "(27)".

Page 12, line 18, strike "(27)" and insert "(28)".

Page 12, line 19, strike "(28)" and insert "(29)".

Page 12, line 23, strike "(29)" and insert "(30)".

Page 12, line 27, strike "(30)" and insert "(31)".

Page 12, line 29, strike "(31)" and insert "(32)".

Page 16, line 5, reset in roman "under IC 35-48-4-11.5".

Page 16, line 5, after "IC 35-48-4-11.5" insert "**(for an offense committed before July 1, 2014)**".

Page 16, line 5, reset in roman "(or under".

Page 16, line 6, reset in roman "IC 35-48-4-11 before its amendment in 2013)".

Page 16, line 6, delete "under:" and insert ", **or possession of a controlled substance lookalike under IC 35-48-4-11.5 (for an offense committed after June 30, 2014)**".

Page 16, delete lines 7 through 8.

Page 16, line 41, delete "(before its repeal)" and insert "**(for an offense committed before July 1, 2014)**".

Page 16, line 42, delete "." and insert ", **or dealing in a controlled substance lookalike under IC 35-48-4-10.5 (for an offense committed after June 30, 2014)**".

Page 19, line 42, delete "." and insert ";".

Page 19, line 42, reset in roman "and".

Page 20, reset in roman line 1.

Page 20, line 2, reset in roman "registered retail merchant certificate, subject to the".

Page 20, line 2, after "the" insert "**maximum suspension period and reissuance restrictions**".

Page 20, line 3, reset in roman "contained in IC 6-2.5-8-7(i), if the court finds".

Page 20, reset in roman line 4.

Page 20, line 5, reset in roman "of a".

Page 20, line 5, after "of a" insert "**controlled substance or controlled substance lookalike (IC 35-31.5-2-65.5).**".

Page 22, line 28, reset in roman "under IC 35-48-4-11.5".

Page 22, line 28, after "IC 35-48-4-11.5" insert ", **for an offense committed before July 1, 2014,**".

Page 22, line 28, reset in roman "(or under".

Page 22, line 29, reset in roman "IC 35-48-4-11 before its amendment in 2013)".

Page 22, line 29, delete "under:" and insert ", **or possession of a controlled substance lookalike under IC 35-48-4-11.5 (for an offense committed after June 30, 2014).**".

Page 22, delete lines 30 through 31.

Page 23, line 29, delete "(before its repeal)" and insert "**(for an offense committed before July 1, 2014)**".

Page 23, line 30, delete "." and insert ", **or dealing in a controlled substance lookalike under IC 35-48-4-10.5 (for an offense committed after June 30, 2014).**".

Page 25, reset in roman line 8.

Page 25, line 9, reset in roman "or solicited sale of a".

Page 25, line 9, after "a" insert "**controlled substance or controlled substance lookalike (IC 35-31.5-2-65.5),**".

Page 25, line 11, reset in roman ""property" means a".

Page 25, line 11, after "means a" insert "**building or structure owned or leased for commercial purposes, including all real property of any nature appurtenant to and used in connection with the building or structure.**".

Page 25, delete lines 16 through 28, begin a new paragraph and insert:

"SECTION 12. IC 32-30-8-10.5, AS ADDED BY P.L.196-2013, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 10.5. (a) **The remedies and penalties specified in this section may be imposed only against a retail merchant (as defined in IC 6-2.5-1-8) or a supplier (as defined in IC 24-5-0.5-2(a)(3)).**

(b) In addition to the remedies and penalties specified in sections 10, 11, 12, and 13 of this chapter, the court may do any of the following in an action brought under this chapter concerning the sale or solicited sale of a **synthetic drug (as defined in IC 35-31.5-2-321) or a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5) controlled substance or controlled substance lookalike (IC 35-31.5-2-65.5):**

(1) Issue a restraining order against the person subject to IC 32-30-7-9 and IC 32-30-7-13.

(2) Issue a preliminary injunction, temporary forfeiture, or closure order pending final decision on a permanent injunction subject to IC 32-30-7-12.

(3) Issue an order of abatement subject to IC 32-30-7-22."

Page 26, line 15, delete "(before its repeal)" and insert "**(for an offense committed before July 1, 2014)**".

Page 26, line 16, delete "." and insert ", **or dealing in a controlled substance lookalike under IC 35-48-4-10.5 (for an offense committed after June 30, 2014).**".

Page 27, line 20, delete "(before its repeal)" and insert "**(for an offense committed before July 1, 2014)**".

Page 27, line 21, delete "." and insert ", **or dealing in a controlled substance lookalike under IC 35-48-4-10.5 (for an**

offense committed after June 30, 2014).".

Page 29, line 40, delete "(before its repeal)," and insert "**(for an offense committed before July 1, 2014),**".

Page 29, line 41, delete "." and insert ", **or dealing in a controlled substance lookalike under IC 35-48-4-10.5 (for an offense committed after June 30, 2014).**".

Page 30, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 15. IC 35-31.5-2-16.5 IS REPEALED [EFFECTIVE JULY 1, 2014]. Sec. 16.5: "Analog", for purposes of section 321 of this chapter, means a new or novel chemical entity, independent of synthetic route or natural origin, having substantially the same:

(1) carbon backbone structure; and

(2) pharmacological mechanism of action;

as a compound specifically defined as a synthetic drug in section 321 of this chapter.

SECTION 16. IC 35-31.5-2-65.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 65.5. (a) "Controlled substance lookalike", except as provided in subsection (b), means one (1) or more of the following:

(1) A substance, other than a controlled substance, which any of the factors listed in subsection (c) would lead a reasonable person to believe to be a controlled substance.

(2) A substance, other than a controlled substance:

(A) that a person knows or should have known was intended to be consumed; and

(B) the consumption of which the person knows or should have known to be intended to cause intoxication.

(b) The term "controlled substance lookalike" does not include the following:

(1) Food and food ingredients (as defined in IC 6-2.5-1-20).

(2) Alcohol (as defined in IC 7.1-1-3-4).

(3) A legend drug (as defined in IC 16-18-2-199).

(4) Tobacco.

(5) A dietary supplement (as defined in IC 6-2.5-1-16).

(c) In determining whether a substance is a controlled substance lookalike, the following factors may be considered:

(1) The overall appearance of a dosage unit of the substance, including its shape, color, size, markings or lack of markings, taste, consistency, and any other identifying physical characteristics.

(2) How the substance is packaged for sale or distribution, including the shape, color, size, markings or lack of markings, and any other identifying physical characteristics of the packaging.

(3) Any statement made by the owner or person in control of the substance concerning the substance's nature, use, or effect.

(4) Any statement made to the buyer or recipient of the substance suggesting or implying that the substance is a controlled substance.

(5) Any statement made to the buyer or recipient of the substance suggesting or implying that the substance

may be resold for profit.

(6) The overall circumstances under which the substance is distributed, including whether:

(A) the distribution included an exchange of, or demand for, money or other property as consideration; and

(B) the amount of the consideration was substantially greater than the reasonable retail market value of the substance the seller claims the substance to be."

Page 38, line 8, after "(IC 35-43-4-2)" delete "." and insert "(before its repeal)".

Page 38, line 22, strike "or manufacturing".

Page 38, line 24, strike "or manufacturing".

Page 39, line 1, delete "(before its repeal)," and insert "(for an offense committed before July 1, 2014)".

Page 39, line 2, delete "." and insert ", or dealing in a controlled substance lookalike under IC 35-48-4-10.5 (for an offense committed after June 30, 2014)".

Page 51, line 5, delete "2014." and insert "2014;

including any substance previously defined as a synthetic drug."

Page 54, delete lines 32 through 42, begin a new paragraph and insert:

"SECTION 24. IC 35-48-4-10.5, AS ADDED BY P.L.196-2013, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 10.5. (a) A person who:

- (1) manufactures;
- (2) finances the manufacture of;
- (3) delivers;
- (4) finances the delivery of;
- (5) possesses, with intent to deliver; or
- (6) possesses, with intent to finance the delivery of;

a synthetic drug or a synthetic drug lookalike substance controlled substance lookalike commits dealing in a synthetic drug or synthetic drug lookalike substance controlled substance lookalike, a Class A infraction. However, the offense is a Class D Level 6 felony if the offense is committed knowingly or intentionally and the person has a prior unrelated judgment or conviction under this subsection, or a prior unrelated judgment or conviction for dealing in a synthetic drug or a synthetic drug lookalike substance (before their repeal).

(b) A person who:

- (1) knowingly or intentionally:
 - (A) manufactures;
 - (B) finances the manufacture of;
 - (C) delivers; or
 - (D) finances the delivery of;
- (2) possesses, with intent to:
 - (A) manufacture;
 - (B) finance the manufacture of;
 - (C) deliver; or
 - (D) finance the delivery of;

a synthetic drug or synthetic drug lookalike substance; controlled substance lookalike;

commits dealing in a synthetic drug or synthetic drug lookalike substance controlled substance lookalike, a Class A misdemeanor Level 6 felony, except as provided in subsection (c).

(c) The offense in subsection (b) is:

(1) a Class D Level 5 felony if:

(A) the recipient or intended recipient is less than eighteen (18) years of age;

(B) the amount involved is more than two (2) grams; or
 (C) the person has a prior conviction of an offense involving a synthetic drug or synthetic drug lookalike substance; controlled substance lookalike, or a synthetic drug or a synthetic drug lookalike substance (before their repeal); and

(2) a Class E Level 4 felony if the amount involved is more than two (2) grams and the person delivered or financed the delivery of the synthetic drug or synthetic drug lookalike substance; controlled substance lookalike:

(A) on a school bus; or

(B) in, on, or within five hundred (500) feet of:

(i) school property; or

(ii) a public park;

while a person under eighteen (18) years of age was reasonably expected to be present.

(d) In addition to a criminal or civil penalty imposed for a violation of this section, if the court finds that a person has violated this section and the violation involved the sale of or offer to sell, in the normal course of business, a synthetic drug or 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, the court:

(1) shall recommend the suspension of the registered retail merchant certificate for the place of business for one (1) year if the person's violation of this section resulted in a criminal conviction; and

(2) may recommend the suspension of the registered retail merchant certificate for the place of business for six (6) months if the person's violation of this section resulted in an adjudication that the person committed an infraction.

(e) The department of state revenue shall suspend the registered retail merchant certificate of a retail merchant in accordance with the recommendation of the court. Whenever the department of state revenue is required to suspend a retail merchant's registered retail merchant certificate under this section, the department shall immediately mail a notice to the retail merchant's address that must state that the retail merchant's registered retail merchant certificate will be suspended for the period recommended by the court, commencing five (5) days after the date of the notice."

Delete page 55.

Page 56, delete lines 1 through 29, begin a new paragraph and insert:

"SECTION 26. IC 35-48-4-11.5, AS ADDED BY P.L.185-2013, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 11.5. (a) As used in this section, "synthetic drug lookalike substance" has the meaning set forth in IC 35-31.5-2-321.5(a)(2).

~~(b) (a)~~ A person who possesses a ~~synthetic drug or synthetic drug lookalike substance controlled substance lookalike~~ commits possession of a ~~synthetic drug or synthetic drug lookalike substance controlled substance lookalike~~, a ~~Class B Class A~~ infraction.

~~(c) (b)~~ A person who knowingly or intentionally possesses a ~~synthetic drug or synthetic drug lookalike substance controlled substance lookalike~~ commits possession of a synthetic drug or synthetic drug lookalike substance, a Class A misdemeanor. However, the offense is a ~~Class D Level 6~~ felony if the person has a prior unrelated conviction under this section or under section 10.5 of this chapter."

Page 57, after line 3, begin a new paragraph and insert:

"SECTION 28. IC 35-48-4-15.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 15.5. (a) If a court finds that a person has been convicted of dealing in a controlled substance or convicted or found guilty in an infraction proceeding of dealing in a controlled substance lookalike (including a conviction or adjudication for an attempt to deal a controlled substance or controlled substance lookalike, or conspiracy to deal a controlled substance or controlled substance lookalike) and the violation involved the sale or an offer to sell, in the normal course of business by a retail merchant in a place of business for which the retail merchant has been issued a registered retail merchant certificate, the court:**

(1) shall recommend the suspension of the registered retail merchant certificate for the place of business for one (1) year if the person's violation of this section resulted in a criminal conviction; and

(2) may recommend the suspension of the registered retail merchant certificate for the place of business for six (6) months if the person's violation of this section resulted in an adjudication that the person committed an infraction.

(b) The department of state revenue shall suspend the registered retail merchant certificate of a retail merchant in accordance with the recommendation of the court. Whenever the department of state revenue is required to suspend a retail merchant's registered retail merchant certificate under this section, the department shall immediately mail a notice to the retail merchant's address that must state that the retail merchant's registered retail merchant certificate will be suspended for the period recommended by the court, commencing five (5) days after the date of the notice."

Re-number all SECTIONS consecutively.

(Reference is to SB 305 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill 306, has had the same under consideration and begs leave to report the same back to the

Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 311, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 312, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, line 36, after "a" insert "**judgment or**".

(Reference is to SB 312 as introduced.)

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

Committee Vote: Yeas 7, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 321, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 7, Nays 2.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 326, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 1.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and

Labor, to which was referred Senate Bill 330, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"(6) Submit not later than November 1, 2014, to the legislative council, in an electronic format under IC 5-14-6, a report that includes the following:

(A) The size of student populations in Indiana that:
(i) attend a postsecondary educational institution part-time; or

(ii) combine part-time and full-time enrollment in a postsecondary educational institution.

(B) The financial need of the student populations described in clause (A).

(C) The completion rates of the student populations described in clause (A).

(D) Recommendations for increasing the completion rates of the student populations described in clause (A) by using financial support and student incentives."

(Reference is to SB 330 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 331, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 335, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 10, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill 339, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 1.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill 352, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

WYSS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 353, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill 354, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

WYSS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 362, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 2.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 363, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

MISHLER, Acting Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 397, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 406, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 419, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 14, after "council" insert "**state**".

Page 3, line 15, strike "Propose the adoption of" and insert "**Adopt**".

Page 3, line 15, strike "by the department".

Page 5, delete lines 33 through 42, begin a new paragraph and insert:

"SECTION 17. IC 16-38-4-1, AS AMENDED BY P.L.232-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. As used in this chapter, "birth problems" means one (1) or more of the following conditions:

- (1) A structural deformation.
- (2) A developmental malformation.
- (3) A genetic, inherited, or biochemical disease.
- (4) A condition of a chronic nature, including central nervous system hemorrhage or infection of the central nervous system, that may result in a need for long term health care.
- (5) An autism spectrum disorder that is recognized in a child before the child becomes five (5) ~~an individual at any years of age.~~
- (6) A fetal alcohol spectrum disorder that is recognized before a child becomes five (5) years of age.
- (7) Any other severe disability that is:
 - (A) designated in a rule adopted by the state department; and
 - (B) recognized in a child after birth and before the child becomes three (3) years of age.
- (8) Complications resulting from a home delivery. As used

in this subdivision, "home" includes the delivery of a viable fetus at a home or other non-health care facility.

(9) A visual impairment.

SECTION 18. IC 16-38-4-6.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 6.5. As used in this chapter, "visual impairment" means the following:**

- (1) Achromatopsia.**
- (2) Albinism.**
- (3) Amblyopia.**
- (4) Aniridia.**
- (5) Anophthalmia.**
- (6) Aphakia.**
- (7) Cataracts.**
- (8) CHARGE syndrome.**
- (9) Coloboma.**
- (10) Cone, rod, and cone-rod dystrophies.**
- (11) Cortical and cerebral visual impairment.**
- (12) Deafblind.**
- (13) Delayed visual development, maturation, or impairment.**
- (14) Glaucoma.**
- (15) High hyperopia.**
- (16) High Myopia.**
- (17) Leber's congenital amaurosis.**
- (18) Microphthalmia.**
- (19) Norries disease.**
- (20) Nystagmus.**
- (21) Optic atrophy.**
- (22) Optic nerve atrophy.**
- (23) Optic nerve hypoplasia.**
- (24) Peters anomaly.**
- (25) Persistent fetal vasculature.**
- (26) Retinal detachment.**
- (27) Retinal folds.**
- (28) Retinitis pigmentosa.**
- (29) Retinoblastoma.**
- (30) Retinopathy of prematurity.**
- (31) Septo optic dysplasia.**
- (32) Stickler syndrome.**
- (33) Strabismus.**

SECTION 19. IC 16-38-4-8, AS AMENDED BY P.L.188-2013, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 8. (a) The state department shall establish a birth problems registry for the purpose of recording all cases of birth problems that occur in Indiana residents and compiling necessary and appropriate information concerning those cases, as determined by the state department, in order to:

- (1) conduct epidemiologic and environmental studies and to apply appropriate preventive and control measures;
- (2) inform the parents of children with birth problems:
 - (A) at the time of discharge from the hospital; or
 - (B) if a birth problem is diagnosed during a physician or hospital visit that occurs before the child is:
 - (i) except as provided in item (ii), three (3) years of age at the time of diagnosis; or
 - (ii) five (5) years of age at the time of diagnosis if the

disorder is ~~an autism spectrum disorder or~~ a fetal alcohol spectrum disorder;

about physicians, care facilities, and appropriate community resources, including local step ahead agencies and the infants and toddlers with disabilities program (IC 12-12.7-2); ~~or~~

(3) inform:

(A) the individual with problems at any age; or

(B) the individual's parent;

at the time of diagnosis, if the individual's disorder is an autism spectrum disorder, about physicians, care facilities, and appropriate community resources, including local step ahead agencies and the infants and toddlers with disabilities program (IC 12-12.7-2); or

~~(3)~~ **(4) inform citizens regarding programs designed to prevent or reduce birth problems.**

(b) The state department shall record in the birth problems registry:

(1) all data concerning birth problems of children that are provided from the certificate of live birth; and

(2) any additional information that may be provided by an individual or entity described in section 7(a)(2) of this chapter concerning a birth problem that is:

(A) designated in a rule adopted by the state department; and

(B) recognized:

(i) after the child is discharged from the hospital as a newborn;

(ii) before the child is five (5) years of age if the child is diagnosed with ~~an autism spectrum disorder or~~ a fetal alcohol spectrum disorder; ~~and~~

(iii) before the child is three (3) years of age for any diagnosis not specified in item (ii); ~~and~~

(iv) at any age if the individual is diagnosed with an autism spectrum disorder.

(c) The state department shall:

(1) provide a physician and a local health department with necessary forms for reporting under this chapter; and

(2) report in an electronic format under IC 5-14-6 to the legislative council any birth problem trends that are identified through the data collected under this chapter.

(d) Concerning an individual who is at least eight (8) years of age and diagnosed with an autism spectrum disorder, the state department is not required to do any of the following:

(1) Report information to the federal Centers for Disease Control and Prevention.

(2) Confirm the individual's diagnosis.

SECTION 20. IC 16-38-4-9, AS AMENDED BY P.L.232-2013, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 9. (a) Certified nurse midwives, certified direct entry midwives, and individuals and entities described in section 7(a)(2) of this chapter shall report each confirmed case of a birth problem that is recognized at the time of birth to the registry not later than sixty (60) days after the birth. An individual or entity described in section 7(a)(2) of this chapter who recognizes a birth problem in:

(1) a child after birth but before the child is five (5) years of age if the child is diagnosed with a disorder other

than an autism spectrum disorder; and

(2) an individual at any age if the individual is diagnosed with an autism spectrum disorder;

shall report the birth problem to the registry not later than sixty (60) days after recognizing the birth problem. Information may be provided to amend or clarify an earlier reported case.

(b) A person required to report information to the registry under this section may use, when completing reports required by this chapter, information submitted to any other public or private registry or required to be filed with federal, state, or local agencies. However, the state department may require additional, definitive information.

(c) Exchange of information between state department registries is authorized. The state department may use information from another registry administered by the state department. Information used from other registries remains subject to the confidentiality restrictions on the other registries."

Delete page 6.

Page 7, delete lines 1 through 15.

Page 7, after line 29, begin a new line blocked left and insert: **"However, not more than fifty percent (50%) of monies in the fund may be used for purposes of developing a statewide trauma system."**

Renumber all SECTIONS consecutively.

(Reference is to SB 419 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 420, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass and be reassigned to the Senate Committee on Tax and Fiscal Policy. Committee Vote: Yeas 9, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Concurrent Resolution 4, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass. Committee Vote: Yeas 8, Nays 0.

WYSS, Chair

Report adopted.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 3

Senator Steele called up Engrossed Senate Bill 3 for third

reading:

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

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

Roll Call 22: yeas 47, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Steuerwald, McMillin, and Koch.

Engrossed Senate Bill 27

Senator Zakas called up Engrossed Senate Bill 27 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

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

Roll Call 23: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Richardson.

Engrossed Senate Bill 50

Senator Patricia Miller called up Engrossed Senate Bill 50 for third reading:

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

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

Roll Call 24: yeas 30, nays 17. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Zent and Lawson.

Engrossed Senate Bill 63

Senator M. Young called up Engrossed Senate Bill 63 for third reading:

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

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

Roll Call 25: yeas 38, nays 10. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives McMillin and Steuerwald.

Engrossed Senate Bill 111

Senator Leising called up Engrossed Senate Bill 111 for third reading:

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

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

Roll Call 26: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lehe and Cherry.

Engrossed Senate Bill 113

Senator Leising called up Engrossed Senate Bill 113 for third reading:

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

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

Roll Call 27: yeas 39, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Rhoads and Frizzell.

Engrossed Senate Bill 117

Senator M. Young called up Engrossed Senate Bill 117 for third reading:

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

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

Roll Call 28: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Frizzell.

Engrossed Senate Bill 135

Senator Eckerty called up Engrossed Senate Bill 135 for third reading:

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

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

Roll Call 29: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the

bill. House sponsor: Representative Burton.

Engrossed Senate Bill 153

Senator Boots called up Engrossed Senate Bill 153 for third reading:

A BILL FOR AN ACT concerning pensions.

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

Roll Call 30: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Thompson.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that Senator Delph has been excused from voting on Senate Bill 173 pursuant to the Report of the Committee on Ethics adopted on January 14, 2014.

LONG

Report adopted.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 173

Senator Patricia Miller called up Engrossed Senate Bill 173 for third reading:

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

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

Roll Call 31: yeas 33, nays 14. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative T. Brown.

Engrossed Senate Bill 186

Senator Yoder called up Engrossed Senate Bill 186 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

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

Roll Call 32: yeas 40, nays 8. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lehe, Friend, and Kubacki.

Engrossed Senate Bill 209

Senator Walker called up Engrossed Senate Bill 209 for third reading:

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

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

Roll Call 33: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Burton and Moed.

Engrossed Senate Bill 236

Senator M. Young called up Engrossed Senate Bill 236 for third reading:

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

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

Roll Call 34: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Steuerwald and McMillin.

SENATE MOTION

Madam President: I move that Engrossed Senate Bill 245, which is eligible for third reading, be returned to second reading for purposes of amendment.

PATRICIA MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Engrossed Senate Bill 246, which is eligible for third reading, be returned to second reading for purposes of amendment.

BRAY

Motion prevailed.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 248

Senator Crider called up Engrossed Senate Bill 248 for third reading:

A BILL FOR AN ACT concerning human services.

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

Roll Call 35: yeas 47, nays 0. The bill was declared passed.

The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Clere.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 80, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

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

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 2-5-1.1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) The Indiana code revision commission is established. The commission shall function as an advisory body to the legislative council. In that capacity, the commission shall:

- (1) assist the council in supervising the compilation, computerization, indexing, and printing of the Indiana Code;
- (2) assist the council in developing standards for the codification and revision of statutes to make those statutes clear, concise, and easy to interpret and to apply;
- (3) assist the council, as required by IC 4-22-8-11, with the publication of the Indiana Register and in the compilation, computerization, indexing, and printing of the Indiana Administrative Code;
- (4) assist the council, as required by IC 4-22-2-42, in developing and revising standards, techniques, format, and numbering system to be used in drafting rules for promulgation;
- (5) assist the council in developing and revising standards, techniques, and format to be used when preparing legislation for consideration by the Indiana general assembly; and
- (6) assist the council with any other related tasks assigned to the commission by the council.

(b) The commission consists of the following members:

- (1) Four (4) members of the house of representatives, not more than two (2) of whom are members of the same political party, to be appointed by the speaker of the house of representatives.
- (2) Four (4) members of the senate, not more than two (2) of whom are members of the same political party, to be appointed by the president pro tempore of the senate.
- (3) The chief justice of Indiana or his designee.
- (4) The chief judge of the Indiana court of appeals or his designee.
- (5) The Indiana attorney general or his designee.
- (6) An attorney admitted to the practice of law before the Indiana supreme court selected by the chairman of the

council.

(7) A present or former professor of law selected by the chairman of the council.

(8) The Indiana secretary of state or his designee.

(9) An individual appointed by the governor.

Appointive members of the commission shall be appointed to serve a term of two (2) years or until their successors are appointed and qualified: serve at the pleasure of the appointing authority.

(c) ~~The chairman IC 2-5-1.2-8.5 applies to the appointment of a chair and a vice-chair~~ of the commission. ~~shall be selected by the commission from among its legislative members:~~

(d) Commission members serve without compensation other than per diem and travel allowance as authorized for legislative study committees.

(e) The commission shall meet as often as is necessary to properly perform its duties.

(f) The council may direct the legislative services agency to provide such clerical, research, and administrative personnel and other assistance as the council considers necessary to enable the commission to properly perform its duties.

(g) Subject to the authorization of the council, the expenses incurred by the commission in performing its duties shall be paid from the funds appropriated to the council.

SECTION 2. IC 2-5-1.1-12.2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12.2. (a) The definitions in IC 1-1-3.5 and IC 3-5-2 apply throughout this section.

~~(b) As used in this section, "committee" refers to the census data advisory committee established by IC 2-5-19-2.~~

~~(c)~~ (b) As used in this section, "council" refers to the legislative council established by section 1 of this chapter.

~~(d)~~ (c) As used in this section, "GIS" refers to the geographic information system that the office is required to establish and maintain under subsection ~~(g)(9): (f)(7).~~

~~(e)~~ (d) As used in this section, "office" refers to the office of census data established by subsection ~~(f): (e).~~

~~(f)~~ (e) The office of census data is established within the legislative services agency. Appointment of staff members of the office is subject to the approval of the legislative council.

~~(g)~~ (f) The office shall do the following:

(1) Advise and assist the Bureau of the Census ~~and the committee~~ in defining the boundaries of census blocks in Indiana.

~~(2) Advise and assist the committee in coordinating the state's efforts to obtain an accurate population count in each federal decennial census:~~

~~(3)~~ (2) Work with other state and federal agencies to assist in the Census Bureau's local review program conducted in Indiana.

~~(4)~~ (3) Participate in national associations of state governments to obtain information regarding census count activities conducted by other states.

~~(5) Advise and assist the committee in the preparation and organization of decennial census data for use in congressional and state legislative redistricting:~~

~~(6)~~ (4) Work with political subdivisions following each

decennial census to provide information and assistance concerning special censuses, special tabulations, and corrected population counts.

~~(7)~~ **(5)** Work with the election division, state agencies, and political subdivisions to maintain accurate information concerning the boundaries of precincts and political subdivisions.

~~(8)~~ **(6)** Provide technical assistance to counties, the election commission, and the election division to comply with Indiana law concerning establishing a precinct (as defined in IC 3-11-1.5-1).

~~(9)~~ **(7)** Establish and maintain a geographic information system that contains the boundaries of all precincts, legislative districts, and congressional districts. The geographic information system may contain other boundaries and information as determined by the executive director of the legislative services agency or as required by the council.

~~(10)~~ **(8)** Perform other census and mapping research as determined by the executive director of the legislative services agency or as required by the council.

~~(11)~~ **(g)** The office shall provide the election division a network connection to the GIS. The network connection must do the following:

(1) Provide the election division with read access to the GIS.

(2) Enable the election division to download any information, including maps, contained in the GIS.

~~(12)~~ **(h)** The election division is the agency through which public access to information contained in the GIS shall be provided.

SECTION 3. IC 2-5-1.2-1, AS AMENDED BY P.L.205-2013, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) Except as provided in subsection (b) or otherwise in this article, this chapter applies to all committees established under this article.

(b) This chapter does not apply to the following:

~~(1)~~ The legislative council and code revision commission (IC 2-5-1.1).

~~(2)~~ The public officers compensation advisory commission (IC 2-5-1.6).

~~(3)~~ The commission on interstate cooperation (IC 2-5-2).

~~(4)~~ The commission on state tax and financing policy (IC 2-5-3).

~~(5)~~ The natural resources study committee (IC 2-5-5).

~~(6)~~ The pension management oversight commission (IC 2-5-12).

~~(7)~~ The probate code study commission (IC 2-5-16).

~~(8)~~ The administrative rules oversight committee (IC 2-5-18).

~~(9)~~ The census data advisory committee (IC 2-5-19).

~~(10)~~ The commission on military and veterans affairs (IC 2-5-20).

~~(11)~~ A committee covered by IC 2-5-21.

~~(12)~~ The health finance commission (IC 2-5-23).

~~(13)~~ The water resources study committee (IC 2-5-25).

~~(14)~~ The commission on developmental disabilities

~~(IC 2-5-27.2).~~

~~(15)~~ The youth advisory council (IC 2-5-29).

~~(16)~~ The unemployment insurance oversight committee (IC 2-5-30).

~~(17)~~ The criminal law and sentencing policy study committee (IC 2-5-33.4).

SECTION 4. IC 2-5-1.2-4, AS ADDED BY P.L.220-2011, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. "Committee" refers to a commission, a committee, or another body (however designated) established under this article, **including a committee established under IC 2-5-1.3-14.**

SECTION 5. IC 2-5-1.2-8.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 8.5. The:**

(1) the chairman of the legislative council, with the advice of the vice-chairman, shall designate the chair; and

(2) the vice-chairman of the legislative council, with the advice of the chairman, shall designate a vice-chair;

of each committee from among the legislative members of the committee. The chair and vice-chair of a committee serve at the pleasure of the appointing authority.

SECTION 6. IC 2-5-1.3 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 1.3. Interim Study Committees

Sec. 1. As used in this chapter, "interim" refers to the part of a year that begins immediately after the day that a regular session of the general assembly adjourns sine die and ends immediately before the day that the next regular session of the general assembly convenes.

Sec. 2. As used in this chapter, "standing committee" means the following:

(1) A standing committee established under the rules of the senate to consider bills during a regular session of the general assembly.

(2) A standing committee established under the rules of the house of representatives to consider bills during a regular session of the general assembly.

Sec. 3. As used in this chapter, "study committee" means an interim study committee established by section 4 of this chapter.

Sec. 4. The following interim study committees are established:

(1) Agriculture and Natural Resources.

(2) Commerce and Economic Development.

(3) Corrections, Criminal Code, and the Judiciary.

(4) Courts.

(5) Education.

(6) Elections.

(7) Employment and Labor.

(8) Energy, Utilities, and Technology.

(9) Environmental Affairs.

(10) Financial Institutions and Insurance.

(11) Government.

(12) Health Finance.

(13) Pension Management Oversight.

- (14) Public Health and Human Services.
- (15) Public Policy.
- (16) Roads, Transportation, and Public Safety.
- (17) Fiscal Policy.

Sec. 5. A study committee has the following members:

- (1) Three (3) members of the senate, appointed by the president pro tempore, who preferably are members of the standing committee of the senate that has subject matter jurisdiction most closely relating to the subject matter for the study committee, as determined by the president pro tempore.
- (2) Three (3) members, appointed by the minority leader of the senate, who preferably are members of the standing committee of the senate that has subject matter jurisdiction most closely relating to the subject matter for the study committee, as determined by the president pro tempore.
- (3) Three (3) members, appointed by the speaker, who preferably are members of the standing committee of the house of representatives that has subject matter jurisdiction most closely relating to the subject matter for the study committee, as determined by the speaker.
- (4) Three (3) members, appointed by the minority leader of the house of representatives, who preferably are members of the standing committee of the house of representatives that has subject matter jurisdiction most closely relating to the subject matter for the study committee, as determined by the speaker.
- (5) One (1) member of the general assembly appointed under section 6 of this chapter.
- (6) The members (if any) appointed under section 7 of this chapter.

Sec. 6. (a) This section applies to the appointment of the study committee member described in section 5(5) of this chapter.

(b) The chairman of the legislative council shall appoint the additional legislative member of each study committee.

Sec. 7. (a) The chairman of the legislative council may add lay members to one (1) or more study committees in accordance with this section. If the chairman of the legislative council authorizes the appointment of lay members to a study committee, the lay members shall be appointed as follows:

- (1) One (1) individual, appointed by the president pro tempore, who resides in Indiana and has experience, education, or training in the subject matter for the study committee but who is not a member of the general assembly or an employee of the state of Indiana.
- (2) One (1) individual, appointed by the minority leader of the senate, who resides in Indiana and has experience, education, or training in the subject matter for the study committee but who is not a member of the general assembly or an employee of the state of Indiana.
- (3) One (1) individual, appointed by the speaker, who resides in Indiana and has experience, education, or training in the subject matter for the study committee but who is not a member of the general assembly or an employee of the state of Indiana.

(1) One (1) individual, appointed by the minority leader of the house of representatives, who resides in Indiana and has experience, education, or training in the subject matter for the study committee but who is not a member of the general assembly or an employee of the state of Indiana.

Sec. 8. This chapter does not prohibit an appointing authority from appointing a legislator who is not a member of a standing committee that has subject matter jurisdiction most closely relating to the subject matter for the study committee

Sec. 9. Additional voting members, advisory members, or lay members may not be appointed to serve on a study committee.

Sec. 10. A member appointed to a study committee serves at the pleasure of the appointing authority.

Sec. 11. (a) IC 2-5-1.2-8.5 applies to the appointment of a chair and vice-chair for a study committee. The chair appointed to a study committee must be the member appointed under section 6 of this chapter.

(b) The chair of a study committee may join in debate on any issue but may vote only to break a tie when the other members appointed to the study committee are equally divided. For purposes of applying IC 2-5-1.2-12, the chair shall be treated as a nonvoting member whenever the chair is not permitted to vote under this subsection.

Sec. 12. A study committee shall operate, as required in IC 2-5-1.2-13, under the policies and rules of the legislative council. However, a study committee may meet only during the interim period in a year.

Sec. 13. A study committee shall study the issues assigned by the legislative council that are within the subject matter for the study committee, as described in section 4 of this chapter. In addition, the roads, transportation, and public safety interim study committee shall advise the bureau of motor vehicles regarding the suitability of a special group (as defined in IC 9-13-2-170) to receive a special group recognition license plate for the special group (as defined in IC 9-13-2-170) for the first time under IC 9-18-25-2.5 and the suitability of a special group (as defined in IC 9-13-2-170) to continue participating in the special group recognition license plate program under IC 9-18-25-2.7.

Sec. 14. In addition to the study committees established under section 4 of this chapter, the legislative council by resolution or the chairman of the legislative council (with the advice of the vice-chairman of the legislative council) may establish one (1) or more additional interim study committees. An interim study committee established by the legislative council or the chairman of the legislative council:

- (1) shall study only the specific topics assigned by the legislative council;
- (2) exists for the duration of only one (1) interim period;
- (3) has the membership determined by the legislative council; and
- (4) is subject to IC 2-5-1.2.

Sec. 15. The legislative council may transfer the study of a legislative topic from the board, commission, or other

committee that is directed by law to study the legislative topic to a study committee with subject matter jurisdiction closely relating to the subject matter of the proposed study, as determined by the chairman of the legislative council, or to an interim study committee established under section 14 of this chapter.

SECTION 7. IC 2-5-1.6 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Public Officers Compensation Advisory Commission).

SECTION 8. IC 2-5-2 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Commission on Interstate Cooperation).

SECTION 9. IC 2-5-3 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Commission on State Tax and Financing Policy).

SECTION 10. IC 2-5-5 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Natural Resources Study Committee).

SECTION 11. IC 2-5-12 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Pension Management Oversight Commission).

SECTION 12. IC 2-5-16 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Probate Code Study Commission).

SECTION 13. IC 2-5-18 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Administrative Rules Oversight Committee).

SECTION 14. IC 2-5-19 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Census Data Advisory Committee).

SECTION 15. IC 2-5-20 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Commission on Military and Veterans Affairs).

SECTION 16. IC 2-5-21-2 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 2: As used in this chapter, "committee" refers to a committee established under section 10 of this chapter.

SECTION 17. IC 2-5-21-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) The subcommittee consists of four (4) members of the council as follows:

- (1) Two (2) members of the house of representatives who may not be members of the same political party.
- (2) Two (2) members of the senate who may not be members of the same political party.

(b) The chairman of the council, with the advice of the vice-chairman of the council, shall appoint the members of the subcommittee.

(c) An individual serves as a member of the subcommittee until the earlier of the following:

- (1) The individual resigns as a member of the subcommittee.
- (2) The individual ceases to be a member of the council.
- (3) The individual is replaced by the chairman of the council.

(d) The chairman of the council, with the advice of the vice chairman of the council, shall fill a vacancy on the subcommittee.

SECTION 18. IC 2-5-21-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) When making appointments to the subcommittee, the chairman of the council, with the advice of the vice chairman of the council, shall appoint a member of the subcommittee as the **IC 2-5-1.2-8.5 applies to the appointment of a chair and vice-chair** of the subcommittee.

(b) The chair of the subcommittee serves until the earlier of the following:

- (1) The individual resigns as chair.
- (2) The individual ceases to be a member of the subcommittee.
- (3) The individual is replaced by the chairman of the council.

SECTION 19. IC 2-5-21-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) Subject to the direction of the council, the subcommittee shall do the following:

- (1) **Identify Annually recommend to the legislative council the agencies and programs to be reviewed by the staff and the committee assigned to the evaluation project and a committee to receive and evaluate the agencies and programs selected for review after the review is completed.**
- (2) Direct the staff in performing audits reviews of agencies and programs.
- (3) Assist the committees in performing the duties of a committee under this chapter.
- (4) (3) Perform other functions assigned by the council.

(b) **The council shall determine which agencies and programs to review.**

(c) **Unless assigned by the legislative council to a committee established under IC 2-5-1.3, the subcommittee shall do the following:**

- (1) Evaluate the results of the review.
- (2) Determine whether additional corrective or other legislation is required.

If the legislative council assigns the duties under this subsection to a committee established under IC 2-5-1.3, the assigned committee has the duties and powers of the subcommittee established by this chapter.

SECTION 20. IC 2-5-21-10 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 10: (a) Subject to subsection (c), the chairman of the council, with the advice of the vice chairman of the council, shall appoint a committee to evaluate each of the following:

- (1) Agencies and programs with highway or transportation matters as their major function during 1994.
- (2) Agencies and programs with occupational licensing as their major function during 1995.
- (3) Agencies and programs with commerce matters as their major function during 1996.
- (4) Agencies and programs with agricultural matters as their major function during 1997.
- (5) Agencies and programs with human resources or economic security as their major function during 1998.
- (6) Agencies and programs with management or administration as their major function during 1999.
- (7) Agencies and programs with corrections or judicial matters as their major function during 2000.
- (8) Agencies and programs with public safety matters as their major function during 2001.
- (9) Agencies and programs with education matters as their major function during 2002.
- (10) Agencies and programs with human services as their

major function during 2003-

(11) Agencies and programs with labor matters as their major function during 2004-

(12) Agencies and programs with taxation or finance as their major function during 2005-

(13) Agencies and programs with business regulation as their major function during 2006-

(14) Agencies and programs with health matters as their major function during 2007-

(15) Agencies and programs with natural resources or recreation as their major function during 2008-

(b) The committee shall be appointed before July 1 of the year the agencies and programs are required to be evaluated under this section:

(c) The council by resolution may do any of the following with respect to agencies and programs evaluated under this section:

(1) Require evaluation of agencies and programs in an order different from the order specified in subsection (a):

(2) Assign specific topics or issues for audit and evaluation by staff and a committee:

(3) Assign areas for audit and evaluation in classifications different from the areas described in subsection (a):

SECTION 21. IC 2-5-21-11 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 11: (a) A committee must consist of the following:

(1) Four (4) members of the house of representatives appointed by the chairman of the council with the advice of the vice chairman of the council. Not more than two (2) members appointed under this subdivision may be members of the same political party:

(2) Four (4) members of the senate appointed by the chairman of the council with the advice of the vice chairman of the council. Not more than two (2) members appointed under this subdivision may be members of the same political party:

(b) A member of a committee serves until the earlier of the following:

(1) The individual resigns from the committee:

(2) The individual ceases to be a member in the chamber of the general assembly from which the individual was appointed:

(3) The individual is replaced by the chairman of the council:

(c) The chairman of the council, with the advice of the vice chairman of the council, shall fill a vacancy on the committee:

SECTION 22. IC 2-5-21-12 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 12: (a) When making appointments to a committee, the chairman of the council, with the advice of the vice chairman of the council, shall appoint a member of the committee to be the chair of the committee:

(b) The chair of a committee serves until the earlier of the following:

(1) The individual resigns as chair:

(2) The individual ceases to be a member of the committee:

(3) The individual is replaced as chair by the chairman of the council:

SECTION 23. IC 2-5-21-13 IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. As directed by the subcommittee or the council, Any of the following shall be considered by staff in doing audits and by the committee when evaluating reviewing and doing follow-up evaluation reviews of agencies and programs:

(1) The objectives intended for the agency or program and the problem or need that the agency or program was intended to address.

(2) The degree to which the intended objectives of the agency or program have been achieved expressed in terms of performance, impact, or accomplishments of the agency or program.

(3) Budget and other fiscal factors relating to the agency or program.

(4) Areas or aspects of outstanding agency or program performance that might be effectively used by other agencies or programs.

(5) The effect of the agency or program on the Indiana economy, including costs to consumers and businesses.

(6) Whether another public or private program or entity can better or more economically meet the need for which the agency or program was established.

(7) Whether the operation of the agency or program has been efficient and responsive to public needs.

(8) The management efficiency of the agency or program and the cost effectiveness and value of the information the agency or program processes.

(9) Any criteria identified by the subcommittee or by the council.

SECTION 24. IC 2-5-21-14 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 14: Subject to the direction of the subcommittee, a committee shall do the following during the year the committee is appointed to evaluate agencies and programs:

(1) Review audit reports:

(2) Take testimony regarding audit reports and other areas the committee considers related to the committee's work:

(3) Make recommendations for legislation:

(4) Make recommendations for administrative changes:

SECTION 25. IC 2-5-21-15 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 15: With the consent of the subcommittee, a committee may extend the committee's work under section 14 of this chapter through the next calendar year after the committee is appointed:

SECTION 26. IC 2-5-21-16 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 16: After the committee completes its work under sections 14 and 15 of this chapter, the committee shall do the following:

(1) Evaluate the results of the audit and the recommendations made by the committee:

(2) Determine whether additional corrective or other legislation is required:

SECTION 27. IC 2-5-21-17 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 17: Subject to section 18 of this chapter, a committee expires on the earlier of the following dates:

(1) December 31 of the second full year after the committee is appointed:

(2) When terminated by the council:

SECTION 28. IC 2-5-21-18 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 18. The council by resolution may extend the work of a committee beyond the committee's expiration date under section 17 of this chapter.

SECTION 29. IC 2-5-21-19 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 19: (a) For purposes of this section, "committee" includes the subcommittee.

(b) The following apply to the operation of a committee:

(1) The council may provide that there is a vice chair of the committee.

(2) The chair of a committee may delegate any of the chair's powers to a vice chair of the committee.

(3) The committee shall meet at the call of the chair.

(4) A quorum consists of a majority of the voting members of the committee.

(5) An affirmative vote of a majority of the members of the committee is required for the committee to take official action. For purposes of this subdivision, meeting to take testimony is not considered official action.

(6) The legislative services agency shall provide staff and administrative support for the committee as directed by the council.

(7) The committee shall make reports as required by the council or the subcommittee.

(8) The council may establish a budget for the committee.

(9) Each member of the committee is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative members of interim study committees established by the legislative council.

(10) The expenditures of the committee shall be paid from appropriations to the council or the legislative services agency.

SECTION 30. IC 2-5-21-20 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 20. The chief administrative officer and the employees of an agency or agency that administers a program subject to evaluation under this chapter shall cooperate with ~~a committee; the subcommittee, and the council, and the legislative services agency as the staff to the subcommittee and the council, as the committee; subcommittee; or council performs they perform~~ the duties under this chapter.

SECTION 31. IC 2-5-21-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 21. The chief administrative officer and the employees of an agency or agency that administers a program subject to ~~evaluation review~~ under this chapter shall provide ~~a committee; the legislative services agency as the staff of the subcommittee or the and~~ council with the following information upon request ~~in an electronic format under IC 5-14-6:~~

(1) The identity of all agencies or subunits under the agency's direct or advisory control.

(2) A **statement description** of all the agency's powers, duties, and functions currently performed.

(3) A citation to all constitutional, statutory, or other authority under which the agency carries out the agency's powers, duties, and functions.

(4) A **statement description** of the number and types of

persons the agency serves.

(5) A summary **statement description**, for the last completed fiscal year, of the number, type, and cost of personnel the agency employs in carrying out each program, and a summary **statement description** of the cost of personnel the agency employs under contract in carrying out each program.

(6) A **statement description** identifying the source of all funds for which the agency has some responsibility.

(7) A **statement description** of the agency's performance and accomplishments in the last fiscal year and of the budgetary costs the agency incurred in the operation of each program.

(8) A summary **statement description** of the agency's reporting and recordkeeping requirements and activities, including the agency's management and control of information and records and the value of the information gathered compared to the cost to respondents, and an assessment of the agency's methods to reduce and simplify the reporting and recordkeeping requirements.

(9) A summary **statement description** of the agency's budget and program for the current fiscal year and the agency's budget projections for the next succeeding fiscal year.

(10) An estimate of potential outputs of services to be produced by varying levels of budgetary inputs.

(11) A **statement description** concerning any powers, duties, or functions that in the agency's opinion are being performed and duplicated to any extent by another public or private program or entity, including the manner in which and the extent to which this duplication of effort is occurring, and any recommendations the agency has as to eliminating this situation.

(12) A **statement description** of any powers, duties, or functions that in the agency's opinion are inconsistent with current and projected public demands and that should be terminated or altered.

(13) A **statement description** of the names of those private programs or entities with which the agency has substantial contact, and a description of the nature of that contact.

(14) Any other information that ~~a committee; the subcommittee, the staff of the subcommittee, or the council~~ feels is necessary and proper to assist the ~~committee; the subcommittee or the council~~ in carrying out its duties.

SECTION 32. IC 2-5-23 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Health Finance Commission).

SECTION 33. IC 2-5-25 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Water Resources Study Committee).

SECTION 34. IC 2-5-27.2 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Commission on Developmental Disabilities).

SECTION 35. IC 2-5-28.5 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Joint Study Committee on Transportation and Infrastructure Assessment and Solutions).

SECTION 36. IC 2-5-29 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Youth Advisory Council).

SECTION 37. IC 2-5-30 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Unemployment Insurance Oversight Committee).

SECTION 38. IC 2-5-31.8 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Interim Study Committee on Economic Development).

SECTION 39. IC 2-5-33.3 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Interim Study Committee on Insurance).

SECTION 40. IC 2-5-33.4 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Criminal Law and Sentencing Policy Study Committee).

SECTION 41. IC 2-5-36 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Commission on Improving the Status of Children in Indiana).

SECTION 42. IC 2-5-36.1 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Child Services Oversight Committee).

SECTION 43. IC 2-5-36.2 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Special Group Recognition License Plate Committee).

SECTION 44. IC 2-5-36.5 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Interim Study Committee on Government Accounting).

SECTION 45. IC 2-5-36.8 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Land Bank Study Committee).

SECTION 46. IC 2-5-38.1 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Commission on Education Study Committee).

SECTION 47. IC 3-6-4.5-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 21. As authorized by 42 U.S.C. 15512, if the commission determines that there is a violation of any provision of Title III, the commission shall determine and provide the appropriate remedy if authorized by law to do so. If providing the remedy would require additional or amended Indiana legislation, the commission shall notify the ~~census data advisory committee~~ **interim study committee on elections established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6** and provide recommendations regarding the form and content of this legislation.

SECTION 48. IC 4-3-22-13, AS AMENDED BY P.L.131-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) Except as provided in subsection (e), the OMB shall perform a cost benefit analysis upon each proposed rule and provide to:

- (1) the governor; and
- (2) the ~~administrative rules oversight committee established under IC 2-5-18;~~ **legislative council;**

an assessment of the rule's effect on Indiana business. The OMB shall submit the cost benefit analysis to the ~~committee~~ **legislative council** in an electronic format under IC 5-14-6.

(b) After June 30, 2005, the cost benefit analysis performed by the OMB under this section with respect to any proposed rule that has an impact of at least five hundred thousand dollars (\$500,000) shall replace and be used for all purposes under IC 4-22-2 in lieu of the fiscal analysis previously performed by the legislative services agency under IC 4-22-2.

(c) In preparing a cost benefit analysis under this section, the

OMB shall consider in its analysis any verified data provided voluntarily by interested parties, regulated persons, and nonprofit corporations whose members may be affected by the proposed rule. A cost benefit analysis prepared under this section is a public document, subject to the following:

(1) This subsection does not empower the OMB or an agency to require an interested party or a regulated person to provide any materials, documents, or other information in connection with a cost benefit analysis under this section. If an interested party or a regulated person voluntarily provides materials, documents, or other information to the OMB or an agency in connection with a cost benefit analysis under this section, the OMB or the agency, as applicable, shall ensure the adequate protection of any:

- (A) information that is confidential under IC 5-14-3-4; or
- (B) confidential and proprietary business plans and other confidential information.

If an agency has adopted rules to implement IC 5-14-3-4, interested parties and regulated persons must submit the information in accordance with the confidentiality rules adopted by the agency to ensure proper processing of confidentiality claims. The OMB and any agency involved in proposing the rule, or in administering the rule upon the rule's adoption, shall exercise all necessary caution to avoid disclosure of any confidential information supplied to the OMB or the agency by an interested party or a regulated person.

(2) The OMB shall make the cost benefit analysis and other related public documents available to interested parties, regulated persons, and nonprofit corporations whose members may be affected by the proposed rule at least thirty (30) days before presenting the cost benefit analysis to the governor and the ~~administrative rules oversight committee~~ **legislative council** under subsection (a).

(d) If the OMB or an agency is unable to obtain verified data for the cost benefit analysis described in subsection (c), the OMB shall state in the cost benefit analysis which data were unavailable for purposes of the cost benefit analysis.

(e) If the OMB finds that a proposed rule is:

- (1) an adoption or incorporation by reference of a federal law, regulation, or rule that has no substantive effect on the scope or intended application of the federal law or rule; or
- (2) a technical amendment with no substantive effect on an existing Indiana rule;

the OMB may not prepare a cost benefit analysis of the rule under this section. The agency shall submit the proposed rule to the OMB with a statement explaining how the proposed rule meets the requirements of this subsection. If the OMB finds that the rule meets the requirements of this subsection, the OMB shall provide its findings to the governor and to the committee in an electronic format under IC 5-14-6. If the agency amends or modifies the proposed rule after the OMB finds that a cost benefit analysis may not be prepared for the rule, the agency shall resubmit the proposed rule to the OMB either for a new determination that the rule meets the requirements of this

subsection, or for the OMB to prepare a cost benefit analysis of the rule under this section.

SECTION 49. IC 4-3-22-13.1, AS ADDED BY P.L.131-2012, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13.1. (a) This section applies to a rule that:

- (1) has been adopted under IC 4-22-2 or IC 13-14-9; and
- (2) has taken effect;

after December 31, 2011.

(b) This section does not apply to a rule for which the OMB has not performed a cost benefit analysis under section 13(e) of this chapter.

~~(c) As used in this section, "committee" refers to the administrative rules oversight committee established by IC 2-5-18-4.~~

~~(d) (c)~~ For each rule to which this section applies, the OMB shall perform a cost benefit analysis of the rule with respect to the period encompassing the first three (3) years following the rule's effective date. Except as otherwise required by the governor ~~or the committee~~ under subsection ~~(h); (g)~~, the OMB shall submit a cost benefit analysis prepared under this section to:

- (1) the governor; and
- (2) the ~~committee~~; **legislative council**;

not later than six (6) months after the third anniversary of the rule's effective date. The OMB shall submit the cost benefit analysis to the ~~committee~~ **legislative council** in an electronic format under IC 5-14-6.

~~(e) (d)~~ A cost benefit analysis prepared under this section must include the following with respect to the three (3) year period covered by the analysis:

- (1) The cost benefit analysis for the rule prepared under section 13 of this chapter before the rule's adoption, including the following:

- (A) The information required by Financial Management Circular #2010-4.
- (B) The estimate of the primary and direct benefits of the rule, including the impact on:
 - (i) consumer protection;
 - (ii) worker safety;
 - (iii) the environment; and
 - (iv) business competitiveness;

as determined before the rule's adoption.

(C) The estimate of the secondary or indirect benefits of the rule and the explanation of how the conduct regulated by the rule is linked to the primary and secondary benefits, as determined before the rule's adoption.

(D) The estimate of any cost savings to regulated persons (including individuals and businesses) as a result of the rule, including any savings from:

- (i) a change in an existing requirement; or
- (ii) the imposition of a new requirement;

as determined before the rule's adoption.

- (2) A statement of the number of regulated persons, classified by industry sector, subject to the rule.

- (3) A comparison of:

(A) the cost benefit analysis for the rule prepared under section 13 of this chapter before the rule's implementation, including the information specified in subdivision (1); and

(B) the actual costs and benefits of the rule during the first three (3) years of the rule's implementation, including the following:

(i) Any actual primary and direct benefits of the rule, including the rule's impact on consumer protection, worker safety, the environment, and business competitiveness.

(ii) Any actual secondary or indirect benefits of the rule and an explanation of how the conduct regulated by the rule is linked to the primary and secondary benefits.

(iii) Any actual cost savings to regulated persons (including individuals and businesses) as a result of the rule, including any savings from a change in an existing requirement or from the imposition of a new requirement.

(4) For each element of the rule that is also the subject of restrictions or requirements imposed under federal law, a comparison of:

(A) the restrictions or requirements imposed under the rule; and

(B) the restrictions or requirements imposed under federal law.

(5) Any other information that the governor or the committee:

(A) requires with respect to a cost benefit analysis under this section; and

(B) requests in writing.

~~(f) (e)~~ In preparing a cost benefit analysis under this section, the OMB shall consider in its analysis any verified data provided voluntarily by interested parties, regulated persons, and nonprofit corporations whose members may be affected by the rule. A cost benefit analysis prepared under this section is a public document, subject to the following:

(1) This subsection does not empower the OMB or an agency to require an interested party or a regulated person to provide any materials, documents, or other information. If an interested party or a regulated person voluntarily provides materials, documents, or other information to the OMB or an agency in connection with a cost benefit analysis under this section, the OMB or the agency, as applicable, shall ensure the adequate protection of any:

(A) information that is confidential under IC 5-14-3-4;

or

(B) confidential and proprietary business plans and other confidential information.

If an agency has adopted rules to implement IC 5-14-3-4, interested parties and regulated persons must submit the information in accordance with the confidentiality rules adopted by the agency to ensure proper processing of confidentiality claims. The OMB and any agency involved in administering the rule shall exercise all necessary caution to avoid disclosure of any confidential information

supplied to the OMB or the agency by an interested party or a regulated person.

(2) The OMB shall make the cost benefit analysis and other related public documents available to interested parties, regulated persons, and nonprofit corporations whose members may be affected by the rule at least thirty (30) days before presenting the cost benefit analysis to the governor and the ~~committee~~ **legislative council** under subsection ~~(d)~~; **(c)**.

~~(g)~~ **(f)** If the OMB or an agency is unable to obtain verified data for the cost benefit analysis described in subsection ~~(e)~~; **(d)**, the OMB shall state in the cost benefit analysis which data were unavailable for purposes of the cost benefit analysis.

~~(h)~~ **(g)** The governor or the ~~committee~~; **legislative council**, or both, may prescribe:

- (1) the form of a cost benefit analysis; and
- (2) the process, deadlines, and other requirements for submitting a cost benefit analysis;

required under this section.

SECTION 50. IC 4-10-13-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. Each state agency required to prepare reports under the provisions of this chapter may, after consultation with and agreement by the ~~commission on state tax and financing policy interim study committee on fiscal policy established by IC 2-5-1.3-4~~, add to or omit specific categories of data from the reports required by this chapter. **Reports submitted to the legislative council under section 7 of this chapter or another provision of this chapter shall be submitted in an electronic format under IC 5-14-6.**

SECTION 51. IC 4-10-13-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) The manner of publication of any of the reports as herein required shall be prescribed by the state budget committee, and the cost of publication shall be paid from funds appropriated to such state agencies and allocated by the state budget committee to such agencies for such purpose.

(b) A copy of such reports shall be presented to the governor, the department of local government finance, the budget committee, the ~~commission on state tax and financing interim study committee on fiscal policy established by IC 2-5-1.3-4~~ and the legislative council **in an electronic format under IC 5-14-6**, and to any other state agency that may request a copy of such reports. A report presented under this subsection to the legislative council must be in an electronic format under IC 5-14-6.

SECTION 52. IC 4-22-2-0.1, AS ADDED BY P.L.220-2011, SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 0.1. The amendments made to this chapter by P.L.44-1995 apply as follows:

- (1) The amendments made to sections 13, 19, 23, 25, and 28 of this chapter apply to a rulemaking action that commences after June 30, 1995.
- (2) The addition of sections 23.1 and 46 (**repealed**) of this chapter applies to a rulemaking action that commences after June 30, 1995.

SECTION 53. IC 4-22-2-3.2 IS REPEALED [EFFECTIVE

UPON PASSAGE]. ~~Sec. 3-2. As used in this chapter, "administrative rules oversight committee" refers to the administrative rules oversight committee established by IC 2-5-18-4.~~

SECTION 54. IC 4-22-2-19, AS AMENDED BY P.L.123-2006, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 19. (a) Except as provided in section 23.1 of this chapter, this section does not apply to the adoption of rules:

(1) required to receive or maintain:

- (A) delegation;
- (B) primacy; or
- (C) approval;

for state implementation or operation of a program established under federal law;

(2) that amend an existing rule;

(3) required or authorized by statutes enacted before June 30, 1995; or

(4) required or authorized by statutes enacted before June 30, 1995, and recodified in the same or similar form after June 29, 1995, in response to a program of statutory recodification conducted by the code revision commission.

(b) If an agency will have statutory authority to adopt a rule at the time that the rule becomes effective, the agency may conduct any part of its rulemaking action before the statute authorizing the rule becomes effective.

(c) However, an agency shall:

(1) begin the rulemaking process not later than sixty (60) days after the effective date of the statute that authorizes the rule; or

(2) if an agency cannot comply with subdivision (1), provide

~~(A) written notification to the administrative rules oversight committee; and~~

~~(B) electronic notice to the publisher~~

stating the reasons for the agency's noncompliance.

~~(d) If an agency notifies the administrative rules oversight committee concerning a rule in compliance with subsection (c)(2) failure to adopt the rule within the time specified in subsection (c)(1) does not invalidate the rule.~~

SECTION 55. IC 4-22-2-20, AS AMENDED BY P.L.291-2013, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 20. (a) Whenever an agency submits a rule to the publisher, the attorney general, ~~the administrative rules oversight committee established by IC 2-5-18-4~~, or the governor under this chapter, the agency shall submit the rule in the form of a written document that:

- (1) is clear, concise, and easy to interpret and to apply; and
- (2) uses the format, numbering system, standards, and techniques established under section 42 of this chapter.

(b) After June 30, 2006, all documents submitted to the publisher under this chapter must be submitted electronically in the format specified by the publisher.

~~(c) Except as otherwise permitted under section 21 of this chapter, after June 30, 2013, all documents submitted by the office of management and budget or an agency proposing or adopting a rule to the members of the administrative rules~~

oversight committee must be submitted in an electronic format under IC 5-14-6.

SECTION 56. IC 4-22-2-25, AS AMENDED BY P.L.123-2006, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 25. (a) An agency has one (1) year from the date that it publishes a notice of intent to adopt a rule in the Indiana Register under section 23 of this chapter to comply with sections 26 through 33 of this chapter and obtain the approval or deemed approval of the governor. If an agency determines that a rule cannot be adopted within one (1) year after the publication of the notice of intent to adopt a rule under section 23 of this chapter, the agency shall, before the two hundred fiftieth day following the publication of the notice of intent to adopt a rule under section 23 of this chapter

~~(1) notify the chairperson of the administrative oversight committee in writing of the:~~ **publisher by electronic means:**

~~(A) (1) the reasons why the rule was not adopted and the expected date the rule will be completed; and~~

~~(B) (2) the expected date the rule will be approved or deemed approved by the governor or withdrawn under section 41 of this chapter. and~~

~~(2) provide an electronic copy of the notice required under this subsection to the publisher.~~

(b) If a rule is not approved before the later of:

(1) one (1) year after the agency publishes notice of intent to adopt the rule under section 23 of this chapter; ~~or~~

(2) the expected date contained in a notice concerning the rule that is provided to ~~the administrative rules oversight committee~~ **the publisher** under subsection ~~(a)(2); (a);~~

a later approval or deemed approval is ineffective, and the rule may become effective only through another rulemaking action initiated under this chapter.

SECTION 57. IC 4-22-2-28, AS AMENDED BY P.L.291-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 28. (a) The following definitions apply throughout this section:

(1) "Ombudsman" refers to the small business ombudsman designated under IC 5-28-17-5.

(2) "Total estimated economic impact" means the direct annual economic impact of a rule on all regulated persons after the rule is fully implemented under subsection (g).

(b) The ombudsman:

(1) shall review a proposed rule that:

(A) imposes requirements or costs on small businesses (as defined in IC 4-22-2.1-4); and

(B) is referred to the ombudsman by an agency under IC 4-22-2.1-5(c); and

(2) may review a proposed rule that imposes requirements or costs on businesses other than small businesses (as defined in IC 4-22-2.1-4).

After conducting a review under subdivision (1) or (2), the ombudsman may suggest alternatives to reduce any regulatory burden that the proposed rule imposes on small businesses or other businesses. The agency that intends to adopt the proposed rule shall respond in writing to the ombudsman concerning the ombudsman's comments or suggested alternatives before

adopting the proposed rule under section 29 of this chapter.

(c) Subject to subsection (e) and not later than fifty (50) days before the public hearing for a proposed rule required by section 26 of this chapter, an agency shall submit the proposed rule to the office of management and budget for a review under subsection (d), if the agency proposing the rule determines that the rule will have a total estimated economic impact greater than five hundred thousand dollars (\$500,000) on all regulated persons. In determining the total estimated economic impact under this subsection, the agency shall consider any applicable information submitted by the regulated persons affected by the rule. To assist the office of management and budget in preparing the fiscal impact statement required by subsection (d), the agency shall submit, along with the proposed rule, the data used and assumptions made by the agency in determining the total estimated economic impact of the rule.

(d) Except as provided in subsection (e), before the adoption of the rule, and not more than forty-five (45) days after receiving a proposed rule under subsection (c), the office of management and budget shall prepare, using the data and assumptions provided by the agency proposing the rule, along with any other data or information available to the office of management and budget, a fiscal impact statement concerning the effect that compliance with the proposed rule will have on:

(1) the state; and

(2) all persons regulated by the proposed rule.

The fiscal impact statement must contain the total estimated economic impact of the proposed rule and a determination concerning the extent to which the proposed rule creates an unfunded mandate on a state agency or political subdivision. The fiscal impact statement is a public document. The office of management and budget shall make the fiscal impact statement available to interested parties upon request and to the agency proposing the rule. The agency proposing the rule shall consider the fiscal impact statement as part of the rulemaking process and shall provide the office of management and budget with the information necessary to prepare the fiscal impact statement, including any economic impact statement prepared by the agency under IC 4-22-2.1-5. The office of management and budget may also receive and consider applicable information from the regulated persons affected by the rule in preparation of the fiscal impact statement.

(e) With respect to a proposed rule subject to IC 13-14-9:

(1) the department of environmental management shall give written notice to the office of management and budget of the proposed date of preliminary adoption of the proposed rule not less than sixty-six (66) days before that date; and

(2) the office of management and budget shall prepare the fiscal impact statement referred to in subsection (d) not later than twenty-one (21) days before the proposed date of preliminary adoption of the proposed rule.

(f) In determining whether a proposed rule has a total estimated economic impact greater than five hundred thousand dollars (\$500,000), the agency proposing the rule shall consider the impact of the rule on any regulated person that already complies with the standards imposed by the rule on a voluntary basis.

(g) For purposes of this section, a rule is fully implemented after:

- (1) the conclusion of any phase-in period during which:
 - (A) the rule is gradually made to apply to certain regulated persons; or
 - (B) the costs of the rule are gradually implemented; and
- (2) the rule applies to all regulated persons that will be affected by the rule.

In determining the total estimated economic impact of a proposed rule under this section, the agency proposing the rule shall consider the annual economic impact on all regulated persons beginning with the first twelve (12) month period after the rule is fully implemented. The agency may use actual or forecasted data and may consider the actual and anticipated effects of inflation and deflation. The agency shall describe any assumptions made and any data used in determining the total estimated economic impact of a rule under this section.

~~(h) This subsection applies to any proposed rule submitted under this section or section 40 of this chapter to the office of management and budget after June 30, 2013.~~ An agency shall provide the ~~administrative rules oversight committee legislative council in an electronic format under IC 5-14-6~~ with any analysis, data, and description of assumptions submitted to the office of management and budget under this section or section 40 of this chapter at the same time the agency submits the information to the office of management and budget. The office of management and budget shall provide the administrative rules oversight committee with any fiscal impact statement and related supporting documentation prepared by the office of management and budget under this section or section 40 of this chapter at the same time the office of management and budget provides the fiscal impact statement to the agency proposing the rule. Information submitted under this subsection must identify the rule to which the information is related by document control number assigned by the publisher.

~~(i) This subsection applies to any analysis completed after June 30, 2013, to comply with a statute described in this subsection.~~ An agency shall provide the ~~administrative rules oversight committee legislative council in an electronic format under IC 5-14-6~~ with any economic impact or fiscal impact statement, including any supporting data, studies, or analysis, prepared for a rule proposed by the agency or subject to readoption by the agency to comply with:

- (1) a requirement in section 19.5 of this chapter to minimize the expenses to regulated entities that are required to comply with the rule;
- (2) a requirement in section 24 of this chapter to publish a justification of any requirement or cost that is imposed on a regulated entity under the rule;
- (3) a requirement in IC 4-22-2.1-5 to prepare a statement that describes the annual economic impact of a rule on all small businesses after the rule is fully implemented;
- (4) a requirement in IC 4-22-2.5-3.1 to conduct a review to consider whether there are any alternative methods of achieving the purpose of the rule that are less costly or less intrusive, or that would otherwise minimize the economic impact of the proposed rule on small businesses;

- (5) a requirement in IC 13-14-9-3 or IC 13-14-9-4 to publish information concerning the fiscal impact of a rule or alternatives to a rule subject to these provisions; or
- (6) a requirement under any other law to conduct an analysis of the cost, economic impact, or fiscal impact of a rule;

regardless of whether the total estimated economic impact of the proposed rule is more than five hundred thousand dollars (\$500,000), as soon as practicable after the information is prepared. Information submitted under this subsection must identify the rule to which the information is related by document control number assigned by the publisher.

SECTION 58. IC 4-22-2-40, AS AMENDED BY P.L.291-2013, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 40. (a) At any time before a rule is accepted for filing by the publisher under section 35, 37.1, or 38 of this chapter, the agency that adopted the rule may recall it. A rule may be recalled regardless of whether:

- (1) the rule has been disapproved by the attorney general under section 32 of this chapter; or
- ~~(2) the administrative rules oversight committee has recommended under section 46 of this chapter that the governor disapprove the rule; or~~
- ~~(3) (2)~~ (2) the rule has been disapproved by the governor under section 34 of this chapter.

(b) Sections 24 through 38 of this chapter do not apply to a recall action under this section. However, the agency shall distribute a notice of its recall action to the publisher for publication in the Indiana Register. Sections 24 and 26 of this chapter do not apply to a readoption action under subsection (c).

(c) After an agency recalls a rule, the agency may reconsider its adoption action and adopt an identical rule or a revised rule. However, if sections 24 through 36 of this chapter apply to the recalled rule, the readopted rule must comply with the requirements under section 29 of this chapter.

(d) The recall of a rule under this section voids any approval given after the rule was adopted and before the rule was recalled.

- (e) If a rule is:
- (1) subject to sections 31 and 33 of this chapter;
 - (2) recalled under subsection (a); and
 - (3) readopted under subsection (c);

the agency shall resubmit the readopted version of the recalled rule to the attorney general and the governor for approval. The attorney general and the governor have the full statutory period to approve or disapprove the readopted rule. If the recalled rule was submitted to the office of management and budget under section 28 of this chapter, the agency shall resubmit the readopted version of a recalled rule to the office of management and budget with sufficient information for the office of management and budget to evaluate whether its initial fiscal impact statement under section 28 of this chapter needs to be revised. The office of management and budget shall revise a fiscal impact statement under section 28 of this chapter if the fiscal impact of the readopted rule is substantially different from the recalled rule. The agency also shall comply with any other applicable approval requirement provided by statute.

(f) The readopted version of a recalled rule is effective only after the agency has complied with section 35, 37.1, or 38 of this chapter.

SECTION 59. IC 4-22-2-46 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 46. (a) The administrative rules oversight committee shall carry out a program to review each rule (including a rule subject to IC 13-14-9):

- (1) that is required to be submitted to the attorney general under IC 4-22-2-31 and submitted to the governor under IC 4-22-2-33; and
- (2) that the agency proposing the rule or the office of management and budget determines has a total estimated economic impact of more than five hundred thousand dollars (\$500,000).

(b) The administrative rules oversight committee may review under this section any proposed or adopted rule not described in subsection (a) for the purposes described in subsection (c)(1) through (c)(4):

(c) The administrative rules oversight committee shall review a rule under this section for the following:

- (1) Direct economic impact.
- (2) Compliance with the intent of the general assembly.
- (3) The extent to which the rule creates an unfunded mandate on any state agency or political subdivision.
- (4) The extent to which the rule complies with the standards in IC 4-22-2-19.5.

(d) In the case of a proposed rule reviewed under this section, the administrative rules oversight committee may recommend that the proposed rule be approved or disapproved by the governor or take any other action permitted under IC 2-5-18.

SECTION 60. IC 4-22-2.1-8, AS ADDED BY P.L.188-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) This section applies to a small business that is adversely affected or aggrieved by a rule that:

- (1) is subject to this chapter;
- (2) is finally adopted by an agency under IC 4-22-2-29; and
- (3) has taken effect under IC 4-22-2-36.

(b) In addition to or instead of filing a complaint with the administrative rules oversight committee under IC 2-5-18-8, and Subject to subsection (c), a small business described in subsection (a) may file, in a court having jurisdiction, an action seeking a determination of the agency's compliance with the requirements of this chapter during the rulemaking process. Upon receipt of a complaint under this section, the court shall, at the earliest date possible, hear evidence on the matter and make a determination as to the agency's compliance with this chapter during the rulemaking process. If the court determines that the agency failed to comply with one (1) or more requirements of this chapter, the court may issue an order or injunction enjoining the agency from enforcing the rule with respect to the complaining small business and any similarly situated small businesses. A determination of the court under this section is final, subject to the right of direct appeal by either party.

(c) A small business that seeks a determination by a court under subsection (b) must file the action described in subsection

(b) not later than one year (1) after the date the rule described in subsection (a) takes effect under IC 4-22-2-36.

SECTION 61. IC 4-22-7-7, AS AMENDED BY P.L.123-2006, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) This section applies to the following agency statements:

- (1) Executive orders issued by the governor.
- (2) Notices that a rule has been disapproved or objected to by the attorney general under IC 4-22-2-32 or IC 4-22-2-38, or disapproved or objected to by the governor under IC 4-22-2-34 or IC 4-22-2-38.
- (3) Official opinions of the attorney general (excluding advisory letters).
- (4) Official explanatory opinions of the state board of accounts based on an official opinion of the attorney general.
- (5) Any other statement:

(A) that:

- (i) interprets, supplements, or implements a statute or rule;
- (ii) has not been adopted in compliance with IC 4-22-2;
- (iii) is not intended by its issuing agency to have the effect of law; and
- (iv) may be used in conducting the agency's external affairs; or

(B) that specifies a policy that an agency relies upon to:

- (i) enforce a statute or rule;
- (ii) conduct an audit or investigation to determine compliance with a statute or rule; or
- (iii) impose a sanction for violation of a statute or rule.

This subdivision includes information bulletins, revenue rulings (including, subject to IC 6-8.1-3-3.5, a letter of findings), and other guidelines of an agency.

(6) A statement of the governor concerning extension of an approval period under IC 4-22-2-34.

(b) Whenever an agency adopts a statement described by subsection (a), the agency shall distribute electronic copies of the statement to the publisher for publication and indexing in the Indiana Register (in the format specified by the publisher under IC 4-22-2) and the copies required by IC 4-23-7.1-26 to the Indiana library and historical department. However, if a statement under subsection (a)(5)(B) is in the form of a manual, book, pamphlet, or reference publication, the publisher is required to publish only the title of the manual, book, or reference publication.

(c) Every agency that adopts a statement described under subsection (a) also shall maintain a current list of all agency statements described in subsection (a) that it may use in its external affairs. The agency shall update the listing at least every thirty (30) days. The agency shall include on the list the name of the agency and the following information for each statement:

- (1) Title.
- (2) Identification number.
- (3) Date originally adopted.
- (4) Date of last revision.

(5) Reference to all other statements described in subsection (a) that are repealed or amended by the statement.

(6) Brief description of the subject matter of the statement.

(d) At least quarterly, every agency that maintains a list under subsection (c) shall distribute two (2) copies to the Indiana library and historical department. ~~and the administrative rules oversight committee.~~

SECTION 62. IC 4-23-24.2 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Indiana Advisory Commission on Intergovernmental Relations).

SECTION 63. IC 5-10.5-4-1, AS ADDED BY P.L.177-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. The board shall do all of the following:

- (1) Appoint and fix the salary of a director.
- (2) Employ or contract with employees, auditors, technical experts, legal counsel, and other service providers as the board considers necessary to transact the business of the fund without the approval of any state officer, and fix the compensation of those persons.
- (3) Establish a general office in Indianapolis for board meetings and for administrative personnel.
- (4) Provide for the installation in the general office of a complete system of:
 - (A) books;
 - (B) accounts, including reserve accounts; and
 - (C) records;

to give effect to all the requirements of this article and to ensure the proper operation of the fund.

- (5) Provide for a report at least annually to each member of the amount credited to the member in the annuity savings account in each investment program under IC 5-10.2-2.
- (6) With the advice of the actuary, adopt actuarial tables and compile data needed for actuarial studies that are necessary for the fund's operation.
- (7) Act on applications for benefits and claims of error filed by members.
- (8) Have the accounts of the fund audited annually by the state board of accounts, and if the board determines that it is advisable, have the operation of a public pension or retirement fund of the system audited by a certified public accountant.
- (9) Publish for the members a synopsis of the fund's condition.
- (10) Adopt a budget on a calendar year or fiscal year basis that is sufficient, as determined by the board, to perform the board's duties and, as appropriate and reasonable, draw upon fund assets to fund the budget.
- (11) Expend money, including income from the fund's investments, for effectuating the fund's purposes.
- (12) Establish personnel programs and policies for the employees of the system.
- (13) Submit a financial report before November 1 each year to the governor, the **interim study committee on pension management oversight ~~commission~~, established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6,**

and the budget committee. The report under this subdivision must set forth a complete operating and financial statement covering its operations during the most recent fiscal year, and include any other information requested by the chair of the **interim study committee on pension management oversight ~~commission~~, established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6.** ~~The report must be submitted to the pension management oversight ~~commission~~ in an electronic format pursuant to IC 5-14-6.~~

(14) Provide the necessary forms for administering the fund.

(15) Submit to the auditor of state or the treasurer of state vouchers or reports necessary to claim an amount due from the state to the system.

SECTION 64. IC 5-14-6-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. As used in this chapter, "report" includes any annual or other report that a public agency:

(1) voluntarily; or

(2) under a statutory directive;

submits to the entire membership of the general assembly, the legislative services agency, ~~or~~ the legislative council, ~~or a committee established under IC 2-5-1.3-4.~~ The term does not include any document prepared ~~for or~~ at the request of an individual member ~~or committee~~ of the general assembly.

SECTION 65. IC 5-14-6-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) A public agency may not submit a report to the general assembly, the legislative services agency, ~~or~~ the legislative council, ~~or a committee established under IC 2-5-1.3-4~~ on paper.

(b) Notwithstanding any law, no funds appropriated to a public agency from the state treasury may be used to duplicate, print, distribute, or mail a report to the general assembly, the legislative services agency, ~~or~~ the legislative council, ~~or a committee established under IC 2-5-1.3-4~~ in violation of this chapter.

SECTION 66. IC 5-14-6-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) A public agency shall submit all reports in an electronic format specified by the executive director of the legislative services agency. Unless otherwise specified in statute, the electronic copy shall be delivered to the executive director of the legislative services agency.

(b) An agency that submits a report under subsection (a) shall do the following:

(1) Post, or cause to be posted, a copy of the report on the Internet.

(2) **Subject to the policies established by the legislative council,** send a copy of the report:

(A) for reports required to be sent to the entire membership of the general assembly, to each member of the general assembly;

(B) for reports required to be sent to the legislative council, to each member of the legislative council; **and**

(C) for reports required to be sent to a committee established under IC 2-5-1.3-4, to each member of the committee;

using the member's senate or house of representatives electronic mail address. **The legislative council may provide for the legislative services agency to make electronic distribution of reports under this subdivision instead of having the agency make the distribution.**

(c) The legislative services agency shall periodically compile reports received under this chapter on a CD-ROM or other suitable storage medium and shall distribute copies of the CD-ROM or other medium to any member of the general assembly who requests a copy.

SECTION 67. IC 5-22-14-11, AS ADDED BY P.L.90-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) The Indiana department of administration shall adopt rules under IC 4-22-2 to do the following:

(1) Increase contracting opportunities for Indiana veteran owned small businesses described in section 3.5 of this chapter with a goal to procure in each state fiscal year at least three percent (3%) ~~percent~~ of state contracts with Indiana veteran owned small businesses.

(2) Develop procurement policies and procedures to accomplish the goal described in subdivision (1), including guidelines to be followed by the Indiana department of administration in conducting the department's procurement efforts.

These procurement policies do not apply to a procurement of supplies and services to address immediate and serious government needs at a time of emergency, including a threat to the public health, welfare, or safety that may arise by reason of floods, epidemics, riots, acts of terrorism, major power failures, a threat proclaimed by the President of the United States or the governor, or a threat declared by the commissioner of the Indiana department of administration.

(b) The Indiana department of administration shall annually evaluate its progress in meeting the goal described in this section for the previous state fiscal year. Beginning in 2014, after June 30 and before November 1 of each year, the Indiana department of administration shall submit a report to the governor, the Indiana department of veterans' affairs, ~~the commission on military and veterans affairs,~~ **and the interim study committee on government established by IC 2-5-1.3-4 and in an electronic format under ~~IC 5-14-6,~~ the legislative council in an electronic format under IC 5-14-6.** The report must include:

(1) the percentage goal obtained by the Indiana department of administration during the previous state fiscal year; and
(2) a summary of why the Indiana department of administration failed to meet the goal and what actions are being taken by the Indiana department of administration to meet the goal in the current state fiscal year.

(c) The Indiana department of administration shall post the report described in subsection (b) on the department's Internet web site not later than thirty (30) days after the report is submitted. The Indiana department of veterans' affairs shall post the report described in subsection (b) on the department's

Internet web site not later than thirty (30) days after the report is submitted by the Indiana department of administration.

SECTION 68. IC 5-28-6-1, AS AMENDED BY P.L.6-2012, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. The corporation shall do the following:

(1) Create and regularly update a strategic economic development plan that includes the following:

(A) Identification of specific economic regions within Indiana and methods by which the corporation will implement more regional collaboration between the corporation and the various local economic development organizations within these regions.

(B) Methods by which the corporation will implement more collaboration between the corporation and the various state economic development organizations within the states contiguous to Indiana.

(2) Establish strategic benchmarks and performance measures.

(3) Monitor and report on Indiana's economic performance.

(4) Market Indiana to businesses worldwide.

(5) Assist Indiana businesses that want to grow.

(6) Solicit funding from the private sector for selected initiatives.

(7) Provide for the orderly economic development and growth of Indiana.

(8) Establish and coordinate the operation of programs commonly available to all citizens of Indiana to implement a strategic plan for the state's economic development and enhance the general welfare.

(9) Evaluate and analyze the state's economy to determine the direction of future public and private actions, and report and make recommendations to the general assembly in an electronic format under IC 5-14-6 with respect to the state's economy. The report prepared under this subdivision must include recommendations for strategies and plans for collaboration by the corporation with:

(A) local economic development organizations within geographic regions in Indiana; and

(B) the various state economic development organizations within the states contiguous to Indiana.

(10) Conduct a statewide study to determine specific economic sectors that should be emphasized by the state and by local economic development organizations within geographic regions in Indiana.

(11) Report in an electronic format under IC 5-14-6 the results of the study conducted under subdivision (10) to the interim study committee on **commerce and** economic development established by ~~IC 2-5-31.8-1,~~ **IC 2-5-1.3-4.**

SECTION 69. IC 5-28-11-10, AS ADDED BY P.L.172-2011, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. The corporation shall collaborate with local economic development organizations throughout Indiana. Before August 1 each year through 2014, the corporation shall submit a ~~written~~ report to the interim study committee on **commerce and** economic development established by ~~IC 2-5-31.8-1,~~ **IC 2-5-1.3-4 in an electronic format under**

IC 5-14-6, indicating how the corporation has collaborated with local economic development organizations during the previous state fiscal year.

SECTION 70. IC 6-1.1-12.1-11 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 11. On a quadrennial basis, the general assembly shall provide for an evaluation of the provisions of this chapter, giving first priority to using the Indiana economic development corporation established under IC 5-28-3. The evaluation must be a fiscal analysis, including an assessment of the effectiveness of the provisions of this chapter to:

- (1) create new jobs;
- (2) increase income; and
- (3) increase the tax base;

in the jurisdiction of the designating body. The fiscal analysis may also consider impacts on tax burdens borne by various classes of property owners. The fiscal analysis may also include a review of the practices and experiences of other states or political subdivisions with laws similar to the provisions of this chapter. The board of the Indiana economic development corporation established under IC 5-28-4 or another person or entity designated by the general assembly shall submit a report on the evaluation to the governor, the president pro tempore of the senate, and the speaker of the house of representatives before December 1, 1999, and every fourth year thereafter.

SECTION 71. IC 6-1.1-17-3.7, AS ADDED BY P.L.257-2013, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3.7. (a) This section authorizes a three (3) year pilot program to allow county fiscal bodies of designated counties to carry out a more thorough nonbinding review of the proposed budgets, property tax rates, and property tax levies of all taxing units in those counties. The general assembly finds that, because of the enactment of property tax credits under IC 6-1.1-20.6, there is an even greater need for taxing units to cooperate in the adoption of their budgets, property tax rates, and property tax levies.

(b) The department of local government finance may establish a pilot program concerning nonbinding review of budgets, property tax rates, and property tax levies as provided in this section. The role of the department of local government finance in the pilot program is to develop the framework for the continuation of a more thorough nonbinding review in all counties without the direct involvement of the department of local government finance.

(c) For a county to be eligible for designation as a pilot county participating in the pilot program:

- (1) the county fiscal body must adopt a resolution approving the submission of an application to be designated as a pilot county; and
- (2) the county fiscal body must submit to the department of local government finance before the date specified by the department:
 - (A) an application in the form and containing the information prescribed by the department; and
 - (B) a copy of the resolution adopted under subdivision (1).

(d) After reviewing applications submitted under subsection

(c), the department of local government finance may designate not more than three (3) counties that submit an application under subsection (c) as pilot counties under this section. In determining which counties are designated as pilot counties, the department of local government finance shall attempt to achieve diversity among designated counties based on:

- (1) the geographical location of the counties;
- (2) the population of the counties; and
- (3) whether the counties are primarily rural or urban.

(e) The department of local government finance shall notify each taxing unit in a pilot county of:

- (1) the designation of the county as a pilot county; and
- (2) the duties of the taxing unit under this section.

(f) The following apply in 2014 and thereafter:

(1) Each taxing unit in a pilot county shall, before September 2 of each year, file with the department of local government finance and with the county fiscal body:

(A) the taxing unit's proposed budgets, property tax rates, and property tax levies for the following calendar year;

(B) a statement of whether:

(i) a petition and remonstrance process has been initiated under IC 6-1.1-20 concerning a controlled project of the taxing unit;

(ii) a public question under IC 6-1.1-20 concerning a controlled project of the taxing unit has been certified and will be on the election ballot;

(iii) a referendum tax levy question under IC 20-46-1 has been certified and will be on the election ballot;

or

(iv) the taxing unit anticipates that it will during the following eighteen (18) months either adopt a resolution or ordinance under IC 6-1.1-20 making a preliminary determination to issue bonds or enter into a lease concerning a controlled project of the taxing unit, or adopt a resolution under IC 20-46-1 to place a referendum tax levy question on the election ballot; and

(C) any additional information required by the department to prepare the analysis required under subdivision (4).

A school corporation providing information to the department of local government finance shall provide the information through the department's interactive and searchable Internet web site containing local government information (the Indiana gateway for governmental units). When formulating the taxing unit's estimated budget, property tax rate, and property tax levy under section 3 of this chapter, the proper officers of the taxing unit shall consider the estimated consequences of the property tax credits under IC 6-1.1-20.6 on the property taxes that will be collected by the taxing unit and the calculation of fund balances.

(2) A taxing unit in a pilot county that would otherwise be required to submit its proposed budgets, property tax rates, and property tax levies for nonbinding review under section 3.5 of this chapter is not required to do so, but the taxing

unit must instead submit the information required by subdivision (1) to the department of local government finance.

(3) A taxing unit that is located in a pilot county and that is subject to binding review and approval of the taxing unit's budgets, property tax rates, and property tax levies under section 20 of this chapter or IC 36-3-6-9:

(A) remains subject to binding review and approval under those statutes and must submit the information required under those statutes to the appropriate fiscal body; and

(B) must also submit the information required by subdivision (1) to the department of local government finance.

(4) The department shall prepare an analysis of the proposed budgets, property tax rates, and property tax levies submitted by taxing units in each pilot county. The department of local government finance may establish appropriate procedures and conduct the appropriate analysis that meets the department's requirements for the review of a unit's budget under this chapter. The analysis prepared by the department must include at least the following:

(A) The estimated total property tax rate for each taxing district in the pilot county.

(B) The estimated total amount of property taxes to be levied in the pilot county.

(C) The estimated consequences of the property tax credits under IC 6-1.1-20.6 on:

(i) the property tax rates of each taxing unit and taxing district in the pilot county;

(ii) the expected total tax rate of each taxing district in the county; and

(iii) the property taxes that will be collected by each taxing unit in the pilot county.

(5) The department of local government finance shall, before October 2 of each year, provide the analysis prepared under subdivision (4) for a pilot county to the county fiscal body of the pilot county and to the fiscal body of each taxing unit in the pilot county. Upon request by the county fiscal body, representatives of the department of local government finance shall appear before the county fiscal body to review the analysis.

(6) The county fiscal body of a pilot county shall, on or before October 15 of each year:

(A) review the proposed budgets, property tax rates, and property tax levies of each taxing unit in the pilot county;

(B) review the expected total tax rate of each taxing district in the county; and

(C) issue a nonbinding recommendation to each taxing unit in the pilot county regarding the taxing unit's proposed budgets, property tax rates, and property tax levies.

The review and recommendation required to be carried out under this subdivision may be carried out by the full county fiscal body or by a committee appointed by the county

fiscal body for that purpose.

(7) A recommendation by a county fiscal body must include a comparison of any increase in a taxing unit's budgets, property tax rates, and property tax levies to:

(A) the average increase in Indiana nonfarm personal income for the preceding six (6) calendar years and the average increase in nonfarm personal income for the county for the preceding six (6) calendar years; and

(B) increases in the budgets, property tax rates, and property tax levies of other taxing units in the county.

(8) After review under this section, a taxing unit must adopt its budget, property tax rates, and property tax levies by the date required under section 5 of this chapter.

(g) The county fiscal body of a pilot county may, before July 1 of a year, adopt a resolution discontinuing the county's participation in the pilot program. If a county fiscal body adopts such a resolution:

(1) the county fiscal body shall certify a copy of the resolution to the department of local government finance;

(2) the county's participation in the pilot program is terminated; and

(3) the department of local government finance shall attempt to replace the pilot county with another county that has applied to be designated as a pilot county.

(h) The department of local government finance shall, before November 1, 2014, and each year thereafter, report to the **commission on state tax and financing policy interim study committee on fiscal policy established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6** concerning the pilot program and whether the nonbinding review under the pilot program is fostering cooperation among taxing units in the adoption of their budgets, property tax rates, and property tax levies.

(i) This section expires January 1, 2017.

SECTION 72. IC 7.1-5-12-14, AS ADDED BY P.L.141-2012, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. Beginning in 2013, the commission shall present an annual report to the **interim study committee on health finance commission established by IC 2-5-1.3-4** concerning the implementation and enforcement activities taken under this chapter. The report must include the number of smoking related inspections conducted and violations for the previous calendar year. The commission shall submit the report in electronic format under IC 5-14-6 to the legislative services agency not later than September 1 of each year.

SECTION 73. IC 8-1-1.1-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) There is created the advisory council to the office of the utility consumer counselor. The council consists of ~~ten (10)~~ **nine (9)** members. Each Indiana congressional district must be represented by at least one (1) individual appointed under this section who is a resident of that congressional district. **However, the reduction in membership of the council from ten (10) members to nine (9) shall be accomplished as the terms of members end and new members are appointed. Until the expiration of the term of a member who is serving on the**

council on January 1, 2014, and resides in the same congressional district as another member, the council consists of ten (10) members.

(b) Members of the council, including those filling vacancies occurring in the council membership, shall be appointed by the governor. All members shall be appointed to a term of four (4) years, except those who have been appointed to fill a vacancy in the council whose term will be the unexpired portion of the term. All members shall serve until their successor has been duly appointed and qualified.

(c) The membership shall be representative of the various sectors of Indiana economy, including, but not limited to: agriculture, business and industry, labor, and local government.

(d) The members shall annually elect of themselves a chairman.

(e) Members are entitled to receive per diem and travel expense reimbursement at the standard rates provided for state employees for expenses they incur in the performance of their duties under this chapter subject to the approval of the consumer counselor.

SECTION 74. IC 8-1-2.5-9, AS AMENDED BY P.L.256-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. **(a) As used in this section, "committee" means the interim study committee on energy, utilities, and technology established by IC 2-5-1.3-4.**

~~(a) (b)~~ The regulatory flexibility committee established under ~~IC 8-1-2.6-4~~ shall also monitor changes and competition in the energy utility industry.

~~(b) (c)~~ The commission shall before August 15 of each year prepare for presentation to the regulatory flexibility committee an analysis of the effects of competition or changes in the energy utility industry on service and on the pricing of all energy utility services under the jurisdiction of the commission.

~~(c) (d)~~ In addition to reviewing the commission report prepared under subsection ~~(b); (c)~~, the regulatory flexibility committee shall also issue a report and recommendations to the legislative council before November 1 of each year that are based on a review of the following issues:

- (1) The effects of competition or changes in the energy utility industry and the impact of the competition or changes on the residential rates.
- (2) The status of modernization of the energy utility facilities in Indiana and the incentives required to further enhance this infrastructure.
- (3) The effects on economic development of this modernization.
- (4) The traditional method of regulating energy utilities and the method's effectiveness.
- (5) The economic and social effectiveness of traditional energy utility service pricing.
- (6) The effects of legislation enacted by the United States Congress.
- (7) All other energy utility issues the committee considers appropriate; however, it is not the intent of this section to provide for the review of the statutes cited in section 11 of this chapter.

The report and recommendations issued under this subsection to

the legislative council must be in an electronic format under IC 5-14-6.

~~(d) (e)~~ This section:

(1) does not give a party to a collective bargaining agreement any greater rights under the agreement than the party had before January 1, 1995;

(2) does not give the committee the authority to order a party to a collective bargaining agreement to cancel, terminate, amend, or otherwise modify the collective bargaining agreement; and

(3) may not be implemented by the committee in a way that would give a party to a collective bargaining agreement any greater rights under the agreement than the party had before January 1, 1995.

~~(e) (f)~~ The regulatory flexibility committee shall meet on the call of the co-chairs to study energy utility issues described in subsection ~~(e)~~. The committee shall, with the approval of the commission, retain independent consultants the committee considers appropriate to assist the committee in the review and study. The expenses for the consultants shall be paid with funds from the public utility fees assessed under IC 8-1-6.

~~(f)~~ The legislative services agency shall provide staff support to the committee:

~~(g)~~ Each member of the committee is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative members of interim study committees established by the legislative council:

SECTION 75. IC 8-1-2.6-4, AS AMENDED BY P.L.241-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. ~~(a)~~ A regulatory flexibility committee is established to monitor competition in the telecommunications industry:

~~(b)~~ The committee is composed of the members of a house standing committee selected by the speaker of the house of representatives and a senate standing committee selected by the president pro tempore of the senate. In selecting standing committees under this subsection, the speaker and president pro tempore shall determine which standing committee of the house of representatives and the senate, respectively, has subject matter jurisdiction that most closely relates to the electricity, gas, energy policy, and telecommunications jurisdiction of the regulatory flexibility committee. The chairpersons of the standing committees selected under this subsection shall co-chair the regulatory flexibility committee:

(a) As used in this section, "committee" means the interim study committee on energy, utilities, and technology established by IC 2-5-1.3-4.

~~(c) (b)~~ Subject to subsection ~~(f); (e)~~, the commission shall, by July 1 of each year, report to the regulatory flexibility committee in an electronic format under IC 5-14-6 on the following:

(1) The effects of competition and technological change on universal service and on pricing of all telecommunications services offered in Indiana.

(2) The status of competition and technological change in the provision of video service (as defined in IC 8-1-34-14) available to Indiana customers, as including the following information:

(A) The number of multichannel video programming distributors offering video service to Indiana customers.
 (B) The technologies used to provide video service to Indiana customers.

(C) The advertised programming and pricing options offered by video service providers to Indiana customers.

~~(3) Beginning with the report due July 1, 2007, and in each report due in an odd-numbered year after July 1, 2007:~~

~~(A) an identification of all telecommunications rules and policies that are eliminated by the commission under section 4.1 of this chapter during the two (2) most recent state fiscal years; and~~

~~(B) an explanation why the telecommunications rules and policies identified under clause (A) are no longer in the public interest or necessary to protect consumers.~~

~~This subdivision expires June 30, 2013.~~

~~(4) (3) Best practices concerning vertical location of underground facilities for purposes of IC 8-1-26. A report under this subdivision must address the viability and economic feasibility of technologies used to vertically locate underground facilities.~~

~~(d) (c) In addition to reviewing the commission report prepared under subsection (c); (b), the regulatory flexibility committee may also issue a report and recommendations to the legislative council by November 1 of each year that is based on a review of the following issues:~~

~~(1) The effects of competition and technological change in the telecommunications industry and impact of competition on available subsidies used to maintain universal service.~~

~~(2) The status of modernization of the publicly available telecommunications infrastructure in Indiana and the incentives required to further enhance this infrastructure.~~

~~(3) The effects on economic development and educational opportunities of the modernization described in subdivision (2).~~

~~(4) The current methods of regulating providers, at both the federal and state levels, and the effectiveness of the methods.~~

~~(5) The economic and social effectiveness of current telecommunications service pricing.~~

~~(6) All other telecommunications issues the committee deems appropriate.~~

The report and recommendations issued under this subsection to the legislative council must be in an electronic format under IC 5-14-6.

~~(e) (d) The regulatory flexibility committee shall meet on the call of the co-chairpersons to study telecommunications issues described in subsection (d). The committee shall, with the approval of the commission, retain the independent consultants the committee considers appropriate to assist the committee in the review and study. The expenses for the consultants shall be paid by the commission.~~

~~(f) (e) If the commission requests a communications service provider (as defined in section 13(b) of this chapter) to provide information for the commission to use in preparing a report under this section, the request must be limited to public information provided to the Federal Communications Commission and may~~

be required to be provided only in the form in which it is provided to the Federal Communications Commission. However, the commission may request any public information from a communications service provider (as defined in section 13(b) of this chapter) upon a request from the committee's ~~co-chairpersons~~ **chairperson** that specifically enumerates the public information sought.

SECTION 76. IC 8-1-2.6-4.1, AS AMENDED BY P.L.256-2013, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4.1. (a) Not later than:

(1) July 1, 2007; and

(2) July 1 of each odd-numbered year after July 1, 2007; the commission shall, through a rulemaking proceeding under IC 4-22-2 or another commission proceeding, identify and eliminate rules and policies concerning telecommunications service and telecommunications service providers if the rules or policies are no longer necessary in the public interest or for the protection of consumers as the result of meaningful economic competition between providers of telecommunications services.

~~(b) Not later than July 1, 2007, the commission shall adopt rules under IC 4-22-2 to require a telecommunications service provider, at any time the provider communicates with a residential customer about changing the customer's basic telecommunications service to nonbasic telecommunications service, to notify the residential customer of:~~

~~(1) the option of basic telecommunications service; and~~

~~(2) any regulatory protections, including pricing or quality of service protections, that the residential customer would forego by switching to nonbasic telecommunications service.~~

~~This subsection expires June 30, 2013.~~

~~(c) (b) A rule adopted under subsection (b) (as subsection (b) was in effect before its expiration on June 30, 2013) is void after June 30, 2013.~~

~~(d) In carrying out this section, the commission shall promote the policies and purposes set forth in this chapter. Beginning in 2007, and in each odd-numbered year after 2007, the commission's annual report to the regulatory flexibility committee under section 4 of this chapter must:~~

~~(1) identify any regulation or policy eliminated by the commission under this section during the two (2) most recent state fiscal years; and~~

~~(2) explain why the regulation or policy is no longer in the public interest or necessary to protect consumers.~~

~~This subsection expires June 30, 2013.~~

SECTION 77. IC 8-1-8.8-14, AS AMENDED BY P.L.150-2011, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. The group shall conduct an annual study on the use, availability, and economics of using in Indiana the clean energy resources listed in IC 8-1-37-4(a)(1) through IC 8-1-37-4(a)(6). The commission may direct the group to study additional clean energy resources as the commission considers appropriate. Each year, the group shall submit a report on the study to the commission for inclusion in the commission's annual report to the ~~regulatory flexibility committee described in IC 8-1-2.5-9 and IC 8-1-2.6-4.~~ **interim**

study committee on energy, utilities, and technology established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6. The commission shall direct the group concerning the appropriate level of detail for the report. The report must include suggestions from the group to encourage the development and use of clean energy resources and technologies appropriate for use in Indiana.

SECTION 78. IC 8-1-30.5-3, AS ADDED BY P.L.87-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) For each calendar year, beginning with the calendar year ending December 31, 2012, each water utility shall submit to the commission, on a form or in the manner prescribed by the commission, a report on the following:

- (1) The types of use of the water resources used by the water utility in providing water service to the water utility's Indiana customers.
- (2) The water utility's operations and maintenance costs in providing water service to the water utility's Indiana customers.

(b) The commission shall prescribe the form of the report and the process, deadlines, and other requirements for submitting the report required under this section. However, the commission shall collect the following information for each water utility with respect to the calendar year for which a particular report is submitted:

- (1) The number of Indiana customers served by the water utility.
- (2) A description of the water utility's service territory in Indiana.
- (3) The total utility plant in service with respect to the water utility's Indiana customers.
- (4) The amount and location of the water resources used by the water utility to provide water service to the water utility's Indiana customers.
- (5) The availability and location of additional water resources that could be used, if necessary, by the water utility to provide water service to Indiana customers.
- (6) The amount of funding received, including the purpose of the funding, from the following sources:
 - (A) A state revolving loan program under IC 13-18.
 - (B) The office of community and rural affairs established by IC 4-4-9.7-4.
 - (C) United States Department of Agriculture rural development loans and grants.
 - (D) The Indiana bond bank.
 - (E) The issuance of any debt instruments for the purpose of raising capital to fund infrastructure projects.

(c) Upon receiving the annual reports required under this section, the commission shall compile and organize the data and information contained in the reports. Subject to subsection (d)(1), the commission shall include a summary of the data and information contained in the reports, along with the recommendations described in subsection (d)(2), in:

- (1) an annual report to be submitted by the commission to the legislative council not later than November 1 of each year; and

(2) the commission's annual report on the water and wastewater industries provided to the ~~regulatory flexibility committee interim study committee on energy, utilities, and technology established by IC 8-1-2.6-4~~ **IC 2-5-1.3-4 in an electronic format under IC 5-14-6.**

The annual report to the legislative council required by subdivision (1) must be in an electronic format under IC 5-14-6.

(d) In making the reports required under subsection (c), the commission shall:

- (1) use aggregated data in a manner that:
 - (A) protects the confidential information of individual water utilities; and
 - (B) is consistent with IC 5-14-3-4; and
- (2) include in the reports recommendations concerning:
 - (A) the efficient use of financial resources by water utilities; and
 - (B) necessary infrastructure investments by water utilities; and
 - (C) actions designed to minimize impacts on the rates and charges imposed on water and wastewater customers.

SECTION 79. IC 8-1-32.5-6, AS AMENDED BY P.L.256-2013, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) Except as provided in subsection (c), before a communications service provider may offer communications service to customers in Indiana, the communications service provider must apply to the commission for a certificate of territorial authority. A communications service provider that seeks a certificate under this chapter shall submit an application on a form prescribed by the commission. Subject to subsection (e), the form prescribed by the commission must require the communications service provider to report the following information:

- (1) The provider's legal name and any name under which the provider does or will do business in Indiana, as authorized by the secretary of state.
- (2) The provider's address and telephone number, along with contact information for the person responsible for ongoing communications with the commission.
- (3) The legal name, address, and telephone number of the provider's parent company, if any.
- (4) A description of each service area in Indiana in which the provider proposes to offer communications service.
- (5) For each service area identified under subdivision (4), a description of each type of communications service that the provider proposes to offer in the service area.
- (6) For each communications service identified under subdivision (5), whether the communications service will be offered to residential customers or business customers, or both.
- (7) The expected date of deployment for each communications service identified under subdivision (5) in each service area identified in subdivision (4).
- (8) A list of other states in which the provider offers communications service, including the type of communications service offered.

(9) Any other information the commission considers necessary to:

(A) monitor the type and availability of communications service provided to Indiana customers; and

(B) prepare, **under IC 8-1-2.6-4**, the commission's annual report to the ~~regulatory flexibility committee~~ **interim study committee on energy, utilities, and technology established by IC 2-5-1.3-4 under IC 8-1-2.6-4 in an electronic format under IC 5-14-6**.

The commission may charge a fee for filing an application under this section. Any fee charged by the commission under this subsection may not exceed the commission's actual costs to process and review the application under section 8 of this chapter.

(b) A communications service provider shall also submit, along with the application required by subsection (a), the following documents:

(1) A certification from the secretary of state authorizing the provider to do business in Indiana.

(2) Information demonstrating the provider's financial, managerial, and technical ability to provide each communications service identified in the provider's application under subsection (a)(5) in each service area identified under subsection (a)(4).

(3) A statement, signed under penalty of perjury by an officer or another person authorized to bind the provider, that affirms the following:

(A) That the provider has filed or will timely file with the Federal Communications Commission all forms required by the Federal Communications Commission before offering communications service in Indiana.

(B) That the provider agrees to comply with any customer notification requirements imposed by the commission under section 11(b) of this chapter.

(C) That the provider agrees to update the information provided in the application submitted under subsection (a) on a regular basis, as may be required by the commission under section 12 of this chapter.

(D) That the provider agrees to notify the commission when the provider commences offering communications service in each service area identified in the provider's application under subsection (a)(4).

(E) That the provider agrees to pay any lawful rate or charge for switched and special access services, as required under any:

(i) applicable interconnection agreement; or

(ii) lawful tariff or order approved or issued by a regulatory body having jurisdiction.

(F) That the provider agrees to report, at the times required by the commission, any information required by the commission under IC 8-1-2.6-13(c)(9).

(c) If:

(1) a communications service provider has been issued a:

(A) certificate of territorial authority; or

(B) certificate of public convenience and necessity;

by the commission before July 1, 2009; and

(2) the certificate described in subdivision (1) is in effect

on July 1, 2009;

the communications service provider is not required to submit an application under this section for as long as the certificate described in subdivision (1) remains in effect. For purposes of this subsection, if a corporation organized under IC 8-1-13 (or a corporation organized under IC 23-17-1 that is an electric cooperative and that has at least one (1) member that is a corporation organized under IC 8-1-13) holds a certificate of public convenience and necessity issued by the commission before, on, or after July 1, 2009, that certificate may serve as the certificate required under this chapter with respect to any communications service offered by the corporation, subject to the commission's right to require the corporation to provide any information that an applicant is otherwise required to submit under subsection (a) or that a holder is required to report under IC 8-1-2.6-13(c)(9).

(d) This section does not empower the commission to require an applicant for a certificate under this chapter to disclose confidential and proprietary business plans and other confidential information without adequate protection of the information. The commission shall exercise all necessary caution to avoid disclosure of confidential information supplied under this section.

(e) The form prescribed for a communications service provider that offers only a service described in IC 8-1-2.6-1.1 must require the communications service provider to report and certify the accuracy of only the information required under subsection (a)(1) and (a)(2).

SECTION 80. IC 8-1-34-16, AS AMENDED BY P.L.219-2011, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 16. (a) Except as provided in section 21 of this chapter, after June 30, 2006:

(1) the commission is the sole franchising authority (as defined in 47 U.S.C. 522(10)) for the provision of video service in Indiana; and

(2) a unit may not:

(A) require a provider to obtain a separate franchise;

(B) impose any fee, gross receipt tax, licensing requirement, rate regulation, or build-out requirement on a provider;

(C) regulate a holder or provider; or

(D) establish, fund, or otherwise designate an agency, a board, or another subordinate entity to monitor, supervise, evaluate, or regulate the holder or provider; except as authorized by this chapter.

(b) Except as provided in section 21 of this chapter, a person who seeks to provide video service in Indiana after June 30, 2006, shall file with the commission an application for a franchise. The application shall be made on a form prescribed by the commission and must include the following:

(1) A sworn affidavit, signed by an officer or another person authorized to bind the applicant, that affirms the following:

(A) That the applicant has filed or will timely file with the Federal Communications Commission all forms required by the Federal Communications Commission

before offering video service in Indiana.

(B) That the applicant agrees to comply with all federal and state statutes, rules, and regulations applicable to the operation of the applicant's video service system.

(C) That the applicant agrees to:

(i) comply with any local ordinance or regulation governing the use of public rights-of-way in the delivery of video service; and

(ii) recognize the police powers of a unit to enforce the ordinance or regulation.

(D) If the applicant will terminate an existing local franchise under section 21 of this chapter, that the applicant agrees to perform any obligations owed to any private person, as required by section 22 of this chapter.

(2) The applicant's legal name and any name under which the applicant does or will do business in Indiana, as authorized by the secretary of state.

(3) The address and telephone number of the applicant's principal place of business, along with contact information for the person responsible for ongoing communications with the commission.

(4) The names and titles of the applicant's principal officers.

(5) The legal name, address, and telephone number of the applicant's parent company, if any.

(6) A description of each service area in Indiana to be served by the applicant. A service area described under this subdivision may include an unincorporated area in Indiana.

(7) The expected date for the deployment of video service in each of the areas identified in subdivision (6).

(8) A list of other states in which the applicant provides video service.

(9) If the applicant will terminate an existing local franchise under section 21(b) of this chapter, a copy of the written notice sent to the municipality under section 21(c) of this chapter.

(10) Any other information the commission considers necessary to:

(A) monitor the provision of video service to Indiana customers; and

(B) prepare, **under IC 8-1-2.6-4**, the commission's annual report to the ~~regulatory flexibility committee~~ **interim study committee on energy, utilities, and technology established by IC 2-5-1.3-4 under IC 8-1-2.6-4 in an electronic format under IC 5-14-6.**

(c) This section does not empower the commission to require:

(1) an applicant to disclose confidential and proprietary business plans and other confidential information without adequate protection of the information; or

(2) a provider to disclose more frequently than in each odd numbered year information regarding the areas in which an applicant has deployed, or plans to deploy, video services.

The commission shall exercise all necessary caution to avoid disclosure of confidential information supplied under this section.

(d) The commission may charge a fee for filing an application under this section. Any fee charged by the commission under this

subsection may not exceed the commission's actual costs to process and review the application under section 17 of this chapter.

(e) Nothing in this title may be construed to require an applicant or a provider to disclose information that identifies by census block, street address, or other similar level of specificity the areas in which the applicant or provider has deployed, or plans to deploy, video service in Indiana. The commission may not disclose, publish, or report by census block, street address, or other similar level of specificity any information identifying the areas in Indiana in which an applicant or a provider has deployed, or plans to deploy, video service.

SECTION 81. IC 8-1-34-24.5, AS ADDED BY P.L.152-2012, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 24.5. (a) This section applies to any unit that receives franchise fees paid to the unit under:

(1) a certificate issued by the commission under this chapter; or

(2) an unexpired local franchise issued by the unit before July 1, 2006;

with respect to a particular calendar year.

(b) For each calendar year, beginning with the calendar year ending December 31, 2012, each unit to which this section applies shall submit to the commission, on a form or in the manner prescribed by the commission, a report that includes the following information for each certificate or local franchise in effect in the unit during the calendar year for which the report is submitted:

(1) The amount of franchise fees paid to the unit under the certificate or local franchise.

(2) The account of the unit into which the franchise fees identified under subdivision (1) were deposited.

(3) The purposes for which any franchise fees received by the unit during:

(A) the calendar year for which the report is submitted; or

(B) a previous calendar year;

were used or spent by the unit during the calendar year for which the report is submitted.

(4) Any other information or data concerning the receipt and use of franchise fees that the commission considers appropriate.

(c) The commission shall prescribe the form of the report and the process, deadlines, and other requirements for submitting the report required under this section.

(d) Upon receiving the annual reports required under this section, the commission shall compile and organize the data and information contained in the reports. The commission shall include a summary of the data and information contained in the reports in the commission's annual report on the communications industry provided, **under IC 8-1-2.6-4**, to the ~~regulatory flexibility committee~~ **interim study committee on energy, utilities, and technology established by IC 2-5-1.3-4 under IC 8-1-2.6-4 in an electronic format under IC 5-14-6.** However, this subsection does not empower the commission to disclose confidential and proprietary business plans and other

confidential information without adequate protection of the information. The commission shall exercise all necessary caution to avoid disclosure of confidential information supplied under this section.

(e) The commission may adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to implement this section. An emergency rule adopted by the commission under IC 4-22-2-37.1 expires on the date a rule that supersedes the emergency rule is adopted by the commission under IC 4-22-2-24 through IC 4-22-2-36 and not ninety (90) days after the rule is accepted for filing as provided in IC 4-22-2-37.1(g). However, any emergency rules adopted by the commission under this subsection must take effect by a date that enables a unit subject to this section to comply with this section with respect to the calendar year ending December 31, 2012.

SECTION 82. IC 8-1-37-14, AS ADDED BY P.L.150-2011, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) Beginning in 2014, each participating electricity supplier shall report to the commission not later than March 1 of each year on the following:

(1) The participating electricity supplier's efforts, if any, during the most recently ended calendar year to meet the CPS goal applicable to the most recently ended calendar year.

(2) The total amount of renewable energy supplied to the participating electricity supplier's Indiana retail electric customers during the most recently ended calendar year, including a breakdown of the following:

(A) The amount of clean energy generated by facilities owned or operated by the participating electricity supplier. The participating electricity supplier shall identify each facility by:

- (i) name and location;
- (ii) total generating capacity;
- (iii) total amount of electricity generated at the facility during the most recently ended calendar year, including the percentage of this amount that was supplied to the participating electricity supplier's Indiana retail electric customers; and
- (iv) total amount of clean energy generated at the facility during the most recently ended calendar year, including the percentage of this amount that was supplied to the participating electricity supplier's Indiana retail electric customers.

(B) The amount of clean energy purchased from other suppliers of clean energy. The participating electricity supplier shall identify:

- (i) each supplier from whom clean energy was purchased;
- (ii) the amount of clean energy purchased from each supplier;
- (iii) the price paid by the participating electricity supplier for the clean energy purchased from each supplier; and
- (iv) to the extent known, the name and location of each facility at which the clean energy purchased from each supplier was generated.

(3) The number of CECs purchased by the participating electricity supplier during the most recently ended calendar year. The participating electricity supplier shall identify:

- (A) each person from whom one (1) or more CECs was purchased;
- (B) the price paid to each person identified in clause (A) for the CECs purchased;
- (C) the number of CECs applied, if any, during the most recently ended calendar year to meet the CPS goal applicable to the most recently ended calendar year; and
- (D) the number of CECs, if any, that the participating electricity supplier plans to carry over to the next succeeding CPS goal period, as permitted by section 12(f) of this chapter.

(4) The participating electricity supplier's plans for meeting the CPS goal applicable to the calendar year in which the report is submitted.

(5) Advances in clean energy technology that affect activities described in subdivisions (1) and (4).

(6) Any other information that the commission prescribes in rules adopted under IC 4-22-2.

For purposes of this subsection, amounts of clean energy and electricity shall be reported in megawatt hours. A participating electricity supplier's duty to submit a report under this subsection terminates after the participating electricity supplier has submitted the report that applies to the calendar year ending December 31, 2025.

(b) Beginning in 2014, the commission's annual report, **under IC 8-1-2.5-9(b)**, to the ~~regulatory flexibility committee~~ **interim study committee on energy, utilities, and technology established by IC 2-5-1.3-4** ~~under IC 8-1-2.5-9(b)~~ must include a summary of the information provided by participating electricity suppliers under subsection (a) with respect to the most recently ended calendar year. The commission's duty to include the information specified in this subsection in its annual report to the ~~regulatory flexibility committee~~ **interim study committee on energy, utilities, and technology established by IC 2-5-1.3-4** terminates after the commission has submitted the information that applies to the calendar year ending December 31, 2025.

SECTION 83. IC 8-15-2-1.3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.3. (a) The authority shall establish a written procedure for allocating money to projects described in section 1(a)(3) and 1(a)(4) of this chapter.

(b) The procedure established under this section must include at least the following:

- (1) An application procedure to identify projects that qualify for funding.
- (2) Criteria for prioritizing projects.
- (3) Procedures for selecting projects.
- (4) Procedures for reporting the results of the selection process and the status of projects to the ~~commission on state tax and financing~~ **interim study committee on fiscal policy established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6.**

(c) The prioritization and selection process under this section must give consideration to the following:

- (1) The impact of the project on toll road usage.
- (2) Consistency of the project with local transportation plans.
- (3) The extent to which the project will have local financial participation relative to local available resources.
- (4) The amount of vehicular traffic served.
- (5) The potential local economic impact.
- (6) Whether the project is deemed to be an emergency by the applicant and the authority.

SECTION 84. IC 9-13-2-93.3 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 93.3. "License plate committee", for purposes of IC 9-18-25, has the meaning set forth in IC 9-18-25-0.5.~~

SECTION 85. IC 9-18-25-0.5 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 0.5. As used in this chapter, "license plate committee" means the special group recognition license plate committee established by IC 2-5-36.2-4.~~

SECTION 86. IC 9-18-25-2.3, AS ADDED BY P.L.107-2013, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2.3. (a) Effective August 1, 2013, a special group that seeks initial participation in the special group recognition license plate program must submit a completed application to the bureau not later than April 1 for potential issuance in the following year. The application must contain the following:

- (1) The name and address of the resident agent of the special group.
- (2) Evidence of governance by a board of directors consisting of at least five (5) members, a majority of whom are outside directors, who meet at least semiannually to establish policy for the special group and review the accomplishments of the special group.
- (3) A copy of the:
 - (A) ethics statement;
 - (B) constitution and bylaws; and
 - (C) articles of incorporation as an entity that is exempt from federal income taxation under Section 501(c) of the Internal Revenue Code;
 of the special group.
- (4) Copies of the last three (3) consecutive:
 - (A) annual reports; and
 - (B) annual generally accepted auditing standards or government auditing standards audits;
 of the special group.
- (5) Evidence of appropriate use of resources and compliance with federal and state laws, including evidence of appropriate management and internal controls in order to ensure:
 - (A) compliance with law;
 - (B) that finances are used in compliance with the purpose statement of the special group; and
 - (C) maintenance as an entity that is exempt from taxation under Section 501(c) of the Internal Revenue Code.

- (6) Evidence of transparency of financial and operational activities to include availability of current financial statements at any time upon the request of the bureau or a

donor to the special group.

- (7) Evidence of internal controls to prevent conflict of interest by board members and employees.
- (8) A petition with the signatures of at least five hundred (500) residents of Indiana who pledge to purchase the special group recognition license plate.
- (9) A statement of the designated use of any annual fee to be collected by the bureau.
- (10) A copy of a certified motion passed by the board of directors of the special group requesting that the special group recognition license plate be issued by the bureau and stating the designated use of any annual fee to be collected by the bureau.
- (11) Evidence of statewide public benefit from the special group.
- (12) Evidence of statewide public benefit from the use of the annual fee collected by the bureau.
- (13) Evidence that the special group's use of the annual fee to be collected by the bureau and the organizational purpose statement of the special group conform with at least one (1) of the following categories:

- (A) Direct health care or medical research.
- (B) Fraternal or service organizations.
- (C) Government and quasi-government. For purposes of this clause, a special group that designates the use of the fees collected for deposit in the capital projects fund established by IC 9-18-49-5(a) is considered to have a quasi-government purpose.
- (D) Military and veterans' affairs.
- (E) Public and transportation safety.
- (F) Universities located in Indiana for scholarships for Indiana residents.
- (G) Agriculture, animals, and environment.

- (14) Evidence that the organization has prohibitions and internal controls prohibiting advocacy of the following:

- (A) Violation of federal or state law.
- (B) Violation of generally accepted ethical standards or societal behavioral standards.
- (C) Individual political candidates.

(b) The bureau shall review the application for a special group recognition license plate that has been submitted to the bureau under subsection (a). Upon satisfaction to the bureau of the completeness of the information in the application, the bureau shall forward the application to the ~~chairperson of the license plate committee for review by the license plate committee:~~ **executive director of the legislative services agency in an electronic format under IC 5-14-6 for review by the roads, transportation, and public safety interim study committee established by IC 2-5-1.3-4.**

SECTION 87. IC 9-18-25-2.5, AS ADDED BY P.L.107-2013, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2.5. (a) The ~~license plate roads, transportation, and public safety interim study committee established by IC 2-5-1.3-4 shall meet at least two (2) times a year at the call of the chairperson to review applications for special group recognition license plates that have been forwarded to the license plate roads, transportation, and~~

public safety interim study committee by the bureau under section 2.3(b) of this chapter.

(b) After reviewing the applications, the ~~license plate roads, transportation, and public safety interim study committee established by IC 2-5-1.3-4~~ shall:

- (1) compile a list recommending new special group recognition license plates; and
- (2) forward to the bureau by written means the list of recommended special groups that meet the suitability for issuance of a special group recognition license plate.

The ~~license plate roads, transportation, and public safety interim study~~ committee may not recommend more than five (5) new special group recognition license plates to the bureau under this subsection in a calendar year.

(c) After receiving the list forwarded under subsection (b)(2), the bureau shall conduct an independent review of the applications, taking into consideration the recommendations of the license plate committee. The bureau may issue a special group recognition license plate in the absence of a positive recommendation from the ~~license plate roads, transportation, and public safety interim study~~ committee. However, the bureau may not issue a special group recognition license plate unless the license plate has first been reviewed by the ~~license plate roads, transportation, and public safety interim study~~ committee and has been given a positive or negative recommendation to the bureau regarding that special group.

(d) The bureau may not issue more than five (5) special group recognition license plates for the first time in a year.

SECTION 88. IC 9-18-25-2.7, AS ADDED BY P.L.107-2013, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2.7. ~~(a) The bureau shall determine the date of first issuance of all special group recognition license plates in production as of July 1, 2013, and prepare a list of the results. The bureau shall forward the list to the license plate committee before September 1, 2013.~~

~~(b) Upon receipt of the list prepared under subsection (a), the license plate committee shall review the special group recognition license plates that were issued initially in 2003 or earlier. In the review, the license plate committee shall consider the criteria set forth in section 2.3(a) of this chapter and may seek evidence of the criteria from a special group. The license plate committee shall recommend to the bureau that participation in the special group recognition license plate program be terminated for a special group that the license plate committee finds is not suitable for inclusion in the program because the special group does not satisfy the criteria set forth in section 2.3(a) of this chapter.~~

~~(c) (a) In 2014 and subsequent years, the bureau shall forward to the license plate committee executive director of the legislative services agency in an electronic format under IC 5-14-6 for review by the roads, transportation, and public safety interim study committee the name of a special group:~~

- (1) that was awarded initially a special group recognition license plate by the bureau more than ten (10) years in the past; and
- (2) whose special group recognition license plate has not been reviewed by the ~~special group recognition~~ license

~~plate committee established by IC 2-5-36.2-4 (repealed) or the roads, transportation, and public safety interim study committee during the ten (10) year period following the initial or subsequent award of the special group recognition license plate.~~

Upon receipt of the name of a special group, the ~~license plate roads, transportation, and public safety interim study~~ committee shall require the special group to submit to the ~~license plate roads, transportation, and public safety interim study~~ committee evidence of the criteria set forth in section 2.3(a) of this chapter. Upon submission of the criteria, the ~~license plate roads, transportation, and public safety interim study~~ committee shall review and recommend termination by the bureau as provided in subsection ~~(b)~~ the suitability of the special group to continue participating in the special group recognition license plate program. In the review, the roads, transportation, and public safety interim study committee shall consider the criteria set forth in section 2.3(a) of this chapter and may seek additional evidence of the criteria from a special group. The roads, transportation, and public safety interim study committee shall recommend to the bureau that participation in the special group recognition license plate program be terminated if the ~~license plate roads, transportation, and public safety interim study~~ committee finds that termination is appropriate because the special group is not suitable for inclusion in the special group license plate program.

~~(d) (b)~~ Upon receiving a recommendation of termination for a special group under subsection ~~(b) or (c)~~, (a), the bureau may:

- (1) terminate the special group from participation in the special group recognition license plate program; or
- (2) allow the special group to continue participating in the special group recognition license plate program for a period of not more than eighteen (18) months.

~~(e) (c)~~ If the bureau terminates the participation of a special group under subsection ~~(d)(1)~~: (b)(1):

- (1) the bureau may not issue additional special group recognition license plates of the special group to plateholders; and
- (2) a plateholder may not renew a special group recognition license plate of the special group.

If the special group desires to continue participating in the special group recognition license plate program, the special group must submit an application to the bureau containing the criteria set forth in section 2.3(a) of this chapter. The bureau shall then follow the procedure set forth in section 2.3(b) of this chapter.

~~(f) (d)~~ If the bureau allows a special group to continue participating in the special group recognition license plate program for a period under subsection ~~(d)(2)~~: (b)(2), the bureau shall:

- (1) establish the duration of the set period under subsection ~~(d)(2)~~: (b)(2); and
- (2) require the special group to submit to the bureau:
 - (A) evidence of the criteria set forth in section 2.3(a) of this chapter; and

(B) any additional information the bureau determines is necessary.

~~(g)~~ (e) The bureau shall:

- (1) review the evidence and additional information submitted by a special group under subsection ~~(f)(2)~~; **(d)(2)**; and
- (2) determine whether to terminate or continue the participation of the special group in the special group recognition license plate program.

~~(h)~~ (f) After the review under subsection ~~(g)~~; **(e)**, if the bureau terminates the participation of the special group and the special group desires to continue participating, the special group must submit an application to the bureau containing the criteria set forth in section 2.3(a) of this chapter. The bureau shall then follow the procedure set forth in section 2.3(b) of this chapter.

~~(i)~~ (g) After the review under subsection ~~(g)~~; **(e)**, if the bureau continues the participation of the special group in the special group recognition license plate program, the bureau may do one (1) or more of the following:

- (1) Allow the special group to remedy the defect or the violation that caused the special group to not be suitable for inclusion in the special group recognition license plate program.
- (2) Place restrictions on or temporarily suspend the sales of special group recognition license plates for the special group.
- (3) Require the special group to appear before the commission for review or reinstatement, or both.

~~(j)~~ (h) The bureau may suspend the issuance of a special group recognition license plate for a special group if the bureau, upon investigation, has determined that the special group has advocated or committed a violation of federal or state law.

SECTION 89. IC 12-7-2-34, AS AMENDED BY P.L.6-2012, SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 34. "Commission" means the following:

- (1) For purposes of IC 12-10-2, the meaning set forth in IC 12-10-2-1.
- ~~(2) For purposes of IC 12-11-7, the meaning set forth in IC 12-11-7-1.~~
- ~~(3)~~ **(2)** For purposes of IC 12-12-2, the meaning set forth in IC 12-12-2-1.
- ~~(4)~~ **(3)** For purposes of IC 12-13-14, the meaning set forth in IC 12-13-14-1.
- ~~(5)~~ **(4)** For purposes of IC 12-15-46-2, the meaning set forth in IC 12-15-46-2(a).
- ~~(6) For purposes of IC 12-21-6-5, the meaning set forth in IC 12-21-6-5-1.~~
- ~~(7)~~ **(5)** For purposes of IC 12-28-1, the meaning set forth in IC 12-28-1-3.

SECTION 90. IC 12-7-2-35, AS AMENDED BY P.L.205-2013, SECTION 172, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 35. "Committee" means the following:

- (1) For purposes of IC 12-15-33, the meaning set forth in IC 12-15-33-1.
- ~~(2) For purposes of IC 12-17.2-3.3, the meaning set forth~~

~~in IC 12-17.2-3.3-1.~~

~~(3)~~ **(2)** For the purposes of IC 12-17.2-3.7, ~~has~~ **IC 12-17.2-3.6**, the meaning set forth in ~~IC 12-17.2-3.7-1.~~ **IC 12-17.2-3.6-1.**

SECTION 91. IC 12-10-11.5-6, AS AMENDED BY P.L.205-2013, SECTION 182, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) The office of the secretary of family and social services shall annually determine any state savings generated by home and community based services under this chapter by reducing the use of institutional care.

(b) The secretary shall annually report to the governor, the budget agency, the budget committee, the **interim study committee on health finance commission, established by IC 2-5-1.3-4**, and the executive director of the legislative services agency the savings determined under subsection (a). A report under this subsection to the executive director of the legislative services agency must be in an electronic format under IC 5-14-6.

(c) Savings determined under subsection (a) may be used to fund the state's share of additional home and community based Medicaid waiver slots.

SECTION 92. IC 12-11-7 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Indiana Commission on Autism).

SECTION 93. IC 12-11-13-13, AS AMENDED BY P.L.3-2009, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) The ombudsman shall prepare a report each year on the operations of the program.

(b) A copy of the report required under subsection (a) shall be provided to the following:

- (1) The governor.
- (2) The legislative council. The report must be in an electronic format under IC 5-14-6.
- (3) The division.
- (4) ~~The members of the commission on developmental disabilities established by IC 2-5-27.2-2.~~ **interim study committee on public health and human services established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6.**

SECTION 94. IC 12-11-13-14, AS AMENDED BY P.L.3-2009, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. The ombudsman shall report:

- (1) annually; or
- (2) upon request;

to the ~~commission on developmental disabilities established by IC 2-5-27.2-2.~~ **interim study committee on public health and human services established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6.**

SECTION 95. IC 12-12.7-2-19, AS AMENDED BY P.L.3-2009, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 19. The budget agency shall annually report to the **interim study committee on health finance commission, established by IC 2-5-1.3-4**, the budget committee, and the ~~commission on developmental disabilities~~ **interim study committee on public**

health and human services established by IC 2-5-1.3-4 the following information concerning the funding of the program under this chapter:

- (1) The total amount billed to a federal or state program each state fiscal year for services provided under this chapter, including the following programs:
 - (A) Medicaid.
 - (B) The children's health insurance program.
 - (C) The federal Temporary Assistance for Needy Families (TANF) program (45 CFR 265).
 - (D) Any other state or federal program.
- (2) The total amount billed each state fiscal year to an insurance company for services provided under this chapter and the total amount reimbursed by the insurance company.
- (3) The total copayments collected under this chapter each state fiscal year.
- (4) The total administrative expenditures.

The report must be submitted before September 1 for the preceding state fiscal year in an electronic format under IC 5-14-6.

SECTION 96. IC 12-13-5-14, AS AMENDED BY P.L.205-2013, SECTION 183, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) As used in this section, "~~commission~~" "**committee**" refers to the **interim committee on health finance ~~commission~~ (IC 2-5-23) established by IC 2-5-1.3-4.**

(b) A contractor for the division, office, or secretary that has responsibility for processing eligibility intake for the federal Supplemental Nutrition Assistance program (SNAP), the Temporary Assistance for Needy Families (TANF) program, and the Medicaid program shall do the following:

- (1) Review the eligibility intake process for:
 - (A) document management issues, including:
 - (i) unattached documents;
 - (ii) number of documents received by facsimile;
 - (iii) number of documents received by mail;
 - (iv) number of documents incorrectly classified;
 - (v) number of documents that are not indexed or not correctly attached to cases;
 - (vi) number of complaints from clients regarding lost documents; and
 - (vii) number of complaints from clients resolved regarding lost documents;
 - (B) direct client assistance at county offices, including the:
 - (i) number of clients helped directly in completing eligibility application forms;
 - (ii) wait times at local offices;
 - (iii) amount of time an applicant is given as notice before a scheduled applicant appointment;
 - (iv) amount of time an applicant waits for a scheduled appointment; and
 - (v) timeliness of the tasks sent by the contractor to the state for further action, as specified through contracted performance standards; and
 - (C) call wait times and abandonment rates.

- (2) Provide an update on employee training programs.
- (3) Provide a copy of the monthly key performance indicator report.
- (4) Provide information on error reports and contractor compliance with the contract.
- (5) Provide oral and written reports to the ~~commission~~ **committee** concerning matters described in subdivision (1):

- (A) in a manner and format to be agreed upon with the ~~commission; committee;~~ and
- (B) whenever the ~~commission~~ **committee** requests.

However, written reports shall be provided in an electronic format under IC 5-14-6.

- (6) Report on information concerning assistance provided by voluntary community assistance networks (V-CANs).
- (7) Report on the independent performance audit conducted on the contract.

(c) Solely referring an individual to a computer or telephone does not constitute the direct client assistance referred to in subsection (b)(1)(B).

SECTION 97. IC 12-15-12-19, AS AMENDED BY P.L.205-2013, SECTION 189, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 19. (a) This section applies to an individual who is a Medicaid recipient.

(b) Subject to subsection (c), the office shall develop the following programs regarding individuals described in subsection (a):

- (1) A disease management program for recipients with any of the following chronic diseases:
 - (A) Asthma.
 - (B) Diabetes.
 - (C) Congestive heart failure or coronary heart disease.
 - (D) Hypertension.
 - (E) Kidney disease.

(2) A case management program for recipients described in subsection (a) who are at high risk of chronic disease, that is based on a combination of cost measures, clinical measures, and health outcomes identified and developed by the office with input and guidance from the state department of health and other experts in health care case management or disease management programs.

(c) The office shall implement:

- (1) a pilot program for at least two (2) of the diseases listed in subsection (b) not later than July 1, 2003; and
- (2) a statewide chronic disease program as soon as practicable after the office has done the following:
 - (A) Evaluated a pilot program described in subdivision (1).
 - (B) Made any necessary changes in the program based on the evaluation performed under clause (A).

(d) The office shall develop and implement a program required under this section in cooperation with the state department of health and shall use the following persons to the extent possible:

- (1) Community health centers.
- (2) Federally qualified health centers (as defined in 42 U.S.C. 1396d(1)(2)(B)).

(3) Rural health clinics (as defined in 42 U.S.C. 1396d(l)(1)).

(4) Local health departments.

(5) Hospitals.

(6) Public and private third party payers.

(e) The office may contract with an outside vendor or vendors to assist in the development and implementation of the programs required under this section.

(f) The office and the state department of health shall provide the **interim study committee on health finance commission established by IC 2-5-23-3 established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6** with an evaluation and recommendations on the costs, benefits, and health outcomes of the pilot programs required under this section. The evaluations required under this subsection must be provided not more than twelve (12) months after the implementation date of the pilot programs.

(g) The office and the state department of health shall report to the **interim study committee on health finance commission established by IC 2-5-23-3 established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6** not later than November 1 of each year regarding the programs developed under this section.

(h) The disease management program services for a recipient diagnosed with diabetes or hypertension must include education for the recipient on kidney disease and the benefits of having evaluations and treatment for chronic kidney disease according to accepted practice guidelines.

SECTION 98. IC 12-15-35-28, AS AMENDED BY P.L.205-2013, SECTION 205, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 28. (a) The board has the following duties:

(1) The adoption of rules to carry out this chapter, in accordance with the provisions of IC 4-22-2 and subject to any office approval that is required by the federal Omnibus Budget Reconciliation Act of 1990 under Public Law 101-508 and its implementing regulations.

(2) The implementation of a Medicaid retrospective and prospective DUR program as outlined in this chapter, including the approval of software programs to be used by the pharmacist for prospective DUR and recommendations concerning the provisions of the contractual agreement between the state and any other entity that will be processing and reviewing Medicaid drug claims and profiles for the DUR program under this chapter.

(3) The development and application of the predetermined criteria and standards for appropriate prescribing to be used in retrospective and prospective DUR to ensure that such criteria and standards for appropriate prescribing are based on the compendia and developed with professional input with provisions for timely revisions and assessments as necessary.

(4) The development, selection, application, and assessment of interventions for physicians, pharmacists, and patients that are educational and not punitive in nature.

(5) The publication of an annual report that must be subject to public comment before issuance to the federal

Department of Health and Human Services and to the Indiana legislative council by December 1 of each year. The report issued to the legislative council must be in an electronic format under IC 5-14-6.

(6) The development of a working agreement for the board to clarify the areas of responsibility with related boards or agencies, including the following:

(A) The Indiana board of pharmacy.

(B) The medical licensing board of Indiana.

(C) The SURS staff.

(7) The establishment of a grievance and appeals process for physicians or pharmacists under this chapter.

(8) The publication and dissemination of educational information to physicians and pharmacists regarding the board and the DUR program, including information on the following:

(A) Identifying and reducing the frequency of patterns of fraud, abuse, gross overuse, or inappropriate or medically unnecessary care among physicians, pharmacists, and recipients.

(B) Potential or actual severe or adverse reactions to drugs.

(C) Therapeutic appropriateness.

(D) Overutilization or underutilization.

(E) Appropriate use of generic drugs.

(F) Therapeutic duplication.

(G) Drug-disease contraindications.

(H) Drug-drug interactions.

(I) Incorrect drug dosage and duration of drug treatment.

(J) Drug allergy interactions.

(K) Clinical abuse and misuse.

(9) The adoption and implementation of procedures designed to ensure the confidentiality of any information collected, stored, retrieved, assessed, or analyzed by the board, staff to the board, or contractors to the DUR program that identifies individual physicians, pharmacists, or recipients.

(10) The implementation of additional drug utilization review with respect to drugs dispensed to residents of nursing facilities shall not be required if the nursing facility is in compliance with the drug regimen procedures under 410 IAC 16.2-3.1 and 42 CFR 483.60.

(11) The research, development, and approval of a preferred drug list for:

(A) Medicaid's fee for service program;

(B) Medicaid's primary care case management program;

(C) Medicaid's risk based managed care program, if the office provides a prescription drug benefit and subject to IC 12-15-5; and

(D) the children's health insurance program under IC 12-17.6;

in consultation with the therapeutics committee.

(12) The approval of the review and maintenance of the preferred drug list at least two (2) times per year.

(13) The preparation and submission of a report concerning the preferred drug list at least one (1) time per year to the **interim study committee on health finance commission**

~~established by IC 2-5-23-3.~~ **established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6.**

(14) The collection of data reflecting prescribing patterns related to treatment of children diagnosed with attention deficit disorder or attention deficit hyperactivity disorder.

(15) Advising the Indiana comprehensive health insurance association established by IC 27-8-10-2.1 concerning implementation of chronic disease management and pharmaceutical management programs under IC 27-8-10-3.5.

(b) The board shall use the clinical expertise of the therapeutics committee in developing a preferred drug list. The board shall also consider expert testimony in the development of a preferred drug list.

(c) In researching and developing a preferred drug list under subsection (a)(11), the board shall do the following:

- (1) Use literature abstracting technology.
- (2) Use commonly accepted guidance principles of disease management.
- (3) Develop therapeutic classifications for the preferred drug list.
- (4) Give primary consideration to the clinical efficacy or appropriateness of a particular drug in treating a specific medical condition.
- (5) Include in any cost effectiveness considerations the cost implications of other components of the state's Medicaid program and other state funded programs.

(d) Prior authorization is required for coverage under a program described in subsection (a)(11) of a drug that is not included on the preferred drug list.

(e) The board shall determine whether to include a single source covered outpatient drug that is newly approved by the federal Food and Drug Administration on the preferred drug list not later than sixty (60) days after the date on which the manufacturer notifies the board in writing of the drug's approval. However, if the board determines that there is inadequate information about the drug available to the board to make a determination, the board may have an additional sixty (60) days to make a determination from the date that the board receives adequate information to perform the board's review. Prior authorization may not be automatically required for a single source drug that is newly approved by the federal Food and Drug Administration, and that is:

- (1) in a therapeutic classification:
 - (A) that has not been reviewed by the board; and
 - (B) for which prior authorization is not required; or
- (2) the sole drug in a new therapeutic classification that has not been reviewed by the board.

(f) The board may not exclude a drug from the preferred drug list based solely on price.

(g) The following requirements apply to a preferred drug list developed under subsection (a)(11):

- (1) Except as provided by IC 12-15-35.5-3(b) and IC 12-15-35.5-3(c), the office or the board may require prior authorization for a drug that is included on the preferred drug list under the following circumstances:

- (A) To override a prospective drug utilization review

alert.

(B) To permit reimbursement for a medically necessary brand name drug that is subject to generic substitution under IC 16-42-22-10.

(C) To prevent fraud, abuse, waste, overutilization, or inappropriate utilization.

(D) To permit implementation of a disease management program.

(E) To implement other initiatives permitted by state or federal law.

(2) All drugs described in IC 12-15-35.5-3(b) must be included on the preferred drug list.

(3) The office may add a drug that has been approved by the federal Food and Drug Administration to the preferred drug list without prior approval from the board.

(4) The board may add a drug that has been approved by the federal Food and Drug Administration to the preferred drug list.

(h) At least one (1) time each year, the board shall provide a report to the **interim study committee on health finance commission established by IC 2-5-23-3.** **established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6.** The report must contain the following information:

- (1) The cost of administering the preferred drug list.
- (2) Any increase in Medicaid physician, laboratory, or hospital costs or in other state funded programs as a result of the preferred drug list.
- (3) The impact of the preferred drug list on the ability of a Medicaid recipient to obtain prescription drugs.
- (4) The number of times prior authorization was requested, and the number of times prior authorization was:
 - (A) approved; and
 - (B) disapproved.

(i) The board shall provide the first report required under subsection (h) not later than six (6) months after the board submits an initial preferred drug list to the office.

SECTION 99. IC 12-15-35-48, AS AMENDED BY P.L.205-2013, SECTION 206, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 48. (a) The board shall review the prescription drug program of a managed care organization that participates in the state's risk-based managed care program at least one (1) time per year. The board's review of a prescription drug program must include the following:

- (1) An analysis of the single source drugs requiring prior authorization, including the number of drugs requiring prior authorization in comparison to other managed care organizations' prescription drug programs that participate in the state's Medicaid program.
- (2) A determination and analysis of the number and the type of drugs subject to a restriction.
- (3) A review of the rationale for:
 - (A) the prior authorization of a drug described in subdivision (1); and
 - (B) a restriction on a drug.
- (4) A review of the number of requests a managed care organization received for prior authorization, including the

number of times prior authorization was approved and the number of times prior authorization was disapproved.

(5) A review of:

- (A) patient and provider satisfaction survey reports; and
- (B) pharmacy-related grievance data for a twelve (12) month period.

(b) A managed care organization described in subsection (a) shall provide the board with the information necessary for the board to conduct its review under subsection (a).

(c) The board shall report to the **interim study committee on health finance commission established by IC 2-5-23-3 established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6** at least one (1) time per year on the board's review under subsection (a).

SECTION 100. IC 12-15-35-51, AS AMENDED BY P.L.205-2013, SECTION 207, AND AS AMENDED BY P.L.185-2013, SECTION 1, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 51. (a) As used in this section, "advisory committee" refers to the mental health Medicaid quality advisory committee established by subsection (b).

(b) The mental health Medicaid quality advisory committee is established. The advisory committee consists of the following members:

- (1) The director of the office or the director's designee, who shall serve as chairperson of the advisory committee.
- (2) The director of the division of mental health and addiction or the director's designee.
- (3) A representative of a statewide mental health advocacy organization.
- (4) A representative of a statewide mental health provider organization.
- (5) A representative from a managed care organization that participates in the state's Medicaid program.
- (6) A member with expertise in psychiatric research representing an academic institution.
- (7) A pharmacist licensed under IC 25-26.
- (8) The commissioner of the department of correction or the commissioner's designee.

The governor shall make the appointments for a term of four (4) years under subdivisions (3) through (7) and fill any vacancy on the advisory committee.

(c) The office shall staff the advisory committee. The expenses of the advisory committee shall be paid by the office.

(d) Each member of the advisory committee who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(e) Each member of the advisory committee who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of

administration and approved by the budget agency.

(f) The affirmative votes of a majority of the voting members appointed to the advisory committee are required by the advisory committee to take action on any measure.

(g) The advisory committee shall advise the office and make recommendations concerning the clinical use of mental health and addiction medications, including the implementation of IC 12-15-35.5-7(c), and consider the following:

- (1) Peer reviewed medical literature.
- (2) Observational studies.
- (3) Health economic studies.
- (4) Input from physicians and patients.
- (5) Any other information determined by the advisory committee to be appropriate.

(h) The office shall report recommendations made by the advisory committee to the drug utilization review board established by section 19 of this chapter.

(i) The office shall report the following information to the *select joint commission on Medicaid oversight established by IC 2-5-26-3: health finance commission established by IC 2-5-23-3: interim study committee on health finance established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6:*

- (1) The advisory committee's advice and recommendations made under this section.
- (2) The number of restrictions implemented under IC 12-15-35.5-7(c) and the outcome of each restriction.
- (3) The transition of individuals who are aged, blind, or disabled to the risk based managed care program. *This information shall also be reported to the health finance commission established by IC 2-5-23-3.*
- (4) Any decision by the office to change the health care delivery system in which Medicaid is provided to recipients.

(j) ~~Notwithstanding subsection (b), the initial members appointed to the advisory committee under this section are appointed for the following terms:~~

- ~~(1) Individuals appointed under subsection (b)(3) and (b)(4) are appointed for a term of four (4) years.~~
- ~~(2) An individual appointed under subsection (b)(5) is appointed for a term of three (3) years.~~
- ~~(3) An individual appointed under subsection (b)(6) is appointed for a term of two (2) years.~~
- ~~(4) An individual appointed under subsection (b)(7) is appointed for a term of one (1) year.~~

~~This subsection expires December 31, 2013.~~

SECTION 101. IC 12-16.5-3-1, AS ADDED BY P.L.150-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) The governor may enter into the compact on behalf of the state with any other state only after the following occur:

- (1) The budget committee reviews the compact and any plan developed under subdivision (2).
- (2) The budget agency prepares a plan showing how Indiana will provide access to health care for Indiana residents under the compact.

(3) The budget agency presents the plan described in subdivision (2) to the **interim study committee on health finance commission established by IC 2-5-23-3, established by IC 2-5-1.3-4.**

(b) The member states shall take joint and separate action to secure the consent of the United States Congress for the compact in order to return the authority to regulate health care to the member states that is consistent with the goals and principles articulated in the compact.

(c) The member states shall improve health care policy within the states' jurisdictions and according to the judgment and discretion of each member state.

SECTION 102. IC 12-17.2-2.5-6, AS ADDED BY P.L.126-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. Each committee shall annually report to the **interim study committee on child care established by IC 12-17.2-3.3-2 public health and human services established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6** concerning the committee's activities during the previous year.

SECTION 103. IC 12-17.2-3.3 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Committee on Child Care).

SECTION 104. IC 12-17.6-2-7, AS AMENDED BY P.L.205-2013, SECTION 212, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) The office shall contract with an independent organization to evaluate the program.

- (b) The office shall report the results of each evaluation to the:
- (1) children's health policy board established by IC 4-23-27-2; and
 - (2) **interim study committee on health finance commission established by IC 2-5-23-3, established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6.**

(c) This section does not modify the requirements of other statutes relating to the confidentiality of medical records.

SECTION 105. IC 12-17.6-2-12, AS AMENDED BY P.L.205-2013, SECTION 213, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. Not later than April 1, the office shall provide a report describing the program's activities during the preceding calendar year to the:

- (1) budget committee;
- (2) legislative council;
- (3) children's health policy board established by IC 4-23-27-2; and
- (4) **interim study committee on health finance commission established by IC 2-5-23-3, established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6.**

A report provided under this section to the legislative council must be in an electronic format under IC 5-14-6.

SECTION 106. IC 12-21-6.5 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Commission on Mental Health and Addiction).

SECTION 107. IC 12-31-1-9, AS ADDED BY P.L.134-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. The nonprofit corporation shall report annually to the **interim study committee on health finance commission established by IC 2-5-23-3**

established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6 concerning the following:

- (1) The implementation of the umbilical cord blood bank.
- (2) The number of postnatal donations used for transplants and the number of postnatal donations used for research.

SECTION 108. IC 13-11-2-46 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 46. "~~Council~~", for purposes of IC 13-13-7, refers to the **environmental quality service council established by IC 13-13-7-1, unless the specific reference is to the legislative council.**

SECTION 109. IC 13-11-2-149.5, AS AMENDED BY P.L.78-2009, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 149.5. "Outstanding national resource water", for purposes of section 50.5 of this chapter and IC 13-18-3, means a water designated as such by the general assembly after recommendations by the ~~water pollution control environmental rules~~ board and the ~~environmental quality service council interim study committee on environmental affairs (established by IC 2-5-1.3-4)~~ under IC 13-18-3-2(n) and IC 13-18-3-2(o). The designation must describe the quality of the outstanding national resource water to serve as the benchmark of the water quality that shall be maintained and protected. Waters that may be considered for designation as outstanding national resource waters include water bodies that are recognized as:

- (1) important because of protection through official action, such as:
 - (A) federal or state law;
 - (B) presidential or secretarial action;
 - (C) international treaty; or
 - (D) interstate compact;
- (2) having exceptional recreational significance;
- (3) having exceptional ecological significance;
- (4) having other special environmental, recreational, or ecological attributes; or
- (5) waters with respect to which designation as an outstanding national resource water is reasonably necessary for protection of other water bodies designated as outstanding national resource waters.

SECTION 110. IC 13-11-2-151.6 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 151.6. "~~Panel~~", for purposes of IC 13-13-7, refers to the **compliance advisory panel established by IC 13-13-7-2.**

SECTION 111. IC 13-13-7 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Environmental Quality Service Council and Compliance Advisory Panel).

SECTION 112. IC 13-15-4-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 19. Before July 15 of each year, the commissioner shall provide to the ~~environmental quality service council interim study committee on environmental affairs established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6~~ a list, current through July 1 of the year, of National Pollutant Discharge Elimination System (NPDES) permits that have been administratively extended that includes for each permit:

- (1) the number of months that the permit has been administratively extended;

(2) the number of months that the department has extended a period under section 8 of this chapter or suspended processing of a permit application under section 10 of this chapter;

(3) the type of permit according to the types identified in IC 13-18-20-2 through IC 13-18-20-11; and

(4) the dates when public notice of a draft permit was given.

SECTION 113. IC 13-15-11-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The auditor of state shall make a report on the fund every four (4) months. The report:

(1) shall be issued not later than ten (10) working days following the last day of each four (4) month period;

(2) must include the beginning and ending balance, disbursements, and receipts;

(3) must comply with accounting standards under IC 4-13-2-7(a)(1); and

(4) must be available to the public.

(b) The auditor of state shall forward copies of the report to the following:

(1) The commissioner.

(2) The standing committees of the house of representatives and the senate concerned with the environment.

(3) The budget committee.

(4) The ~~environmental quality service council~~: **interim study committee on environmental affairs established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6.**

SECTION 114. IC 13-15-11-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. Before September 1 of each even-numbered year, the department shall report to the ~~environmental quality service council~~: **interim study committee on environmental affairs established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6:**

(1) the department's proposed distribution of funds among the programs referred to in section 1 of this chapter for the current state fiscal year;

(2) the department's rationale for the proposed distribution;

(3) any difference between:

(A) the proposed distribution; and

(B) the distribution made by the department in the immediately preceding state fiscal year; and

(4) the results of an independent audit of the correlation between:

(A) the distribution made by the department with respect to; and

(B) the department's actual expenses related to;

each program referred to in section 1 of this chapter in the immediately preceding state fiscal year.

SECTION 115. IC 13-17-13-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The department shall provide an annual report to the following:

(1) The board.

(2) The ~~environmental quality service council~~: **interim study committee on environmental affairs established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6.**

(b) The report must include a summary of the:

(1) reviews conducted; and

(2) agreements approved;

in the preceding year under this chapter.

SECTION 116. IC 13-18-3-2, AS AMENDED BY P.L.81-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The board may adopt rules under IC 4-22-2 that are necessary to the implementation of:

(1) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), as in effect January 1, 1988; and

(2) the federal Safe Drinking Water Act (42 U.S.C. 300f through 300j), as in effect January 1, 1988;

except as provided in IC 14-37.

(b) "Degradation" has the meaning set forth in IC 13-11-2-50.5.

(c) "Outstanding national resource water" has the meaning set forth in IC 13-11-2-149.5.

(d) "Outstanding state resource water" has the meaning set forth in IC 13-11-2-149.6.

(e) "Watershed" has the meaning set forth in IC 14-8-2-310.

(f) The board may designate a water body as an outstanding state resource water by rule if the board determines that the water body has a unique or special ecological, recreational, or aesthetic significance.

(g) Before the board may adopt a rule designating a water body as an outstanding state resource water, the board must consider the following:

(1) Economic impact analyses, presented by any interested party, taking into account future population and economic development growth.

(2) The biological criteria scores for the water body, using factors that consider fish communities, macro invertebrate communities, and chemical quality criteria using representative biological data from the water body under consideration.

(3) The level of current urban and agricultural development in the watershed.

(4) Whether the designation of the water body as an outstanding state resource water will have a significant adverse effect on future population, development, and economic growth in the watershed, if the water body is in a watershed that has more than three percent (3%) of its land in urban land uses or serves a municipality with a population greater than five thousand (5,000).

(5) Whether the designation of the water body as an outstanding state resource water is necessary to protect the unique or special ecological, recreational, or aesthetic significance of the water body.

(h) Before the board may adopt a rule designating a water body as an outstanding state resource water, the board must make available to the public a written summary of the information considered by the board under subsections (f) and (g), including the board's conclusions concerning that information.

(i) The commissioner shall present a summary of the comments received from the comment period and information that supports a water body designation as an outstanding state resource water to the ~~environmental quality service council~~

interim study committee on environmental affairs established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6 not later than one hundred twenty (120) days after the rule regarding the designation is finally adopted by the board.

(j) Notwithstanding any other provision of this section, the designation of an outstanding state resource water in effect on January 1, 2000, remains in effect.

(k) For a water body designated as an outstanding state resource water, the board shall provide by rule procedures that will:

- (1) prevent degradation; and
- (2) allow for increases and additions in pollutant loadings from an existing or new discharge if:
 - (A) there will be an overall improvement in water quality for the outstanding state resource water as described in this section; and
 - (B) the applicable requirements of 327 IAC 2-1-2(1) and 327 IAC 2-1-2(2) and 327 IAC 2-1.5-4(a) and 327 IAC 2-1.5-4(b) are met.

(l) The procedures provided by rule under subsection (k) must include the following:

- (1) A definition of significant lowering of water quality that includes a de minimis quantity of additional pollutant load:
 - (A) for which a new or increased permit limit is required; and
 - (B) below which antidegradation implementation procedures do not apply.
- (2) Provisions allowing the permittee to choose application of one (1) of the following for each activity undertaken by the permittee that will result in a significant lowering of water quality in the outstanding state resource water:
 - (A) Implementation of a water quality project in the watershed of the outstanding state resource water that will result in an overall improvement of the water quality of the outstanding state resource water.
 - (B) Payment of a fee, not to exceed five hundred thousand dollars (\$500,000), based on the type and quantity of increased pollutant loadings, to the department for deposit in the outstanding state resource water improvement fund established under section 14 of this chapter for use as permitted under that section.
- (3) Criteria for the submission and timely approval of projects described in subdivision (2)(A).
- (4) A process for public input in the approval process.
- (5) Use of water quality data that is less than seven (7) years old and specific to the outstanding state resource water.
- (6) Criteria for using the watershed improvement fees to fund projects in the watershed that result in improvement in water quality in the outstanding state resource water.

(m) For a water body designated as an outstanding state resource water after June 30, 2000, the board shall provide by rule antidegradation implementation procedures before the water body is designated in accordance with this section.

(n) A water body may be designated as an outstanding national resource water only by the general assembly after recommendations for designation are made by the board and the

~~environmental quality service council~~ **interim study committee on environmental affairs established by IC 2-5-1.3-4.**

(o) Before recommending the designation of an outstanding national resource water, the department shall provide for an adequate public notice and comment period regarding the designation. The commissioner shall present a summary of the comments and information received during the comment period and the department's recommendation concerning designation to the ~~environmental quality service council~~ **interim study committee on environmental affairs established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6** not later than ninety (90) days after the end of the comment period. The ~~council~~ **committee** shall consider the comments, information, and recommendation received from the department, and shall convey its recommendation concerning designation to the general assembly within six (6) months after receipt.

(p) This subsection applies to all surface waters of the state. The department shall complete an antidegradation review of all NPDES general permits. The department may modify the general permits for purposes of antidegradation compliance. After an antidegradation review of a permit is conducted under this subsection, activities covered by an NPDES general permit are not required to undergo an additional antidegradation review. An NPDES general permit may not be used to authorize a discharge into an outstanding national resource water or an outstanding state resource water, except that a short term, temporary storm water discharge to an outstanding national resource water or to an outstanding state resource water may be permitted under an NPDES general permit if the commissioner determines that the discharge will not significantly lower the water quality downstream of the discharge.

(q) Subsection (r) applies to an application for:

- (1) an NPDES permit subject to IC 13-15-4-1(a)(2)(B), IC 13-15-4-1(a)(3)(B), or IC 13-15-4-1(a)(4); or
- (2) a modification or renewal of a permit referred to in one (1) of the sections referred to in subdivision (1) that proposes new or increased discharge that would result in a significant lowering of water quality as defined in subsection (l)(1).

(r) For purposes of an antidegradation review with respect to an application referred to in subsection (q), the applicant shall demonstrate at the time the application is submitted to the department, and the commissioner shall review:

- (1) an analysis of alternatives to the proposed discharge; and
- (2) subject to subsection (s), social or economic factors indicating the importance of the proposed discharge if alternatives to the proposed discharge are not practicable.

(s) Subject to subsection (t), the commissioner shall consider the following factors in determining whether a proposed discharge is necessary to accommodate important economic or social development in the area in which the waters are located under antidegradation standards and implementation procedures:

- (1) Creation, expansion, or maintenance of employment.
- (2) The unemployment rate.
- (3) The median household income.
- (4) The number of households below the poverty level.

- (5) Community housing needs.
- (6) Change in population.
- (7) The impact on the community tax base.
- (8) Provision of fire departments, schools, infrastructure, and other necessary public services.
- (9) Correction of a public health, safety, or environmental problem.
- (10) Production of goods and services that protect, enhance, or improve the overall quality of life and related research and development.
- (11) The impact on the quality of life for residents in the area.
- (12) The impact on the fishing, recreation, and tourism industries.
- (13) The impact on threatened and endangered species.
- (14) The impact on economic competitiveness.
- (15) Demonstration by the permit applicant that the factors identified and reviewed under subdivisions (1) through (14) are necessary to accommodate important social or economic development despite the proposed significant lowering of water quality.
- (16) Inclusion by the applicant of additional factors that may enhance the social or economic importance associated with the proposed discharge, such as an approval that:
 - (A) recognizes social or economic importance; and
 - (B) is given to the applicant by:
 - (i) a legislative body; or
 - (ii) other government officials.
- (17) Any other action or recommendation relevant to the antidegradation demonstration made by a:
 - (A) state;
 - (B) county;
 - (C) township; or
 - (D) municipality;
 potentially affected by the proposed discharge.
- (18) Any other action or recommendation relevant to the antidegradation demonstration received during the public participation process.
- (19) Any other factors that the commissioner:
 - (A) finds relevant; or
 - (B) is required to consider under the Clean Water Act.
- (t) In determining whether a proposed discharge is necessary to accommodate important economic or social development in the area in which the waters are located under antidegradation standards and implementation procedures, the commissioner:
 - (1) must give substantial weight to any applicable determinations by governmental entities; and
 - (2) may rely on consideration of any one (1) or a combination of the factors listed in subsection (s).
- (u) Each exceptional use water (as defined in IC 13-11-2-72.5, before its repeal) designated by the board before June 1, 2009, becomes an outstanding state resource water on June 1, 2009, by operation of law.
- (v) Beginning June 1, 2009, all waters of the state are classified in the following categories:
 - (1) Outstanding national resource waters.
 - (2) Outstanding state resource waters.

- (3) Waters of the state as described in 327 IAC 2-1-2(1), as in effect on January 1, 2009.
- (4) High quality waters as described in 327 IAC 2-1-2(2), as in effect on January 1, 2009.
- (5) Waters of the state as described in 327 IAC 2-1.5-4(a), as in effect on January 1, 2009.
- (6) High quality waters as described in 327 IAC 2-1.5-4(b), as in effect on January 1, 2009.

SECTION 117. IC 13-18-3-14, AS AMENDED BY P.L.78-2009, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) The outstanding state resource water improvement fund is established. All money collected under section 2 of this chapter and any money accruing to the fund are continuously appropriated to the fund to carry out the purposes of section 2 of this chapter. Money in the fund at the end of a state fiscal year does not revert to the state general fund, unless the outstanding state resource water improvement fund is abolished.

(b) The outstanding state resource water improvement fund shall be administered as follows:

- (1) The fund may be used by the department of environmental management to fund projects that will lead to overall improvement to the water quality of the affected outstanding state resource water.
- (2) The treasurer of state may invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.
- (3) Any interest received accrues to the fund.
- (4) The expenses of administering the fund shall be paid from the fund.

(c) The commissioner shall annually report to the ~~environmental quality service council~~: **interim study committee on environmental affairs established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6:**

- (1) plans for the use and implementation of the outstanding state resource water improvement fund; and
- (2) the balance in the fund.

SECTION 118. IC 13-20-17.7-2, AS ADDED BY P.L.170-2006, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) A plan described in section 1 of this chapter must include the following:

- (1) An education program concerning the purposes of the mercury switch collection program and how to participate in the program, including the following:
 - (A) Educational materials about the program.
 - (B) Information identifying which end of life vehicles might contain mercury switches by make, model, and year of manufacture.
 - (C) Instructions on safe and environmentally sound methods to remove mercury switches.
- (2) The provision of containers for collecting and storing mercury switches.
- (3) Procedures for the transportation of mercury switches to recycling, storage, or disposal facilities.
- (4) Procedures for the recycling, storage, and disposal of mercury.

(5) Procedures to track the progress of the program, including a description of performance measures to be used and reported to demonstrate that the program is meeting measures of the effectiveness of the program, including the following:

(A) The number of mercury switches collected from end of life vehicles.

(B) The amount of mercury collected.

(6) Procedures for implementing the plan.

(b) The department shall:

(1) prepare an annual report that includes the information tracked under subsection (a)(5); and

(2) provide the report to:

(A) the legislative council in an electronic format under IC 5-14-6; and

(B) the ~~environmental quality service council~~; **interim study committee on environmental affairs established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6.**

SECTION 119. IC 13-20.5-7-4, AS ADDED BY P.L.178-2009, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) Before August 1, 2013, and before August 1 of each year thereafter, the department shall submit a report concerning the implementation of this article to:

(1) the general assembly in an electronic format under IC 5-14-6;

(2) the governor;

(3) the ~~environmental quality service council established by IC 13-13-7-1;~~ **interim study committee on environmental affairs established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6;** and

(4) the Indiana recycling market development board established by IC 4-23-5.5-2.

(b) For each state fiscal year, the report submitted under subsection (a):

(1) must discuss the total weight of covered electronic devices recycled in the state fiscal year and a summary of information in the reports submitted by manufacturers and recyclers under IC 13-20.5-3;

(2) must discuss the various collection programs used by manufacturers to collect covered electronic devices, information regarding covered electronic devices that are being collected by persons other than registered manufacturers, collectors, and recyclers, and information about covered electronic devices, if any, being disposed of in landfills in Indiana;

(3) must include a description of enforcement actions under this article during the state fiscal year; and

(4) may include other information received by the department regarding the implementation of this article.

SECTION 120. IC 13-28-3-2, AS AMENDED BY P.L.12-2005, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The assistance program established under this chapter shall do the following:

(1) Designate an individual to serve as a liaison and

ombudsman to the regulated community to assist the regulated community with specific regulatory or permit matters pending with the department.

(2) Provide assistance to new and existing businesses and small municipalities in identifying:

(A) applicable environmental rules and regulations; and

(B) permit requirements;

that apply to new and existing businesses and small municipalities.

(3) Develop and distribute educational materials regarding:

(A) environmental requirements;

(B) compliance methods;

(C) voluntary environmental audits;

(D) pollution control technologies; and

(E) other compliance issues;

including standardized forms and procedures for completing permit applications.

(4) Provide public outreach and training sessions in cooperation with representatives of the business and municipal communities regarding existing and future state and federal environmental requirements.

(5) Develop and operate a clearinghouse to respond to inquiries from businesses and municipalities concerning applicable environmental rules, regulations, and requirements.

(6) Provide technical assistance concerning pollution control techniques to local and state governmental entities and businesses and distribute educational materials regarding pollution prevention developed by the pollution prevention division established by IC 13-27-2-1.

~~(7) Provide administrative and technical support for the compliance advisory panel established by IC 13-13-7-2.~~

~~(8)~~ (7) Conduct other activities as required to:

(A) improve regulatory compliance; and

(B) promote cooperation and assistance in meeting environmental requirements.

(b) The assistance program may establish limited onsite assistance to provide compliance information to a small business or small municipality, subject to the confidentiality provisions of section 4 of this chapter. The assistance program may use money from the environmental management special fund to implement this subsection. The assistance program may limit the number of inspections per year and restrict onsite assistance to specific programs.

SECTION 121. IC 13-28-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The department shall prepare an annual report of the activities conducted under this chapter.

(b) The annual report must include the following:

(1) The number and types of inquiries the program received.

(2) The services provided by the program.

(c) The annual report shall be distributed to the following:

(1) The governor.

(2) The ~~environmental quality service council~~; **interim study committee on environmental affairs established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6.**

SECTION 122. IC 13-28-4-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) The department shall maintain statistics on the use of environmental audit reports in department compliance and enforcement activities, including statistics on:

- (1) the number of times the reports are disclosed to the department;
- (2) the number and types of violations disclosed to the department through the reports;
- (3) the civil penalties collected for the violations; and
- (4) the time necessary for the violations to be corrected.

The department shall report annually to the ~~environmental quality service council~~ **interim study committee on environmental affairs established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6** on the use of environmental audit reports.

(b) The department shall propose an enforcement policy, pursuant to IC 13-14-1-11.5, that provides relief from civil penalties for a voluntary disclosure that results from an internal environmental audit. In developing this enforcement policy, the department shall consider similar policies implemented by:

- (1) the United States Environmental Protection Agency; and
- (2) states contiguous to Indiana.

(c) The department shall report annually to the ~~environmental quality service council~~ **interim study committee on environmental affairs established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6** on the use and effectiveness of the enforcement policy.

SECTION 123. IC 14-25-7-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 16. The ~~natural resources study committee created by IC 2-5-5-1~~ **interim study committee on agriculture and natural resources established by IC-2-5-1.3-4** shall do the following:

- (1) Oversee the water resource management program of this chapter and the needs of the people of Indiana.
- (2) Report the findings and recommendations in an electronic format under IC 5-14-6 to the ~~general assembly~~ **through the legislative council under IC 2-5-1.2-15.**

SECTION 124. IC 15-13-1-2 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 2: "Advisory committee" refers to the state fair advisory committee established by IC 15-13-6-1.~~

SECTION 125. IC 15-13-1-8.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 8.5. "Committee" refers to the interim study committee on agriculture and natural resources established by IC 2-5-1.3-4.**

SECTION 126. IC 15-13-2-2, AS ADDED BY P.L.120-2008, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The commission consists of eight (8) members as follows:

- (1) Five (5) members appointed by the governor.
- (2) The presiding officer of the board.
- (3) The director of the Indiana state department of agriculture appointed under IC 15-11-3-1 or the director's designee.
- (4) The presiding officer of the trustees elected under

IC 15-13-11-7 or the presiding officer's designee who must be selected from the membership of the trustees.

(b) The chairperson of the ~~advisory committee appointed under IC 15-13-6-2(d)~~ or a member of the ~~advisory committee~~ designated by the chairperson may serve as an ex officio nonvoting member of the commission.

(c) Not more than:

- (1) one (1) member appointed under subsection (a)(1) may reside in the same district; and
- (2) three (3) members appointed under subsection (a)(1) may be affiliated with the same political party.

Each district is not required to have a member of the commission represent it.

(d) Two (2) members appointed under subsection (a)(1) must have a recognized interest in agriculture or agribusiness.

SECTION 127. IC 15-13-3-9, AS AMENDED BY P.L.20-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. ~~At the first meeting each year of the advisory committee,~~ **Before July 1 of each year,** the commission shall report ~~to the committee in an electronic format under IC 5-14-6~~ the following:

- (1) The activities of the commission during the previous calendar year.
- (2) The financial condition of the commission for the commission's most recently completed fiscal year.
- (3) The commission's plans for the current calendar year.
- (4) The activities and financial condition of any nonprofit subsidiary corporation established under section 11 of this chapter for the subsidiary corporation's most recent fiscal year.

SECTION 128. IC 15-13-6 IS REPEALED [EFFECTIVE UPON PASSAGE]. (State Fair Advisory Committee).

SECTION 129. IC 15-13-11-15, AS ADDED BY P.L.2-2008, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15. ~~At the first meeting each year of the advisory committee,~~ **Before July 1 of each year,** the trustees shall report the following ~~to the committee in an electronic format under IC 5-14-6:~~

- (1) The activities of the barn during the previous calendar year.
- (2) The financial condition of the barn for the barn's most recently completed fiscal year.
- (3) The trustees' plans for the barn for the current calendar year.

SECTION 130. IC 15-16-10-4, AS ADDED BY P.L.23-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The council has the following duties:

- (1) Recommend:
 - (A) priorities for projects;
 - (B) funding; and
 - (C) rules and laws;
 concerning invasive species to the appropriate governmental agencies and legislative committees.
- (2) Recommend a lead state agency to:
 - (A) develop an invasive species inventory for each invasive species taxon; and

(B) develop and maintain a data management system for invasive species in Indiana.

(3) Communicate with other states, federal agencies, and state and regional organizations to enhance consistency and effectiveness in:

- (A) preventing the spread of;
- (B) early detection of;
- (C) response to; and
- (D) management of;

invasive species.

(4) Coordinate invasive species education and outreach programs.

(5) Convene or support an invasive species meeting at least once per biennium to provide information on best practices and pertinent research findings.

(6) Assist governmental agencies in:

- (A) reviewing current invasive species policies and procedures; and
- (B) addressing any deficiencies or inconsistencies concerning invasive species policies and procedures.

(7) Assist state agencies in reviewing the agencies' performance measures for accountability concerning the agencies' invasive species actions.

(8) Receive reports from any governmental agency regarding actions taken on recommendations of the council.

(9) Apply for grants.

(10) Provide grants for education concerning or management of invasive species.

(b) The council does not have any regulatory authority over invasive species or the authority to hear appeals of grievances.

(c) The council may create advisory committees to provide information and recommendations to the council.

(d) Beginning July 1, 2011, the council shall issue a **written report to the natural resources study committee (~~IC 2-5-5-1~~) interim study committee on agriculture and natural resources established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6** in every odd-numbered year. The report must include a summary of:

- (1) the council's activities;
- (2) the performance of the council's duties; and
- (3) efforts in the state to identify and manage invasive species.

The report may include recommendations of the council.

SECTION 131. IC 16-28-15-13, AS AMENDED BY P.L.205-2013, SECTION 216, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. The **interim study committee on health finance commission established by ~~IC 2-5-23-3~~ established by IC 2-5-1.3-4** shall review the implementation of this chapter.

SECTION 132. IC 16-29-6-8 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 8: Not later than October 31, 2013, the office of the secretary of family and social services shall report to the health finance commission established by ~~IC 2-5-23-3~~ with a five (5) year plan to steadily reduce the number of Medicaid certified comprehensive care beds and health facility patients.~~

SECTION 133. IC 16-49-4-11, AS ADDED BY P.L.119-2013, SECTION 3, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) The statewide child fatality review committee shall submit to the legislative council, governor, department of child services, **and state department and commission on improving the status of children in Indiana** on or before December 31 of each year a report that includes the following information:

(1) A summary of the data collected and reviewed by the statewide child fatality review committee in the previous calendar year.

(2) Trends and patterns that have been identified by the statewide child fatality review committee concerning deaths of children in Indiana.

(3) Recommended actions or resources to prevent future child fatalities in Indiana.

A report submitted under this section to the legislative council must be in an electronic format under IC 5-14-6.

(b) The statewide child fatality review committee shall provide a copy of a report submitted under this section to a member of the public upon request.

(c) The state department shall make the report available on the state department's Internet web site.

SECTION 134. IC 16-49-5-1, AS ADDED BY P.L.119-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. The state department shall employ a state child fatality review coordinator to do the following:

(1) Assist the statewide child fatality review committee chairperson in establishing agendas for meetings of the statewide child fatality review committee.

(2) Coordinate information and materials for the meetings of the statewide child fatality review committee.

(3) Compile raw data for presentation to the statewide child fatality review committee.

(4) Contact the appropriate individuals if any issues with the electronic data collection system occur.

(5) Record information concerning child fatality reviews conducted by the statewide child fatality review committee in the electronic data collection system.

(6) Record and compile recommendations by the statewide child fatality review committee for the prevention of child fatalities and investigate available prevention resources.

(7) Work with the chairperson of the statewide child fatality review committee to prepare the annual report described in IC 16-49-4-11.

(8) Facilitate distribution of the annual report described in IC 16-49-4-11.

(9) Represent the state of Indiana at national meetings concerning child fatalities and child fatality reviews.

(10) Assist local child fatality review teams by:

(A) assisting with the establishment of local child fatality review teams;

(B) acting as a liaison between the statewide child fatality review committee and local child fatality review teams;

(C) creating and providing forms, including the data collection form described in section 2 of this chapter, for local child fatality review teams and the statewide child

fatality review committee;

(D) developing protocols for meetings of and fatality reviews conducted by local child fatality review teams;

(E) providing data collection tools that include collecting and storing:

- (i) identifying and nonidentifying information;
- (ii) information concerning the circumstances surrounding the death of a child;
- (iii) information concerning factors that contributed to the death of a child; and
- (iv) information concerning findings and recommendations regarding the death of a child by the local child fatality review team;

(F) providing training on data collection and technical assistance for the electronic data collection system;

(G) providing information on the prevention of child fatalities; and

(H) obtaining death certificates for local child fatality review teams if necessary.

(11) Coordinate local or statewide training related to child fatality review.

(12) Maintain all confidentiality statements signed in accordance with IC 16-49-4-9.

~~(13) Attend meetings of the commission on improving the status of children in Indiana, established by IC 2-5-36-3, as requested by the chairperson of the commission.~~

SECTION 135. IC 20-24.2-6-1 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 1. ~~The commission on education study committee established by IC 2-5-38.1, as added by SEA 409-2013, SECTION 1, shall:~~

- ~~(1) monitor the effectiveness of the performance qualified school district and high school program;~~
- ~~(2) study and make recommendations to the general assembly concerning the issue of the length of the school year and the use of time equivalents to one hundred eighty (180) days by qualified districts and qualified high schools; and~~
- ~~(3) study and make recommendations to the general assembly concerning the expansion of the performance qualified schools program to middle schools and elementary schools.~~

SECTION 136. IC 22-2-15-4 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 4. ~~The department shall make a presentation to the pension management oversight commission not later than October 1, 2010, outlining the proposed guidelines and procedures.~~

SECTION 137. IC 22-2-15-6 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 6. ~~After considering any recommendations by the pension management oversight commission, the department shall convert the guidelines and procedures to rules by adopting rules under IC 4-22-2 before August 1, 2011. The department shall implement the rules before August 1, 2011.~~

SECTION 138. IC 24-4.7-3-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The division shall, after June 30 and before October 1 of each year, report to the regulatory flexibility committee established by

~~IC 8-1-2.6-4~~ **interim study committee on energy, utilities, and technology established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6** on the following:

~~(1) For the state fiscal year ending June 30, 2002, the expenses incurred by the division in establishing the listing:~~

- ~~(2) (1) The total amount of fees deposited in the fund during the most recent state fiscal year.~~
- ~~(3) (2) The expenses incurred by the division in maintaining and promoting the listing during the most recent state fiscal year.~~
- ~~(4) (3) The projected budget required by the division to comply with this article during the current state fiscal year.~~
- ~~(5) (4) Any other expenses incurred by the division in complying with this article during the most recent state fiscal year.~~
- ~~(6) (5) The total number of subscribers on the listing at the end of the most recent state fiscal year.~~
- ~~(7) (6) The number of new subscribers added to the listing during the most recent state fiscal year.~~
- ~~(8) (7) The number of subscribers removed from the listing for any reason during the most recent state fiscal year.~~

(b) ~~The regulatory flexibility committee interim study committee on energy, utilities, and technology established by IC 2-5-1.3-4~~ shall, before November 1 of each year, issue in an electronic format under IC 5-14-6 a report and recommendations to the legislative council concerning the information received under subsection (a).

SECTION 139. IC 25-1-16-13, AS ADDED BY P.L.84-2010, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. The committee shall submit a report to the:

- (1) governor;
- (2) **interim study committee on health finance** ~~commission, established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6;~~ and
- (3) legislative services agency;

not later than July 1 of each year. The report submitted to the legislative services agency must be in an electronic format under IC 5-14-6.

SECTION 140. IC 27-1-29-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The Indiana political subdivision risk management commission is created as a separate body corporate and politic, constituting an instrumentality of the state for the public purposes set out in this chapter, but not a state agency. The commission is separate from the state in its corporate and sovereign capacity. The purpose of the commission is aiding political subdivisions in protecting themselves against liabilities. The commission is not subject to IC 27-6-8, and the Indiana guaranty association created by IC 27-6-8-5 has no obligation to insureds or claimants of the commission.

(b) The commission consists of the insurance commissioner, who shall serve as chairman, and ~~ten (10)~~ **nine (9)** other commission members. **However, the reduction in membership of the commission from ten (10) appointed members to nine (9) appointed members shall be accomplished as the terms of members end and new members are appointed. Until the**

expiration of the term of a member who is serving on the commission on January 1, 2014, and resides in the same congressional district as another member, the commission consists of ten (10) appointed members. Except for the commissioner, the members of the commission shall be appointed by the governor for a term of four (4) years. No more than five (5) commission members appointed by the governor under this section may be members of the same political party. The commission members appointed by the governor under this section must include one (1) resident of each congressional district in Indiana. The commission shall elect one (1) of the appointed commission members as secretary of the commission.

(c) The initial appointments of commission members are for the following terms:

- (1) Three (3) members appointed for a term of one (1) year.
- (2) Three (3) members appointed for a term of two (2) years.
- (3) Two (2) members appointed for a term of three (3) years.
- (4) Two (2) members appointed for a term of four (4) years.

A commission member may be reappointed to the commission.

(d) In appointing commission members under this section, the governor shall consider the qualifications, expertise, and background that would provide the proper talent to administer this chapter. To the degree possible, the members must have backgrounds in educational administration, risk management, and governance of a political subdivision and must include persons with knowledge of insurance matters.

(e) A vacancy occurring on the commission shall be filled through the appointment of a resident of the same congressional district as the vacating commission member for the unexpired term of the commission member leaving the commission.

(f) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Such a commission member is also entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the department of administration and approved by the state budget agency.

(g) Each member of the commission who is a state employee is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the commission member's duties, as provided in the state travel policies and procedures established by the department of administration and approved by the state budget agency.

(h) All property of the commission is public property devoted to an essential public and governmental function and purpose and is exempt from all taxes and special assessments of the state or a political subdivision of the state.

SECTION 141. IC 29-1-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. The report of the probate code study commission **established by IC 2-5-16 (before its repeal)** made pursuant to Acts 1949, c. 302, s. 5 and Acts 1951, c. 347, s. 2 may be consulted by the courts to determine the underlying reasons, purposes, and

policies of this article, and may be used as a guide in its construction and application.

SECTION 142. IC 31-25-4-13.1, AS AMENDED BY P.L.210-2011, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13.1. (a) This section applies after December 31, 2006.

(b) The bureau shall make the agreements necessary for the effective administration of the plan with local governmental officials within Indiana. The bureau shall contract with:

- (1) a prosecuting attorney;
- (2) a private attorney or private entity if the bureau determines that a reasonable contract cannot be entered into with a prosecuting attorney and the determination is approved by at least two-thirds (2/3) of the ~~Indiana child custody and support advisory committee (established by IC 33-24-11-1)~~; **interim study committee on public health and human services established by IC 2-5-1.3-4**; or
- (3) a collection agency licensed under IC 25-11 to collect arrearages on child support orders under which collections have not been made on arrearages for at least two (2) years;

in each judicial circuit to undertake activities required to be performed under Title IV-D of the federal Social Security Act (42 U.S.C. 651), including establishment of paternity, establishment, enforcement, and modification of child support orders, activities under the Uniform Reciprocal Enforcement of Support Act (IC 31-2-1, before its repeal) or the Uniform Interstate Family Support Act (IC 31-18, or IC 31-1.5 before its repeal), and if the contract is with a prosecuting attorney, prosecutions of welfare fraud.

(c) The hiring of a private attorney or private entity by an agreement or a contract made under this section is not subject to the approval of the attorney general under IC 4-6-5-3. An agreement or a contract made under this section is not subject to IC 4-13-2-14.3 or IC 5-22.

(d) Subject to section 14.1 of this chapter, a prosecuting attorney with which the bureau contracts under subsection (b):

- (1) may contract with a collection agency licensed under IC 25-11 to provide child support enforcement services; and
- (2) shall contract with a collection agency licensed under IC 25-11 to collect arrearages on child support orders under which collections have not been made on arrearages for at least two (2) years.

(e) A prosecuting attorney or private attorney entering into an agreement or a contract with the bureau under this section enters into an attorney-client relationship with the state to represent the interests of the state in the effective administration of the plan and not the interests of any other person. An attorney-client relationship is not created with any other person by reason of an agreement or contract with the bureau.

(f) At the time that an application for child support services is made, the applicant must be informed that:

- (1) an attorney who provides services for the child support bureau is the attorney for the state and is not providing legal representation to the applicant; and

(2) communications made by the applicant to the attorney and the advice given by the attorney to the applicant are not confidential communications protected by the privilege provided under IC 34-46-3-1.

(g) A prosecuting attorney or private attorney who contracts or agrees under this section to undertake activities required to be performed under Title IV-D is not required to mediate, resolve, or litigate a dispute between the parties relating to:

- (1) the amount of parenting time or parenting time credit; or
- (2) the assignment of the right to claim a child as a dependent for federal and state tax purposes.

(h) An agreement made under subsection (b) must contain requirements stipulating service levels a prosecuting attorney or private entity is expected to meet. The bureau shall disburse incentive money based on whether a prosecuting attorney or private entity meets service levels stipulated in an agreement made under subsection (b).

SECTION 143. IC 31-25-4-27, AS ADDED BY P.L.145-2006, SECTION 271, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 27. The director of the department shall adopt rules necessary to implement Title IV-D of the federal Social Security Act and this chapter. The department shall send a copy of each proposed or adopted rule to each member of the Indiana child custody and support advisory committee established by IC 33-24-11-1 the interim study committee on public health and human services established by IC 2-5-1.3-4 not later than ten (10) days after proposal or adoption.

SECTION 144. IC 33-23-10 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Commission on Courts).

SECTION 145. IC 33-24-11 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Indiana Child Custody and Support Advisory Committee).

SECTION 146. IC 33-38-9-10 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 10: (a) Beginning in 2011, the Indiana judicial center shall submit a report to the commission on courts established by IC 33-23-10-1 by July 1 of each year concerning the status of problem solving courts. Each report must contain the following information:

- (1) The number of problem solving courts certified by the Indiana judicial center.
- (2) The number of courts that have notified the Indiana judicial center of their intention to establish a problem solving court.
- (3) The number of each type of problem solving court, as set forth in IC 33-23-16-11, that have been established, including courts certified under IC 33-23-16-11(8).
- (4) The success rates of problem solving courts with specific examples of successes and failures.
- (5) Legislative suggestions to improve the certification or operation of problem solving courts.

(b) The first report required by this section must be submitted not later than July 1, 2011.

(c) This section expires June 30, 2014.

SECTION 147. IC 36-7-14-44.2 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 44.2: On a quadrennial

basis, the general assembly shall provide for an evaluation of the provisions of this chapter, giving first priority to using the Indiana economic development corporation established under IC 5-28-3. The evaluation shall be a fiscal analysis, including an assessment of the effectiveness of the provisions of this chapter to:

- (1) create new jobs;
- (2) increase income; and
- (3) increase the tax base;

in the jurisdiction of the unit. The fiscal analysis may also consider impacts on tax burdens borne by property owners. The fiscal analysis may also include a review of the practices and experiences of other states or political subdivisions with laws similar to the provisions of this chapter. The Indiana economic development corporation established under IC 5-28-3 or another person or entity designated by the general assembly shall submit a report on the evaluation to the governor; the president pro tempore of the senate; and the speaker of the house of representatives before December 1, 1999; and every fourth year thereafter. The report submitted to the president pro tempore of the senate and the speaker of the house of representatives must be in an electronic format under IC 5-14-6.

SECTION 148. IC 36-7-15.1-36.2 IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec. 36.2: On a quadrennial basis, the general assembly shall provide for an evaluation of the provisions of this chapter, giving first priority to using the Indiana economic development corporation established under IC 5-28-3. The evaluation must be a fiscal analysis, including an assessment of the effectiveness of the provisions of this chapter to:

- (1) create new jobs;
- (2) increase income; and
- (3) increase the tax base;

in the jurisdiction of the county. The fiscal analysis may also consider impacts on tax burdens borne by property owners. The fiscal analysis may also include a review of the practices and experiences of other states or political subdivisions with laws similar to the provisions of this chapter. The Indiana economic development corporation established under IC 5-28-3 or another person or entity designated by the general assembly shall submit a report on the evaluation to the governor; the president pro tempore of the senate; and the speaker of the house of representatives before December 1, 2007; and every fourth year thereafter.

SECTION 149. IC 36-7.5-5-1, AS ADDED BY P.L.230-2013, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) The development authority shall investigate and study the following:

- (1) Whether the statistical profile of injuries annually sustained by the population of northwestern Indiana justifies the placement of one (1) or more trauma centers in northwestern Indiana and, if so, what the appropriate levels of the trauma centers should be to care for those injuries, in terms of the trauma center rating system of the American College of Surgeons.
- (2) The feasibility of developing an academic medical center in northwestern Indiana.

(b) The development authority shall report its findings to the budget committee and, **in an electronic format under IC 5-14-6, the interim study committee on health finance commission established by IC 2-5-1.3-4** not later than November 1, 2014.

(c) This section expires June 30, 2015.

SECTION 150. IC 36-8-16.7-48, AS ADDED BY P.L.132-2012, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 48. (a) The budget committee shall review the statewide 911 system governed by this chapter for the two (2) calendar years ending:

- (1) December 31, 2013; and
- (2) December 31, 2014.

(b) In conducting the review required by this section, the budget committee may examine the following:

(1) Whether the fund is being administered by the board in accordance with this chapter. In performing a review under this subdivision, the budget committee may consider the audit reports submitted to the budget committee by the state board of accounts under section 30(a) of this chapter.

(2) The collection, disbursement, and use of the statewide 911 fee assessed under section 32 of this chapter. In performing a review under this subdivision, the budget committee may:

(A) examine whether the statewide 911 fee:

- (i) is being assessed in an amount that is reasonably necessary to provide adequate and efficient 911 service; and
- (ii) is being used only for the purposes set forth in this chapter; and

(B) consider:

- (i) the reports submitted to the budget committee by the board under section 30(c) of this chapter; and
- (ii) the audit reports submitted to the budget committee by the state board of accounts under section 38(e) of this chapter.

~~(3) The report submitted to the budget committee by the Indiana advisory commission on intergovernmental relations under IC 4-23-24.2-5(b).~~

~~(4) (3) Any other data, reports, or information the budget committee determines is necessary to review the statewide 911 system governed by this chapter.~~

(c) Subject to section 42 of this chapter, the board, the state board of accounts, political subdivisions, providers, and PSAPs shall provide to the budget committee all relevant data, reports, and information requested by the budget committee to assist the budget committee in carrying out its duties under this section.

(d) After conducting the review required by this section, the budget committee shall, not later than June 1, 2015, report its findings to the legislative council. The budget committee's findings under this subsection:

- (1) must include a recommendation as to whether the statewide 911 fee assessed under section 32 of this chapter should continue to be assessed and collected under this chapter after June 30, 2015; and
- (2) if the budget committee recommends under subdivision

(1) that the statewide 911 fee assessed under section 32 of this chapter should continue to be assessed and collected under this chapter after June 30, 2015, may include recommendations for the introduction in the general assembly of any legislation that the budget committee determines is necessary to ensure that the statewide 911 system governed by this chapter is managed in a fair and fiscally prudent manner.

A report to the legislative council under this subsection must be in an electronic format under IC 5-14-6.

(e) If the budget committee does not recommend in its report under subsection (d) that the statewide 911 fee assessed under section 32 of this chapter should continue to be assessed and collected under this chapter after June 30, 2015, the statewide 911 fee assessed under section 32 of this chapter expires July 1, 2015, and may not be assessed or collected after June 30, 2015.

SECTION 151. P.L.101-2009, SECTION 21, IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~SECTION 21: (a) As used in this section, "committee" refers to the interim study committee on driver education established by this SECTION.~~

~~(b) There is established the interim study committee on driver education. The committee shall study:~~

- ~~(1) the administration of driver education by the bureau of motor vehicles and the department of education;~~
- ~~(2) standards for an Internet component of driver instruction;~~
- ~~(3) standards for a classroom component of driver instruction;~~
- ~~(4) penalties for instructional providers that fail to follow the standards for instruction driving experience;~~
- ~~(5) statistics for moving violations accrued by individuals less than eighteen (18) years of age who had:

 - ~~(A) taken driver education with a classroom component of driver instruction;~~
 - ~~(B) taken an Internet component of driver instruction; and~~
 - ~~(C) no formal driver education;~~~~
- ~~(6) the effectiveness of driver education courses on the accident rates of young drivers; and~~
- ~~(7) the standards and curriculum content for an effective driver education program.~~

~~(c) Not later than November 1 in the years 2009 through 2014, the state police department shall make a written report to the:~~

- ~~(1) legislative council; and~~
- ~~(2) governor;~~

~~concerning motor vehicle accidents and fatalities resulting from motor vehicle accidents in the preceding year involving operators of a motor vehicle who were at least fifteen (15) years and one hundred eighty (180) days of age and less than twenty (20) years of age. The report to the legislative council must be in an electronic format under IC 5-14-6.~~

~~(d) The committee shall operate under the policies governing study committees adopted by the legislative council.~~

~~(e) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.~~

~~(f) This SECTION expires December 31, 2014.~~

SECTION 152. P.L.191-2013, SECTION 7, IS REPEALED [EFFECTIVE UPON PASSAGE]. SECTION 7. (a) The health finance commission (IC 2-5-23) shall study the appropriateness of the implementation time line for the required reporting of immunization data as described in IC 16-38-5-2, as amended by this act, considering:

(1) necessary improvements to the immunization registry system for providers who manually enter immunization data into the immunization registry portal; and ways to identify and reduce errors and inaccuracies between the immunization registry system and interfaced electronic medical record systems; and

(2) the progress in improving the interoperability of the immunization registry system and electronic medical record systems.

(b) The commission shall submit a report to the legislative council in a format required under IC 2-5-23-14 that includes the commission's findings and recommendations of topics studied under subsection (a):

(c) This SECTION expires January 1, 2015.

SECTION 153. P.L.232-2013, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: SECTION 29. (a) As used in this SECTION, "commission" refers to the health finance commission established by IC 2-5-23-3 (before its repeal).

(b) As used in this SECTION, "committee" refers to the midwifery committee established by IC 25-23.4-2-1, as added by this act. P.L.232-2013.

(c) The medical licensing board shall report to the commission as follows:

(1) To the commission, before October 1, 2013, actions taken under IC 25-23.4, as added by this act, P.L.232-2013, including the following:

(A) Appointments made to the committee.

(B) Any proposed rules, including the status of the rules.

(2) To the interim study committee on health finance established by IC 2-5-1.3-4 in an electronic format under IC 5-14-6, before October 1, 2014, actions taken under IC 25-23.4, as added by this act, P.L.232-2013, including the following:

(A) Any proposed rules, including the status of the rules.

(B) The number of applications submitted for a certificate.

(C) The number of certificates issued.

(D) The names of physicians who have registered under IC 25-23.4-5-2, as added by this act. P.L.232-2013.

(d) This SECTION expires December 31, 2014.

SECTION 154. An emergency is declared for this act.

(Reference is to SB 80 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Rules and Legislative Procedure.

LONG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and

Legislative Procedure, to which was referred Senate Bill 85, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

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

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 10-21-1-4, AS ADDED BY P.L.172-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) The board may award a matching grant to enable a school corporation or charter school (or a coalition of schools applying jointly) to establish a program to employ a school resource officer, provide school resource officer training described in IC 20-26-18.2-1(b)(2), conduct a threat assessment, or purchase equipment to restrict access to the school or expedite the notification of first responders in accordance with section 2(a) of this chapter.

(b) A matching grant awarded to a school corporation or charter school (or a coalition of schools applying jointly) may not exceed the lesser of the following during a two (2) year period beginning on or after May 1, 2013:

(1) The total cost of the program established by the school corporation or charter school (or the coalition of schools applying jointly).

(2) The following amounts:

(A) Fifty thousand dollars (\$50,000) per year, in the case of a school corporation or charter school that:

(i) has an ADM of at least one thousand (1,000); and

(ii) is not applying jointly with any other school corporation or charter school.

(B) Thirty-five thousand dollars (\$35,000) per year, in the case of a school corporation or charter school that:

(i) has an ADM of less than one thousand (1,000); and

(ii) is not applying jointly with any other school corporation or charter school.

(C) Fifty thousand dollars (\$50,000) per year, in the case of a coalition of schools applying jointly.

(c) A school corporation or charter school may receive only one (1) matching grant under this section each year.

(d) The board may not award a grant to a school corporation or charter school under this chapter unless the school corporation or charter school is in a county that has a county school safety commission, as described in IC 5-2-10.1-10.

SECTION 2. IC 20-26-18.2-1, AS ADDED BY P.L.172-2013, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) As used in this chapter, "school resource officer" means an individual who:

(1) has completed the training described in subsection (b); and

(2) is employed by or assigned to one (1) or more school corporations or charter schools to:

(A) assist the school safety specialist with the development and implementation of the school safety plan as provided in section 2 of this chapter; and

(B) carry out any additional responsibilities assigned to the school resource officer under the employment engagement, contract, or memorandum of understanding and to:

- (i) protect against outside threats to the physical safety of students;
- (ii) prevent unauthorized access to school property; and
- (iii) secure schools against violence and natural disasters; **and**

(3) is employed by a law enforcement agency.

(b) Before being appointed as a school resource officer, an individual must have:

(1) successfully completed the minimum training requirements established for law enforcement officers under IC 5-2-1-9; and

(2) received at least forty (40) hours of ~~certified~~ school resource officer training through:

(A) the Indiana law enforcement training board established by IC 5-2-1-3;

(B) the National Association of School Resource Officers; **or**

~~(C) a certified school resource officer instructor; or~~

~~(D) another organization that offers certified instruction to school resource officers.~~

(C) another school resource officer training program approved by the Indiana law enforcement training board.

(c) ~~Certified~~ Training described in subsection (b)(2) must include instruction regarding skills, tactics, and strategies necessary to address the special nature of:

- (1) school campuses; and
- (2) school building security needs and characteristics.

(Reference is to SB 85 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Homeland Security, Transportation and Veterans Affairs.

LONG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 91, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 20-19-2-14.5, AS ADDED BY P.L.286-2013, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14.5. (a) As used in this section:

(1) "college and career readiness educational standards" means the standards that a high school graduate must meet to obtain the requisite knowledge and skill to transition without remediation to

postsecondary education or training, and ultimately into a sustainable career; and

~~(1) "common core standards" refers to educational standards developed for kindergarten through grade 12 by the Common Core State Standards Initiative; and~~

~~(2) "cut scores" means the scores that define a student's performance on an assessment, including passing, failing, or falling into a performance category.~~

(b) Notwithstanding section 14 of this chapter, after May 15, 2013, the state board may take no further actions to implement as standards for the state or direct the department to implement any common core standards developed by the Common Core State Standards Initiative until the state board conducts a comprehensive evaluation of the common core standards as provided in this section. Any common core standards adopted by the state board before May 15, 2013, remain in effect until the state board adopts educational standards under subsection (c). **academic standards adopted by the state board after June 30, 2010, are void. The academic standards in effect on June 30, 2010, are in effect until the state board adopts college and career readiness educational standards under subsection (c).**

(c) Before July 1, 2014, the state board shall adopt **Indiana** college and career readiness educational standards. The educational standards must **do the following**:

(1) Meet national and international benchmarks for college and career readiness standards and be aligned with postsecondary educational expectations.

(2) Use the highest standards in the United States.

(3) Comply with federal standards to receive a flexibility waiver under 20 U.S.C. 7861.

(4) Prepare Indiana students for college and career success, including the proper preparation for nationally recognized college entrance examinations such as the ACT and SAT.

(5) Maintain Indiana sovereignty.

(6) Provide strict safeguards to protect the confidentiality of student data.

The state board shall implement educational standards that use the common core standards as the base model for academic standards to the extent necessary to comply with federal standards to receive a flexibility waiver under 20 U.S.C. 7861. However, higher academic standards may be adopted that supplement or supplant the common core standards if the higher educational standards would qualify for a flexibility waiver under 20 U.S.C. 7861 because the higher educational standards meet United States Department of Education flexibility waiver requirements that ensure college and career readiness of students.

~~(d) The educational standards may not be adopted under subsection (c) until:~~

~~(1) the state board has received and considers:~~

~~(A) the department's evaluation of the common core under subsection (c);~~

~~(B) the final report of the legislative study committee established under subsection (f);~~

~~(C) the fiscal impact statement prepared by the office of management and budget under subsection (g); and~~

~~(2) the state board holds at least three (3) public meetings and takes public testimony regarding the adoption of~~

educational standards after the state board has received and considered the information described in subdivision (1):

(e) Before July 1, 2013, the department shall provide a written evaluation of the common core standards to the:

- (1) governor;
- (2) legislative council;
- (3) state board; and
- (4) chairperson of the legislative study committee established in subsection (f):

The evaluation must be provided in an electronic format as provided under IC 5-14-6:

(f) The legislative council shall establish a legislative study committee to study issues relating to common core standards or other standards. Not later than November 1, 2013, the legislative committee shall submit the committee's final report to the legislative council, governor, department, and state board. The report must:

- (1) compare existing Indiana standards with the common core standards;
- (2) consider best practices in developing and adopting the standards; seeking information from a broad range of sources; including:
 - (A) subject area teachers from elementary and secondary schools in Indiana;
 - (B) subject area instructors and experts from postsecondary educational institutions; and
 - (C) any other standards the study committee considers to be superior standards; and
- (3) evaluate the cost to the state or school corporations associated with implementing Partnership for Assessment of Readiness for College and Careers assessment or the Smarter Balanced assessment by schools.

The legislative study committee shall operate under the policies governing study committees adopted by the legislative council. The study committee shall hold at least three (3) public meetings:

(g) Before September 1, 2013, the office of management and budget established by IC 4-3-22-3, in consultation with the state board, shall provide an opinion concerning the fiscal impact to the state and school corporations if the state board:

- (1) fully implements the common core standards; and
- (2) discontinues the implementation of the common core standards:

The office of management and budget must provide its opinion in an electronic format under IC 5-14-6 to the governor, legislative council, and state board:

(h) (d) The department shall administer ISTEP assessments under IC 20-32-5 during the 2013-2015 biennium. The state board may not require the use of the Partnership for Assessment of Readiness for College and Careers assessment or the Smarter Balanced assessment by schools until the state board receives and considers the reports received under subsections (e) through (g). This section does not remove academic standards developed or implemented by the state board before July 1, 2013. Before July 1, 2014, subject to subsection (e), the state board shall authorize the department, for school years beginning after June 30, 2016, to administer either the ISTEP assessment under IC 20-32-5 or a comparable assessment program that is aligned with the educational standards adopted by the

state board under subsection (e).

(i) (e) This subsection does not apply to an agreement with the United States Department of Education concerning a waiver from federal requirements. After June 30, 2013, the state, or the state board on behalf of the state, may not enter into or renew an agreement with any organization, entity, group, or consortium that requires the state to cede any measure of autonomy or control of education standards and assessments, including cut scores.

(j) (f) The state board may adopt emergency rules in the manner provided in IC 4-22-2-37.1 to implement this section. As provided in IC 4-22-2-37.1 for an emergency rule adopted under this section to be effective after one (1) extension period, the rule must be adopted in conformity with the procedures under IC 4-22-2-24 through IC 4-22-2-36.

SECTION 2. An emergency is declared for this act.

(Reference is to SB 91 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Education and Career Development.

LONG, Chair

Report adopted.

**REPORT OF THE PRESIDENT
PRO TEMPORE**

Madam President: Pursuant to Senate Rule 68(b), I hereby report that Senate Bill 415, currently assigned to the Committee on Rules and Legislative Procedure, be reassigned to the Committee on Public Policy.

LONG

Report adopted.

**REPORT OF THE PRESIDENT
PRO TEMPORE**

Madam President: Pursuant to Senate Rule 68(b), I hereby report that, subsequent to the adoption of the Local Government Committee Report on January 23, 2014, Senate Bill 362 was reassigned to the Committee on Appropriations.

LONG

Report adopted.

**REPORT OF THE PRESIDENT
PRO TEMPORE**

Madam President: Pursuant to Senate Rule 68(b), I hereby report that Senate Bill 88, currently assigned to the Committee on Judiciary, be reassigned to the Committee on Public Policy.

LONG

Report adopted.

**REPORT OF THE PRESIDENT
PRO TEMPORE**

Madam President: Pursuant to Senate Rule 68(b), I hereby

report that Senate Bill 368, currently assigned to the Committee on Tax and Fiscal Policy, be reassigned to the Committee on Commerce, Economic Development, and Technology.

LONG

Report adopted.

**REPORT OF THE PRESIDENT
PRO TEMPORE**

Madam President: Pursuant to Senate Rule 68(b), I hereby report that Senate Bill 404, currently assigned to the Committee on Rules and Legislative Procedure, be reassigned to the Committee on Agriculture and Natural Resources.

LONG

Report adopted.

SENATE MOTION

Madam President: I move that Senator Leising be added as third author of Engrossed Senate Bill 248.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Waterman be added as coauthor of Engrossed Senate Bill 186.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hershman be added as coauthor of Engrossed Senate Bill 186.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as coauthor of Senate Bill 354.

PAUL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 420.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as

coauthor of Engrossed Senate Bill 266.

SCHNEIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zakas be added as third author and Senators Mishler and Skinner be added as coauthors of Senate Bill 163.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Engrossed Senate Bill 186.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as coauthor of Engrossed Senate Bill 186.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Arnold be added as coauthor of Senate Bill 352.

PAUL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Arnold and Nugent be added as coauthors of Senate Bill 57.

PAUL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Tallian and Arnold be added as coauthors of Senate Bill 56.

PAUL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators M. Young, Tomes, Delph, and Waterman be added as coauthors of Engrossed Senate Bill 135.

ECKERTY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author of Engrossed Senate Bill 153.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Skinner and Kruse be added as coauthors of Engrossed Senate Bill 111.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Skinner be added as coauthor of Engrossed Senate Bill 113.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 397.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hershman be added as second author, Senator Rogers be added as third author, and Senator Boots be added as coauthor of Senate Bill 106.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author and Senator Mrvan be added as coauthor of Senate Bill 363.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Delph be added as second author of Engrossed Senate Bill 63.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as coauthor of Senate Bill 405.

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Yoder be added as third author of Senate Bill 321.

SCHNEIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Arnold be added as second author and Senator Waterman be added as third author of Senate Bill 272.

BUCK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as coauthor of Senate Bill 53.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author and Senator Mrvan be added as coauthor of Senate Bill 406.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bray be added as coauthor of Engrossed Senate Bill 27.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as second author and Senators Delph, Steele, Zakas, and Hume be added as coauthors of Senate Bill 138.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added

as second author and Senator Lanane be added as coauthor of Senate Bill 163.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Patricia Miller be added as second author and Senator Charbonneau be added as third author of Senate Bill 397.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Engrossed Senate Bill 248.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 137.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Wyss be added as second author of Senate Bill 343.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Engrossed Senate Bill 3.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author of Senate Bill 212.

STOOPS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Mrvan and Randolph be added as coauthors of Senate Bill 220.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Engrossed Senate Bill 153.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Arnold and Paul be added as coauthors of Senate Bill 300.

R. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 54.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Head be added as second author of Senate Bill 362.

R. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator R. Young be added as coauthor of Senate Bill 354.

PAUL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Wyss be added as second author and Senator Breaux be added as coauthor of Senate Bill 278.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Breaux and Stoops be added as coauthors of Engrossed Senate Bill 245.

PATRICIA MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 266.

SCHNEIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Engrossed Senate Bill 113.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Arnold be removed as author of Senate Bill 329 and that Senator Rogers be substituted therefor.

ARNOLD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Head be added as second author of Senate Bill 329.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Engrossed Senate Bill 50.

PATRICIA MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as third author of Senate Bill 222.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Skinner be added as coauthor of Engrossed Senate Bill 111.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Patricia Miller be added as second author of Senate Bill 255.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hume be added as coauthor of Engrossed Senate Bill 246.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Arnold and Randolph be added as coauthors of Engrossed Senate Bill 209.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author and Senators Tallian and Skinner be added as coauthors of Senate Bill 143.

PATRICIA MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Yoder be added as second author of Senate Bill 276.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as third author and Senators Banks and Mrvan be added as coauthors of Senate Bill 331.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Banks be removed as second author of Senate Bill 260.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hershman be removed as author of Senate Bill 260 and that Senator Banks be substituted therefor.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be removed as second author of Senate Bill 156.

BRODEN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as

second author and Senator Broden be added as coauthor of Senate Bill 156.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 262.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 59.

Bray

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Randolph and Broden be added as coauthors of Engrossed Senate Bill 246.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 9:00 a.m., Friday, January 24, 2014.

HERSHMAN

Motion prevailed.

The Senate adjourned at 4:00 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUE ELLSPERMANN
President of the Senate