



Journal of the House

State of Indiana

120th General Assembly

First Regular Session

Thirtieth Day

Monday Afternoon

March 13, 2017

The invocation was offered by Pastor Tom Holt of Hope Baptist Church in Milan, a guest of Representative Frye.

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

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

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

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

Washburne
Wesco
Wolkins
Wright

J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 249: 92 present; 8 excused. The Speaker announced a quorum in attendance. [NOTE: indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, March 14, 2017, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 64, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 64 as printed February 8, 2017.)

Committee Vote: Yeas 11, Nays 0.

STEUERWALD, Chair

Report adopted.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill List 19 were read a first time by title and referred to the respective committees:

SB 121 — Steuerwald

Committee on Judiciary

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

SB 126 — Ober, Carbaugh, Heine

Committee on Government and Regulatory Reform

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

SB 228 — Steuerwald

Committee on Courts and Criminal Code

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

SB 312 — Leonard

Committee on Courts and Criminal Code

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

SB 348 — Speedy

Committee on Local Government

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

SB 425 — Frizzell

Committee on Courts and Criminal Code

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

SB 435 — McNamara

Committee on Education

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

RESOLUTIONS ON FIRST READING**House Concurrent Resolution 38**

Representatives Macer, Austin, Bartlett, Bauer, C. Brown, Cook, DeVon, Dvorak, Engleman, Errington, Forestal, Friend, Frye, Goodin, Hamilton, Harris, Hatfield, Lawson, Lyness, McNamara, Miller, Moed, Moseley, Pierce, Pressel, Richardson, Saunders, Shackelford, M. Smith, V. Smith, Summers, J. Taylor, Wright, Zent, Ober, Kersey and Moed introduced House Concurrent Resolution 38:

A CONCURRENT RESOLUTION honoring the Girl Scouts of the USA.

Whereas, 2017 marks the 105th anniversary of Girl Scouts of the USA, founded by Juliette Gordon Low in 1912 in Savannah, Georgia;

Whereas, Throughout its long and distinguished history, Girl Scouting has inspired millions of girls and women with the highest ideals of character, conduct, and patriotism;

Whereas, Through Girl Scouting, girls gain courage, confidence, and character and make their local communities and the world a better place;

Whereas, During the third week of March 2017, 300 high school aged Girl Scouts will attend their first ever Girl Scouts Day at the Statehouse;

Whereas, The goal of Girl Scouts Day at the Statehouse is to offer the girls the opportunity to learn advocacy and women's roles in politics; and

Whereas, More than 2.7 million current Girl Scout members nationwide will be celebrating 105 years of this American tradition, with nearly 60 million women who are former Girl Scouts and are living proof of the impact of this amazing movement: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes the Girl Scouts of the USA on the occasion of the 105th anniversary of their founding and applauds the commitment Girl Scouting has made to America's girls.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Girl Scouts of the USA.

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

House Concurrent Resolution 39

Representative Huston introduced House Concurrent Resolution 39:

A CONCURRENT RESOLUTION honoring the Fishers Junior High School "We the People" team.

Whereas, On December 13, 2016, the 2016-2017 Fishers Junior High School team won the "We the People" state championship;

Whereas, The Fishers Junior High School team will represent its community and state in the fifth annual "We the People" National Invitational on April 28 through May 2, 2017;

Whereas, This victory was the culmination of months of hard work, dedication, and diligence on the part of the 31 students in this year's "We the People" class and their teachers, Mike Fassold, Kevin Stumpf, and Tony Sturgeon;

Whereas, The "We the People" program was developed by the Center for Civic Education and is funded by the United States Department of Education under an act of Congress, with the goal of promoting civic responsibility and competence in students;

Whereas, Involvement with the "We the People" competition allows students to develop a greater understanding of democratic principles and prepares Indiana youth for a future that will encourage their knowledge of and participation in our democratic system of government;

Whereas, Nearly 95 percent of the students on the team are members of the National Junior Honor Society; and

Whereas, These young adults continue to give back to the Hamilton County community by volunteering at events across the area: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Fishers Junior High School "We the People" team on its state championship and wishes the team members continued success in all their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to each team member; teachers Mike Fassold, Kevin Stumpf, and Tony Sturgeon; principal Crystal Thorpe; and superintendent Dr. Allen Bourff.

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

House Concurrent Resolution 40

Representatives Clere, Stemler and Engleman introduced House Concurrent Resolution 40:

A CONCURRENT RESOLUTION recognizing the Harvest Homecoming Festival on the occasion of its 50th year.

Whereas, In 1968, a "Pumpkin Festival" was held as a civic effort by the tourism bureau of the New Albany Chamber of Commerce;

Whereas, Among the New Albany Chamber of Commerce members who were involved in planning this first Pumpkin Festival were Cora Jacobs, Henry Ramsier, William Mook, and Paul Lipps;

Whereas, Seeing the possibility of making this Pumpkin Festival into an event to promote tourism in New Albany, the Chamber members began planning for the event to be held the following year;

Whereas, A contest was held to select a name for the festival, and "Harvest Homecoming" was chosen;

Whereas, The festival was created as a means of "bringing the people of Southern Indiana together to share in its wealth of talent, historic background and beauty";

Whereas, Today, Harvest Homecoming attracts over 600,000 people to New Albany and runs more than a week;

Whereas, Harvest Homecoming features a parade and numerous other official events and culminates in four "booth days" showcasing local businesses, civic groups, churches, and other community organizations;

Whereas, Harvest Homecoming is one of the largest festivals in Indiana;

Whereas, Harvest Homecoming is a family oriented festival that unites the community in a spirit of fun and fellowship and is committed to continuous improvement;

Whereas, Honored by the Library of Congress Bicentennial Local Legacies Project in 2000, Harvest Homecoming has been consistently growing for 50 years, giving people from throughout the state of Indiana and the nation a taste of Southern Indiana hospitality: 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 Harvest Homecoming on its success and thanks the volunteers who have worked so diligently to make it a success.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Harvest Homecoming, Inc.

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

Senate Concurrent Resolution 30

The Speaker handed down Senate Concurrent Resolution 30, sponsored by Representative Braun:

A CONCURRENT RESOLUTION honoring Mark A. Schroeder for being named one of three 2016 Community Bankers of the Year in American Banker Magazine's "Best in Banking" series.

Whereas, American Banker Magazine recently named Mark Schroeder, German American Bancorp's Chief Executive Officer, as one of three 2016 Community Bankers of the Year in its annual "Best in Banking" series;

Whereas, The first in his family to attend college, Mark earned a degree in financial management at the University of Evansville, while continuing to work at German American Bancorp in Jasper;

Whereas, Mark completed his studies at the Stonier Graduate School of Banking and achieved standing as a certified public accountant;

Whereas, Mark's career at German American prospered and he served in multiple positions, including head of lending operations, chief financial officer, president, and chief operating officer;

Whereas, In 1999, Mark was named Chief Executive Officer of German American Bancorp;

Whereas, Under Mark's direction, German American Bancorp has experienced six consecutive years of record earnings, making the three billion dollar asset company one of the most consistently profitable banks in the country;

Whereas, In recognition of his outstanding abilities, Mark was one of 12 community bankers nationwide invited to meet with President Barack Obama at the White House to discuss local economies and the challenges in small business lending;

Whereas, In addition to his duties as Chief Executive Officer of German American Bancorp, Mark serves as a board member of ICBA Bancard, and as vice chairman of the board of directors of the Indiana Department of Financial Institutions, is active with the Indiana Bankers Association (IBA) through the Ad Hoc Membership Dues and Government Relations committees, is a member of the IBA Forty Year Club, and was instrumental in helping to guide the IBA into involvement with New Markets Tax Credits, resulting in financial strength for the Association; and

Whereas, Born and raised in Jasper, Indiana, Mark exemplifies a successful, hardworking Hoosier: Therefore,

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

SECTION 1. That the Indiana General Assembly honors Mark A. Schroeder for being named one of three 2016 Community Bankers of the Year in American Banker Magazine's "Best in Banking" series.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Mark A. Schroeder.

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

Senate Concurrent Resolution 31

The Speaker handed down Senate Concurrent Resolution 31, sponsored by Representative Leonard:

A CONCURRENT RESOLUTION honoring E.J. Tackett on being named the 2016 GEICO Chris Schenkel PBA Player of the Year.

Whereas, E.J. Tackett was born on August 7, 1992, and grew up in Huntington, Indiana;

Whereas, E.J. attended Huntington North High School, and he was a member of the Junior Team USA Bowling team in 2011 and 2013;

Whereas, E.J. finished among the top 16 at the North Pointe Junior Gold Championships from 2009 to 2011;

Whereas, E.J. finished third at the 2011 United States Bowling Congress ("USBC") Team USA Trials, and fifth at the 2013 USBC Team USA Trials;

Whereas, E.J. was a two-time Indiana Male Youth Bowler of the Year, and a two-time Indiana Youth Masters Champion;

Whereas, E.J. joined the Professional Bowlers Association ("PBA") in 2012;

Whereas, E.J. has won five regular PBA titles, and 1 Major PBA title;

Whereas, E.J. was named the 2012-2013 PBA "Rookie of the Year";

Whereas, In 2015, as top qualifier, E.J. finished second in Rolltech PBA World Championship;

Whereas, E.J. won his first PBA Tour title by winning the Lubbock Sports Southwest Open with a 256-213 win over Bill O'Neill in the championship match;

Whereas, Thanks in part to a commanding performance in the end-of-season GEICO PBA World Series of Bowling in Reno, Nevada, which included his first major title in the PBA World Championship, E.J. was the overwhelming choice as the 2016 GEICO Chris Schenkel PBA Player of the Year;

Whereas, The results of voting by his fellow PBA members and international bowling news media representatives was

announced live by PBA CEO and Commissioner Tom Clark on ESPN;

Whereas, E.J. was the PBA's only four-time title winner in 2016, and in addition to the PBA World Championship, he won titles in the 2016 Xtra Frame Storm Open, Xtra Frame PBA Team Challenge, and the Bear Open during the PBA Fall Swing;

Whereas, At age twenty-four, E.J. became the second-youngest player to win the PBA's Player of the Year award; and

Whereas, It is fitting that the Indiana General Assembly congratulates E.J. Tackett on being named the 2016 PBA Player of the Year, and wishes him success in the years to come: Therefore,

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

SECTION 1. That the Indiana General Assembly honors E.J. Tackett on being named the 2016 GEICO Chris Schenkel PBA Player of the Year.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to E.J. Tackett.

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

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

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 323, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 34-26-5-9, AS AMENDED BY P.L.1-2010, SECTION 135, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. (a) If it appears from a petition for an order for protection or from a petition to modify an order for protection that domestic or family violence has occurred or that a modification of an order for protection is required, a court may:

- (1) without notice or hearing, immediately issue an order for protection ex parte or modify an order for protection ex parte; or
- (2) upon notice and after a hearing, whether or not a respondent appears, issue or modify an order for protection.

(b) A court may grant the following relief without notice and hearing in an ex parte order for protection or in an ex parte order for protection modification:

- (1) Enjoin a respondent from threatening to commit or committing acts of domestic or family violence against a petitioner and each designated family or household member.
- (2) Prohibit a respondent from harassing, annoying, telephoning, contacting, or directly or indirectly communicating with a petitioner.
- (3) Remove and exclude a respondent from the residence of a petitioner, regardless of ownership of the residence.
- (4) Order a respondent to stay away from the residence, school, or place of employment of a petitioner or a specified place frequented by a petitioner and each designated family or household member.

(5) Order that a petitioner has the exclusive possession,

care, custody, or control of any animal owned, possessed, kept, or cared for by the petitioner, respondent, minor child of either the petitioner or respondent, or any other family or household member. (6) Prohibit a respondent from removing, transferring, injuring, concealing, harming, attacking, mistreating, threatening to harm, or otherwise disposing of an animal described in subdivision (5).

~~(5)~~ (7) Order possession and use of the residence, an automobile, and other essential personal effects, regardless of the ownership of the residence, automobile, and essential personal effects. If possession is ordered under this subdivision **or subdivision (5)**, the court may direct a law enforcement officer to accompany a petitioner to the residence of the parties to:

(A) ensure that a petitioner is safely restored to possession of the residence, automobile, **animal**, and other essential personal effects; or

(B) supervise a petitioner's or respondent's removal of personal belongings **and animal**.

~~(6)~~ (8) Order other relief necessary to provide for the safety and welfare of a petitioner and each designated family or household member.

(c) A court may grant the following relief after notice and a hearing, whether or not a respondent appears, in an order for protection or in a modification of an order for protection:

(1) Grant the relief under subsection (b).

(2) Specify arrangements for parenting time of a minor child by a respondent and:

(A) require supervision by a third party; or

(B) deny parenting time;

if necessary to protect the safety of a petitioner or child.

(3) Order a respondent to:

(A) pay attorney's fees;

(B) pay rent or make payment on a mortgage on a petitioner's residence;

(C) if the respondent is found to have a duty of support, pay for the support of a petitioner and each minor child;

(D) reimburse a petitioner or other person for expenses related to the domestic or family violence, including:

(i) medical expenses;

(ii) counseling;

(iii) shelter; and

(iv) repair or replacement of damaged property;

(E) pay the costs and expenses incurred in connection with the use of a GPS tracking device under subsection (i); or

(F) pay the costs and fees incurred by a petitioner in bringing the action.

(4) Prohibit a respondent from using or possessing a firearm, ammunition, or a deadly weapon specified by the court, and direct the respondent to surrender to a specified law enforcement agency the firearm, ammunition, or deadly weapon for the duration of the order for protection unless another date is ordered by the court.

An order issued under subdivision (4) does not apply to a person who is exempt under 18 U.S.C. 925.

(d) The court shall:

(1) cause the order for protection to be delivered to the county sheriff for service;

(2) make reasonable efforts to ensure that the order for protection is understood by a petitioner and a respondent if present;

(3) electronically notify each law enforcement agency:

(A) required to receive notification under IC 5-2-9-6; or

(B) designated by the petitioner;

(4) transmit a copy of the order to the clerk for processing under IC 5-2-9;

(5) indicate in the order if the order and the parties meet

the criteria under 18 U.S.C. 922(g)(8); and
 (6) require the clerk of court to enter or provide a copy of the order to the Indiana protective order registry established by IC 5-2-9-5.5.

(e) An order for protection issued ex parte or upon notice and a hearing, or a modification of an order for protection issued ex parte or upon notice and a hearing, is effective for two (2) years after the date of issuance unless another date is ordered by the court. The sheriff of each county shall provide expedited service for an order for protection.

(f) A finding that domestic or family violence has occurred sufficient to justify the issuance of an order under this section means that a respondent represents a credible threat to the safety of a petitioner or a member of a petitioner's household. Upon a showing of domestic or family violence by a preponderance of the evidence, the court shall grant relief necessary to bring about a cessation of the violence or the threat of violence. The relief may include an order directing a respondent to surrender to a law enforcement officer or agency all firearms, ammunition, and deadly weapons:

- (1) in the control, ownership, or possession of a respondent; or
- (2) in the control or possession of another person on behalf of a respondent;

for the duration of the order for protection unless another date is ordered by the court.

(g) An order for custody, parenting time, or possession or control of property issued under this chapter is superseded by an order issued from a court exercising dissolution, legal separation, paternity, or guardianship jurisdiction over the parties.

(h) The fact that an order for protection is issued under this chapter does not raise an inference or presumption in a subsequent case or hearings between the parties.

(i) Upon a finding of a violation of an order for protection, the court may:

- (1) require a respondent to wear a GPS tracking device; and
- (2) prohibit the respondent from approaching or entering certain locations where the petitioner may be found.

If the court requires a respondent to wear a GPS tracking device under subdivision (1), the court shall, if available, require the respondent to wear a GPS tracking device with victim notification capabilities.

(j) The court may permit a victim, a petitioner, another person, an organization, or an agency to pay the costs and expenses incurred in connection with the use of a GPS tracking device under subsection (i).

SECTION 2. IC 34-26-5-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. (a) Except as provided in subsection (b), if a court issues:

- (1) an order for protection ex parte; or
- (2) a modification of an order for protection ex parte;

and provides relief under section 9(b) of this chapter, upon a request by either party not more than thirty (30) days after service of the order or modification, the court shall set a date for a hearing on the petition. The hearing must be held not more than thirty (30) days after the request for a hearing is filed unless continued by the court for good cause shown. The court shall notify both parties by first class mail of the date and time of the hearing.

(b) A court shall set a date for a hearing on the petition not more than thirty (30) days after the filing of the petition if a court issues an order for protection ex parte or a modification of an order of protection ex parte and:

- (1) a petitioner requests or the court provides relief under section 9(b)(3), 9(b)(5), ~~or~~ 9(b)(6), **9(b)(7), or 9(b)(8)** of this chapter; or
- (2) a petitioner requests relief under section 9(c)(2), 9(c)(3), or 9(c)(4) of this chapter.

The hearing must be given precedence over all matters pending in the court except older matters of the same character.

- (c) In a hearing under subsection (a) or (b):
 - (1) relief under section 9 of this chapter is available; and
 - (2) if a respondent seeks relief concerning an issue not raised by a petitioner, the court may continue the hearing at the petitioner's request."

Page 2, after line 24, begin a new paragraph and insert:

"(i) The court issuing an order for protection described in this section shall serve the order on the wireless service provider's agent for service of process listed with the secretary of state."

Renumber all SECTIONS consecutively.

(Reference is to SB 323 as printed February 24, 2017.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

STEUERWALD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 443, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 31, line 28, delete "3(a)" and insert "**3(b)**".

Page 62, line 7, after "domestic" insert "**or**".

Renumber all SECTIONS consecutively.

(Reference is to SB 443 as reprinted February 10, 2017.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

STEUERWALD, Chair

Report adopted.

**ENGROSSED SENATE BILLS
ON SECOND READING**

Engrossed Senate Bill 19

Representative Morris called down Engrossed Senate Bill 19 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 19-1)

Mr. Speaker: I move that Engrossed Senate Bill 19 be amended to read as follows:

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

"SECTION 1. IC 5-10-10-2, AS AMENDED BY P.L.62-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) Except as provided in subsection (b), as used in this chapter, "dies in the line of duty" refers to a death that occurs as a direct result of personal injury or illness resulting from any action that the public safety officer, in the public safety officer's capacity as a public safety officer, is obligated or authorized by rule, regulation, condition of employment or service, or law to perform in the course of controlling or reducing crime or enforcing the criminal law. For purposes of a public safety officer who is an employee (as defined in IC 5-10-13-2), the term includes a death presumed incurred in the line of duty under IC 5-10-13.

(b) This subsection applies to a public safety officer who is eligible for a special death benefit under section 4.8 **or** 4.9 of this chapter. "Dies in the line of duty" refers to a death that occurs as a direct result of personal injury or illness caused by an incident, accident, or violence that results from any action that the public safety officer, in the public safety officer's capacity as a public safety officer:

(1) is obligated or authorized by rule, regulation, condition of employment or service, or law to perform; or

(2) performs during an emergency run.

SECTION 2. IC 5-10-10-4, AS AMENDED BY P.L.62-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. As used in this chapter, "public safety officer" means any of the following:

- (1) A state police officer.
- (2) A county sheriff.
- (3) A county police officer.
- (4) A correctional officer.
- (5) An excise police officer.
- (6) A county police reserve officer.
- (7) A city police reserve officer.
- (8) A conservation enforcement officer.
- (9) A town marshal.
- (10) A deputy town marshal.
- (11) A probation officer.
- (12) A state educational institution police officer appointed under IC 21-39-4.
- (13) A police officer whose employer purchases coverage under section 4.5 of this chapter.
- (14) An emergency medical services provider (as defined in IC 16-41-10-1) who is:
 - (A) employed by a political subdivision (as defined in IC 36-1-2-13); and
 - (B) not eligible for a special death benefit under IC 36-8-6-20, IC 36-8-7-26, IC 36-8-7.5-22, or IC 36-8-8-20.
- (15) A firefighter who is employed by the fire department of a state university.
- (16) A firefighter whose employer purchases coverage under section 4.5 of this chapter.
- (17) A member of a consolidated law enforcement department established under IC 36-3-1-5.1.
- (18) A gaming agent of the Indiana gaming commission.
- (19) A person who is:
 - (A) employed by a political subdivision (as defined in IC 36-1-2-13); and
 - (B) appointed as a special deputy under IC 36-8-10-10.6.
- (20) A school corporation police officer appointed under IC 20-26-16.
- (21) A gaming control officer of the Indiana gaming commission.
- (22) An eligible chaplain who meets the requirements of section 4.7 of this chapter.
- (23) A community corrections officer.
- (24) An eligible emergency medical services provider who meets the requirements of section 4.8 of this chapter.
- (25) An emergency medical services provider whose employer purchases coverage under section 4.9 of this chapter.**

SECTION 3. IC 5-10-10-4.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 4.9. (a) As used in this section, "eligible emergency medical services provider" means an emergency medical services provider whose employer purchases coverage under this section.**

(b) As used in this section, "emergency medical services provider" has the meaning set forth in IC 16-41-10-1.

(c) As used in this section, "employer" means a health care system affiliated with a state educational institution that:

- (1) maintains an air ambulance services provider; and**
- (2) employs emergency medical services providers for the air ambulance services provider.**

(d) If an employer purchases coverage for an eligible emergency medical services provider, the eligible emergency medical services provider is eligible for a special death

benefit from the fund in the same manner that any other public safety officer is eligible for a special death benefit from the fund. The cost of the coverage shall be fifty dollars (\$50) for each eligible emergency medical services provider annually. The cost of the coverage shall be paid to the board for deposit into the fund.

(e) If an employer elects to provide coverage under this section, the employer must purchase coverage for all eligible emergency medical services providers of the employer. The board shall allow an employer to purchase coverage by making quarterly payments on dates prescribed by the board."

Renumber all SECTIONS consecutively.

(Reference is to ESB 119 as printed March 10, 2017.)

MORRIS

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 119

Representative Bacon called down Engrossed Senate Bill 119 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 119-2)

Mr. Speaker: I move that Engrossed Senate Bill 119 be amended to read as follows:

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

"SECTION 1. IC 5-10-10-2, AS AMENDED BY P.L.62-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) Except as provided in subsection (b), as used in this chapter, "dies in the line of duty" refers to a death that occurs as a direct result of personal injury or illness resulting from any action that the public safety officer, in the public safety officer's capacity as a public safety officer, is obligated or authorized by rule, regulation, condition of employment or service, or law to perform in the course of controlling or reducing crime or enforcing the criminal law. For purposes of a public safety officer who is an employee (as defined in IC 5-10-13-2), the term includes a death presumed incurred in the line of duty under IC 5-10-13.

(b) This subsection applies to a public safety officer who is eligible for a special death benefit under section 4.8 or 4.9 of this chapter. "Dies in the line of duty" refers to a death that occurs as a direct result of personal injury or illness caused by an incident, accident, or violence that results from any action that the public safety officer, in the public safety officer's capacity as a public safety officer:

- (1) is obligated or authorized by rule, regulation, condition of employment or service, or law to perform; or
- (2) performs during an emergency run.

SECTION 2. IC 5-10-10-4, AS AMENDED BY P.L.62-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. As used in this chapter, "public safety officer" means any of the following:

- (1) A state police officer.
- (2) A county sheriff.
- (3) A county police officer.
- (4) A correctional officer.
- (5) An excise police officer.
- (6) A county police reserve officer.
- (7) A city police reserve officer.
- (8) A conservation enforcement officer.
- (9) A town marshal.
- (10) A deputy town marshal.
- (11) A probation officer.
- (12) A state educational institution police officer appointed under IC 21-39-4.
- (13) A police officer whose employer purchases coverage

under section 4.5 of this chapter.

(14) An emergency medical services provider (as defined in IC 16-41-10-1) who is:

(A) employed by a political subdivision (as defined in IC 36-1-2-13); and

(B) not eligible for a special death benefit under IC 36-8-6-20, IC 36-8-7-26, IC 36-8-7.5-22, or IC 36-8-8-20.

(15) A firefighter who is employed by the fire department of a state university.

(16) A firefighter whose employer purchases coverage under section 4.5 of this chapter.

(17) A member of a consolidated law enforcement department established under IC 36-3-1-5.1.

(18) A gaming agent of the Indiana gaming commission.

(19) A person who is:

(A) employed by a political subdivision (as defined in IC 36-1-2-13); and

(B) appointed as a special deputy under IC 36-8-10-10.6.

(20) A school corporation police officer appointed under IC 20-26-16.

(21) A gaming control officer of the Indiana gaming commission.

(22) An eligible chaplain who meets the requirements of section 4.7 of this chapter.

(23) A community corrections officer.

(24) An eligible emergency medical services provider who meets the requirements of section 4.8 of this chapter.

(25) An emergency medical services provider whose employer purchases coverage under section 4.9 of this chapter.

SECTION 3. IC 5-10-10-4.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 4.9. (a) As used in this section, "eligible emergency medical services provider" means an emergency medical services provider whose employer purchases coverage under this section.**

(b) As used in this section, "emergency medical services provider" has the meaning set forth in IC 16-41-10-1.

(c) As used in this section, "employer" means a health care system affiliated with a state educational institution that:

(1) maintains an air ambulance services provider; and

(2) employs emergency medical services providers for the air ambulance services provider.

(d) If an employer purchases coverage for an eligible emergency medical services provider, the eligible emergency medical services provider is eligible for a special death benefit from the fund in the same manner that any other public safety officer is eligible for a special death benefit from the fund. The cost of the coverage shall be fifty dollars (\$50) for each eligible emergency medical services provider annually. The cost of the coverage shall be paid to the board for deposit into the fund.

(e) If an employer elects to provide coverage under this section, the employer must purchase coverage for all eligible emergency medical services providers of the employer. The board shall allow an employer to purchase coverage by making quarterly payments on dates prescribed by the board."

Renumber all SECTIONS consecutively.

(Reference is to ESB 119 as printed March 10, 2017.)

MACER

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 130

Representative Culver called down Engrossed Senate Bill 130 for second reading. The bill was read a second time by title.

There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 263

Representative Heine called down Engrossed Senate Bill 263 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 366

Representative Sullivan called down Engrossed Senate Bill 366 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 392

Pursuant to House Rule 143, the sponsor of Engrossed Senate Bill 392, Representative Davisson, granted consent to the cosponsor, Representative Ober, to call the bill down for second reading. Representative Ober called down Engrossed Senate Bill 392 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 412

Representative Sullivan called down Engrossed Senate Bill 412 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 456

Representative Friend called down Engrossed Senate Bill 456 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**ENGROSSED SENATE BILLS
ON THIRD READING**

Engrossed Senate Bill 185

Representative Frye called down Engrossed Senate Bill 185 for third reading:

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

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

Roll Call 250: yeas 92, 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 Clerk was directed to inform the Senate of the passage of the bill.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 41

Representative Shackelford introduced House Concurrent Resolution 41:

A CONCURRENT RESOLUTION recognizing the National Association of Women Business Owners of Indianapolis for 20 years of excellence.

Whereas, The National Association of Women Business Owners steers women entrepreneurs into economic, social, and political spheres of power worldwide, strengthening the wealth creating capacity of its members and promoting economic development within the entrepreneurial community;

Whereas, The National Association of Women Business Owners (NAWBO) was established in 1975 by a group of like-minded businesswomen to serve as the collective voice of women business owners across the country and advocate on behalf of their entrepreneurial interests;

Whereas, The National Association of Women Business Owners of Indianapolis creates innovative and effective changes in business culture; builds strategic alliances, coalitions, and affiliations; transforms public policy, and influences opinion makers;

Whereas, 129,559 woman-owned businesses are located in Indiana while employing 2.6 million Hoosiers;

Whereas, The organization serves as the unified voice of America's women-owned businesses and represents the fastest growing segment of the market;

Whereas, NAWBO proudly has a chapter in Indianapolis with more than 200 members that will be celebrating 20 years of excellence on July 17, 2017; and

Whereas, The Indianapolis chapter seeks and provides diversity and inclusion training, community awareness, and member-mentorship programs to advance the sustainability and success of their business community: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes the National Association of Women Business Owners of Indianapolis for 20 years of excellent service to the women business owners of Indianapolis.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Indianapolis chapter of the National Association of Women Business Owners.

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

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three cosponsors and that Representatives GiaQuinta and Austin be added as cosponsors of Engrossed Senate Bill 1.

LEHMAN

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative J. Taylor be added as cosponsor of Engrossed Senate Bill 46.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives J. Taylor and Frye be added as cosponsors of Engrossed Senate Bill 80.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Zent and Macer be added as cosponsors of Engrossed Senate Bill 119.

BACON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Harris be added as cosponsor of Engrossed Senate Bill 152.

ZENT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative J. Taylor be added as cosponsor of Engrossed Senate Bill 242.

FRIZZELL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative J. Taylor be added as cosponsor of Engrossed Senate Bill 265.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lawson be added as cosponsor of Engrossed Senate Bill 282.

BAIRD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lehman be added as cosponsor of Engrossed Senate Bill 323.

MCNAMARA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Steuerwald be removed as first sponsor and Representative Olthoff be substituted therefor as sponsor of Engrossed Senate Bill 332.

STEUERWALD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Jordan be added as cosponsor of Engrossed Senate Bill 340.

SMALTZ

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative VanNatter be removed as first sponsor and Representative Carbaugh be substituted therefor and Representative VanNatter be added as cosponsor of Engrossed Senate Bill 353.

VANNATTER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Speedy be added as cosponsor of Engrossed Senate Bill 382.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative J. Taylor be added as cosponsor of Engrossed Senate Bill 447.

FRIZZELL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Judy be added as cosponsor of Engrossed Senate Bill 457.

FRIEND

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative DeLaney be added as cosponsor of Engrossed Senate Bill 476.

BAIRD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Austin be added as cosponsor of Engrossed Senate Bill 549.

SPEEDY

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 31, 33, 34, 35 and 50 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 30 and 31 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Ellington, the House adjourned at 2:34 p.m., this thirteenth day of March, 2017, until Tuesday, March 14, 2017, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives