



Journal of the House

State of Indiana

122nd General Assembly

Second Regular Session

Twenty-Fourth Day

Wednesday Morning

February 23, 2022

The invocation was offered by Pastor Tyson Priest from The River Church in Lapel, a guest of Representative Cherry.

The House convened at 10:00 a.m. with Deputy Speaker Pro Tempore Representative Karickhoff in the Chair.

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

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

Abbott	Karickhoff
Andrade	King
Austin	Klinker
Aylesworth	Lauer
Baird	Ledbetter
Barrett	Lehe
Bartels	Lehman
Bartlett <input type="checkbox"/>	Leonard
Bauer, M	Lindauer
Behning	Lucas <input type="checkbox"/>
Borders	Lyness
Boy	Manning
Brown, T.	May
Campbell	Mayfield
Carbaugh	McNamara
Cherry	Miller
Clere	Moed <input type="checkbox"/>
Cook	Morris
Davis	Morrison
Davisson	Moseley
DeVon <input type="checkbox"/>	Negele
DeLaney	Nisly
Dvorak <input type="checkbox"/>	O'Brien
Eberhart <input type="checkbox"/>	Olthoff
Ellington	Pack
Engleman	Payne
Errington	Pfaff
Fleming	Pierce
Frye	Porter <input type="checkbox"/>
GiaQuinta	Prescott
Goodrich	Pressel
Gore	Pryor <input type="checkbox"/>
Gutwein	Rowray
Hamilton <input type="checkbox"/>	Saunders
Harris	Schaibley
Hatcher <input type="checkbox"/>	Shackleford <input type="checkbox"/>
Hatfield	Slager
Heaton	Smaltz
Heine	Smith, V.
Hostettler	Snow
Jackson	Soliday
Jacob	Speedy
Jeter <input type="checkbox"/>	Steuerwald <input type="checkbox"/>
Johnson	Summers
Jordan	Teshka
Judy <input type="checkbox"/>	Thompson <input type="checkbox"/>

Torr
VanNatter
Vermilion
Wesco

J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 258: 84 present; 16 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 Thursday, February 24, 2022, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

The Speaker Pro Tempore yielded the gavel to the Speaker.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 67

Representative DeLaney called down Engrossed Senate Bill 67 for third reading:

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

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

Roll Call 259: yeas 83, 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 Clerk was directed to inform the Senate of the passage of the bill.

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

Representatives Eberhart and Thompson, who had been excused, are now present.

Engrossed Senate Bill 139

Representative Miller called down Engrossed Senate Bill 139 for third reading:

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

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

Roll Call 260: yeas 82, nays 3. 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.

Representatives Hamilton, Hatcher, Lucas, Moed and Porter, who had been excused, are now present.

Engrossed Senate Bill 297

Representative Goodrich called down Engrossed Senate Bill 297 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 261: yeas 58, nays 31. 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.

Engrossed Senate Bill 298

Representative Morrison called down Engrossed Senate Bill 298 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 262: yeas 89, 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 Clerk was directed to inform the Senate of the passage of the bill.

RESOLUTIONS ON FIRST READING

House Resolution 23

Representative Steuerwald introduced House Resolution 23:

A HOUSE RESOLUTION honoring Representative Sean Eberhart.

Whereas, State Representative Sean Eberhart, who was first elected to represent the citizens of House District 57 in 2006, will be leaving the House Chamber for the last time at the end of the 2022 legislative session;

Whereas, During his time in the Indiana General Assembly, Representative Eberhart has served as Chairman of the Natural Resources Committee, and as a member of the Public Policy Committee, the Environmental Affairs Committee, the Financial Institutions and Insurance Committee, the Local Government Committee, and the Courts and Criminal Code Committee;

Whereas, Representative Eberhart has worked diligently with the Indiana Department of Natural Resources in an effort to protect the treasures of our great state and has been an advocate for small businesses and those less fortunate;

Whereas, Representative Eberhart has honorably served as the House of Representatives appointee to the White River State Park Development Commission;

Whereas, Representative Eberhart received the Small Business Champion Award from the Indiana Chamber of Commerce, and the Legislator of the Year Award from the Indiana Trial Lawyers Association;

Whereas, Prior to his work at the Statehouse, Representative Eberhart served as President of the Shelbyville Rotary Club, served on the Shelby County Council from 1998 to 2006, and served as the Shelby County Council President from 2003 to 2006;

Whereas, Representative Eberhart graduated from Shelbyville High School in 1984 and received a Bachelor's Degree in Industrial Engineering from Purdue University in 1988 and an MBA from Indiana University in 1996;

Whereas, Representative Eberhart owns and operates Advantage Tool Rental in Shelbyville, a successful small business he started in 1996;

Whereas, Representative Eberhart has three children, Nathan, Nicholas, and Danielle, and numerous family pets; and

Whereas, Representative Eberhart has served his constituency loyally and faithfully since his election to the Indiana House of Representatives: Therefore,

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

SECTION 1. That the Indiana House of Representatives honors Representative Sean Eberhart upon his retirement.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Representative Sean Eberhart.

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

Senate Concurrent Resolution 30

The Speaker handed down Senate Concurrent Resolution 30, sponsored by Representatives M. Bauer, Dvorak and Teshka:

A CONCURRENT RESOLUTION honoring the Morris Performing Arts Center on its 100th anniversary.

Whereas, In 1922, the Orpheum Theatre chain opened the Palace Theatre;

Whereas, In its early days, the Palace Theatre served as a vaudeville house where Broadway troupes traveling from New York to Chicago stopped in South Bend to perform;

Whereas, The theatre has hosted many famous artists and actors, including the Ziegfeld Follies, George Burns and Gracie Allen, Harry Houdini, Bette Davis, Bing Crosby, Debbie Reynolds, Elvis Presley, Frank Sinatra, Louis Armstrong, Marvin Gaye, Hank Williams, Stevie Wonder, Jerry Lee Lewis, REO Speedwagon, The Eagles, Z.Z. Top, Aerosmith, Loretta Lynn, Fleetwood Mac, Ted Nugent, Judas Priest, B.B. King, Eddie Money, Hootie and the Blowfish, and Stevie Ray Vaughan and Double Trouble;

Whereas, In 1959, the Palace Theatre re-opened under the name the Morris Civic Auditorium;

Whereas, In 2000, the Morris Civic Auditorium re-opened under the name the Morris Performing Arts Center;

Whereas, Today, the Morris regularly hosts nationally-known performances in music, dance, and theatre, and serves as the home of the South Bend Symphony, providing the city of South Bend with cultural enlightenment, a multi-million dollar annual economic impact, and a regional center for performing arts;

Whereas, In 2020, a group of dedicated volunteers in conjunction with representatives from the City of South Bend began the Neverending Encore Campaign, the most expensive capital campaign in the theatre's history, to improve the theatre's aging mechanical systems, replace the original concrete floor, and expand the building's north side;

Whereas, In 2021, the Indiana General Assembly contributed to this renovation by approving the allocation of the local innkeeper's tax to be used for the remodeling and enhancement of the Morris Performing Arts Center; and

Whereas, Throughout its history, the Morris Performing Arts Center has served as a beacon for cultural achievement for the city of South Bend and the surrounding region: 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 the Morris Performing Arts Center on its 100th anniversary.

SECTION 2. That the Secretary of the Senate is hereby directed to transmit copies of this resolution to the Morris Performing Arts Center.

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 33

The Speaker handed down Senate Concurrent Resolution 33, sponsored by Representative Moseley:

A CONCURRENT RESOLUTION honoring the WDSO radio station on their 45th anniversary.

Whereas, WDSO is a student-run, non-profit radio station located at Chesterton High School in Chesterton that has provided the Duneland community with daily programming and special sports and news reports;

Whereas, The mission of WDSO is to provide its community with quality information and music;

Whereas, WDSO went on the air for the first time on Wednesday, November 24, 1976;

Whereas, WDSO began when student Greg Odle suggested the idea of a radio station to the principal, Mr. William Crockett, who secured the necessary resources to establish the station;

Whereas, Chesterton High School English teacher Jim Cavallo was the first station manager, who, along with Duneland School audiovisual coordinator John Corso and Chesterton High School audiovisual coordinator Dan Beckley, was responsible for preparing the station to go on the air, with community member Thomas Smith as the first FCC-licensed operator;

Whereas, The original station broadcasted at ten watts and was located at FM 89.1 on the radio dial before a power increase in 1985, at which time it relocated to FM 88.3, where it continues broadcasting at 400 watts to approximately 150,000 residents in the Duneland area;

Whereas, March 2004 marked a new horizon in broadcasting for WDSO when the station began broadcasting on the Internet; and

Whereas, WDSO has provided a training ground for high school students interested in broadcasting and has commendably served the Duneland School Corporation as well as the Duneland 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 honors the WDSO radio station on their 45th anniversary.

SECTION 2. That the Secretary of the Senate is hereby directed to transmit copies of this resolution to WDSO Station Manager Matthew Waters and WDSO Operations Manager Emily Fletcher

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

House Concurrent Resolution 29

Representative Miller introduced House Concurrent Resolution 29:

A CONCURRENT RESOLUTION congratulating Kercher's Sunrise Orchards Inc. on 100 years of family business.

Whereas, Sunrise Orchards Inc., locally known as "Kercher's Orchard", got its start when William Wheeler Kercher, "Wheeler" for short, planted apple trees at his home on 7th Street in Goshen, Indiana;

Whereas, The business officially began in 1922 on 40 acres across the road from its current location along the Elkhart River, where legend has it that Johnny Applesseed tended one of his many apple nurseries;

Whereas, They will be reaching 100 years of business in May of 2022;

Whereas, Tom and Maureen Kercher, their children, William, Mollie Kieffer, and Laura Blough, along with Tom's sister Janet Kercher-Dudley, now own what has become both a family tradition and a business;

Whereas, Through five generations, the Kerchers have proudly grown fruits and vegetables. Being preceded by W.W., Maxwell, and Tom's father, Bill, Tom is the fourth generation, alongside his wife, Maureen, to run the farm. William and Mollie are the fifth generation, with the sixth generation up and coming;

Whereas, The Kercher family have been members and strong supporters of: Kiwanis, Tri Kappa, Indiana & Elkhart County Farm Bureau, Indiana Grown, Chamber of Commerce, Elkhart County SWCD, Elkhart County Extension, 4-H, Ag Society, Knights of Columbus, and Ducks Unlimited; and

Whereas, The communities in Elkhart County, as well as throughout Indiana and across the country, enjoy the fruits (and vegetables) of their labor: 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 House of Representatives congratulates Kercher's Sunrise Orchards Inc. on 100 years of family business.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to State Representative Doug Miller for distribution.

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 Doriot.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 2:38 p.m. with the Speaker in the Chair.

Upon request of Representative Karickhoff, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 263: 81 present. The Speaker declared a quorum present.

Representatives Baird, Heine, Lucas, Moed, Porter, Pressel, Smaltz, Snow and Teshka, who had been present, are now excused.

Representatives Steuerwald, Dvorak and Jeter, who had been excused, are now present.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 260

Representative Miller called down Engrossed Senate Bill 260 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 264: yeas 76, 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 Clerk was directed to inform the Senate of the passage of the bill.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 5

Representative Vermilion called down Engrossed Senate Bill 5 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 5-1)

Mr. Speaker: I move that Engrossed Senate Bill 5 be amended to read as follows:

Page 7, line 12, delete "filed," and insert "**filed and completed,**".

Page 8, line 42, delete "filed," and insert "**filed and completed,**".

Page 10, line 9, delete "filed," and insert "**filed and completed,**".

Page 12, line 11, delete "filed," and insert "**filed and completed,**".

Page 12, line 23, delete "filed," and insert "**filed and completed,**".

Page 13, line 12, delete "filed," and insert "**filed and completed,**".

(Reference is to ESB 5 as printed February 21, 2022.)
VERMILION

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 9

Representative Torr called down Engrossed Senate Bill 9 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 9-2)

Mr. Speaker: I move that Engrossed Senate Bill 9 be amended to read as follows:

Page 2, line 36, delete "IC 35-38-2.7-2(4);" and insert "**IC 35-38-2.7-2(3);**".

Page 3, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 4. IC 33-38-9.5-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7. (a) The advisory council shall conduct a review of statutes concerning electronic monitoring and home detention and recommend electronic monitoring standards, which may include the following:**

(1) Administration standards, such as establishing policy, procedure, and reporting requirements.

(2) Supervision standards, such as establishing the number of individuals supervised by at least one (1) employee of a supervising agency, contacts with

tracked individuals, reporting of violations, and any associated fiscal impact relating to these matters.

(3) Any other issues related to establishing electronic monitoring standards deemed appropriate by the advisory council.

(b) The advisory council shall submit a final report containing findings not later than December 1, 2022, to the legislative council in an electronic format under IC 5-14-6.

(c) This section expires January 1, 2023."

Page 3, delete lines 27 through 30.

Page 7, delete lines 21 through 42, begin a new paragraph and insert:

"SECTION 17. IC 35-38-2.7 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]:

Chapter 2.7. Electronic Monitoring Standards

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

(1) "Backup verification method" means a method of determining whether a tracked individual is in an approved location in the event that the tracked individual's monitoring device loses communication with the supervising agency. The term may include making electronic or telephonic contact with an employer of a tracked individual.

(2) "Monitoring device" has the meaning set forth in IC 35-38-2.5-3.

(3) "Supervising agency" means:

(A) a court, in the case of an individual who is required to wear a monitoring device as a condition of probation or pretrial release;

(B) a community corrections program, in the case of an individual who is required to wear a monitoring device as a condition of community corrections; or

(C) the parole board, in the case of an individual who is required to wear a monitoring device as a condition of parole.

(4) "Tracked individual" means an individual required to wear a monitoring device.

(5) "Vulnerable victim" means the victim of a crime committed or alleged to have been committed by a tracked individual:

(A) under circumstances suggesting that the tracked individual may disturb, harass, or harm the victim, as determined by a court or the supervising agency;

(B) if the tracked individual is the subject of a protection order, restraining order, or no contact order with respect to the victim; or

(C) that is a crime of domestic or sexual violence (as defined in IC 16-18-2-88.5).

Sec. 2. A supervising agency must do the following:

(1) An employee of a supervising agency must provide notification to the supervising agency as soon as possible, but not later than fifteen (15) minutes, after:

(A) the monitoring device of a tracked individual suffers an unexplained or undocumented loss of communication with the employee, and the employee is unable to verify the tracked individual's presence at an approved location by using a backup verification method, if applicable;

(B) a tracked individual enters a prohibited exclusion zone; or

(C) a tracked individual removes, disables, or otherwise interferes with a monitoring device.

In addition, if the tracked individual has committed or is alleged to have committed a crime against a vulnerable victim, the supervising agency shall notify the vulnerable victim and request local law enforcement to conduct a welfare check on the vulnerable victim in accordance with the protocol developed by the supervising agency under subdivision

(5).
 (2) Verify in person the location of each tracked individual placed on electronic monitoring due to being charged with or convicted of:

- (A) a crime of violence (as defined in IC 35-50-1-2(a)); or
- (B) a crime of domestic or sexual violence (as defined in IC 16-18-2-88.5);

by making one (1) scheduled in person contact and one (1) unannounced in person contact with the individual in every thirty (30) day period.

(3) Beginning January 1, 2023, transmit a quarterly report to the local justice reinvestment advisory council (established by IC 33-38-9.5-4) that includes information concerning:

- (A) the total number of tracked individuals under supervision, whether they are under pretrial or postdisposition supervision, and the charges they are facing or have been convicted of;
- (B) the number of tracked individuals under supervision assigned to each employee;
- (C) the total costs and fees levied and collected;
- (D) the number of tracked individuals under supervision whose supervision has been terminated and the reason for termination; and
- (E) the number of false location alerts or device malfunctions in the case of each tracked individual under supervision.

The report must be submitted not later than fifteen (15) calendar days after the close of each quarter. The local justice reinvestment advisory council shall transmit each report electronically to the statewide justice reinvestment advisory council (established by IC 33-38-9.5-2), which shall publish the reports quarterly and electronically transmit the reports to the legislative council and to the judicial conference of Indiana. The report to the legislative council must be in an electronic format under IC 5-14-6.

(4) Establish conditions relating to approved and unapproved locations for each tracked individual under the supervising agency's supervision.

(5) Develop and establish a protocol for the supervising agency to use in contacting a vulnerable victim and local law enforcement with respect to a violation by a tracked individual.

(6) Develop and publish a policy prohibiting certain relationships between a tracked individual and a supervising agency and employees of a supervising agency, including:

- (A) personal associations and relationships; and
- (B) business relationships.

(7) Develop or approve detailed contingency plans for the supervising agency's operation in case of natural disaster, power outage, loss of telephone service, fire, flood, equipment malfunction, death, incapacitation, or personal emergency of an employee of a supervising agency, and, in the case of a supervising agency's contract with a third party contractor, the financial insolvency of the third party contractor.

(8) Specify a backup verification method for a tracked individual if there is reason to believe that the tracked individual's monitoring device may lose communication with the supervising agency at an approved location. However, a supervising agency has the discretion to establish a backup verification method for any tracked individual regardless of whether the supervising agency has reason to believe that the monitoring device may lose communication at an approved location.

Sec. 3. (a) The supervising agency shall:

(1) inform a vulnerable victim of where the tracked individual is not permitted to be;

(2) if the vulnerable victim wishes to be informed if the tracked individual commits a violation as described in section 2(1)(A) through 2(1)(C) of this chapter, obtain the best manner of contacting the vulnerable victim from the vulnerable victim; and

(3) advise the vulnerable victim that events such as power outages, Internet outages, and natural disasters may interfere with the ability of the supervising agency to notify the vulnerable victim in a timely manner.

(b) Upon notice of a possible violation by a tracked individual as described in section 2(1)(A) through 2(1)(C) of this chapter, the supervising agency shall, as soon as practicable, seek a warrant for the arrest of the tracked individual.

Sec. 4. (a) This subsection applies to a tracked individual who is charged with or convicted of a crime of violence (as defined in IC 35-50-1-2(a)) or a crime of domestic or sexual violence (as defined in IC 16-18-2-88.5). As soon as possible, but not later than:

(1) fifteen (15) minutes after a warrant has been issued for a tracked individual to whom this subsection applies, a local law enforcement agency shall transmit details of the warrant to all active units; and

(2) sixty (60) minutes after a warrant has been issued for a tracked individual to whom this subsection applies, a local law enforcement agency shall dispatch a law enforcement officer to apprehend the tracked individual.

(b) This subsection applies to a tracked individual who is not charged with or convicted of a crime of violence (as defined in IC 35-50-1-2(a)) or a crime of domestic or sexual violence (as defined in IC 16-18-2-88.5). As soon as possible, but not later than:

(1) sixty (60) minutes after a warrant has been issued for a tracked individual to whom this subsection applies, a local law enforcement agency shall transmit details of the warrant to all active units; and

(2) forty-eight (48) hours after a warrant has been issued for a tracked individual to whom this subsection applies, a local law enforcement agency shall dispatch a law enforcement officer to apprehend the tracked individual.

(c) The local law enforcement agency shall keep a record of each dispatch made under this section.

Sec. 5. A supervising agency may contract with a third party contractor to maintain consistent constant supervision of each tracked individual only if the third party contractor can comply with the requirements of a supervising agency in this chapter. A contract must specify the duties of the third party contractor and the duties of the supervising agency described in this chapter. A third party contractor:

(1) may not employ or be owned by any person convicted of a felony within the previous seven (7) years; and

(2) may not employ an individual who was a tracked individual within the previous one (1) year.

Sec. 6. (a) This subsection applies to contracts entered into and renewed after June 30, 2022. In addition to any penalties described in the contract, a supervising agency may cancel the contract of a third party contractor that fails to comply with the requirements of this chapter.

(b) If:

(1) the supervising agency is a court; and

(2) the supervising agency has:

(A) canceled a contract under this section; or

(B) determined that it will not renew its contract with the third party contractor due to the

contractor's performance; the supervising agency shall inform the office of judicial administration of its act or determination, along with a description of its reasons. The office of judicial administration shall inform every court that may act as a supervising agency of the identity of the third party contractor, of the act or determination made by the supervising agency, and of the reasons for the act or determination by the supervising agency.

Sec. 7. (a) Except as described in subsection (b), the following are immune from civil liability for an act or omission that occurs in connection with the implementation of this chapter:

- (1) A supervising agency.
- (2) A law enforcement agency.
- (3) An employee of a person described in subdivisions (1) through (2).

(b) The immunity described in subsection (a) does not apply if the person committed gross negligence or willful or wanton misconduct."

Delete pages 8 through 11.

Page 12, delete lines 1 through 24.

Page 13, after line 21, begin a new paragraph and insert: "SECTION 19. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

(Reference is to ESB 9 as printed February 17, 2022.)

TORR

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 2

Representative Behning called down Engrossed Senate Bill 2 for second reading. The bill was read a second time by title.

HOUSE MOTION

(Amendment 2-2)

Mr. Speaker: I move that Engrossed Senate Bill 2 be amended to read as follows:

Page 23, delete lines 33 through 42.

Delete page 24.

Page 25, delete lines 1 through 20.

Page 26, delete lines 35 through 42.

Page 27, delete lines 1 through 24, begin a new paragraph and insert:

"SECTION 5. IC 20-43-10-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 4. A school corporation's early graduation grant is the amount determined using the following formula:**

STEP ONE: Determine the number of students who met the following conditions during the student's expected graduation year (as defined in IC 20-26-13-4) in the school year ending in the previous state fiscal year:

(A) The student was enrolled in the school corporation on the day in September fixed by the state board for the fall count of students under IC 20-43-4-3.

(B) The student successfully completed Indiana high school graduation requirements before the day in February fixed by the state board for the spring count of students under IC 20-43-4-3.

(C) The student was not enrolled in the school corporation on the day in February fixed by the state board for the spring count of students under IC 20-43-4-3.

STEP TWO: Divide the school corporation's basic tuition support for the state fiscal year by the school corporation's current ADM.

STEP THREE: Multiply the STEP ONE result by the STEP TWO result.

STEP FOUR: Multiply the STEP THREE result by

fifty percent (50%)."

Renumber all SECTIONS consecutively.

(Reference is to ESB 2 as printed February 21, 2022.)

THOMPSON

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 115

Representative Young called down Engrossed Senate Bill 115 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 239

Representative Zent called down Engrossed Senate Bill 239 for second reading. The bill was read a second time by title.

HOUSE MOTION

(Amendment 239-2)

Mr. Speaker: I move that Engrossed Senate Bill 239 be amended to read as follows:

Page 2, line 40, delete "including any term" and insert "as".

Page 2, line 41, after "license," insert "**license by endorsement**,".

(Reference is to ESB 239 as printed February 17, 2022.)

ZENT

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 246

Representative Lehman called down Engrossed Senate Bill 246 for second reading. The bill was read a second time by title.

HOUSE MOTION

(Amendment 246-2)

Mr. Speaker: I move that Engrossed Senate Bill 246 be amended to read as follows:

Page 1, delete lines 14 through 17.

Page 2, delete lines 1 through 18.

Page 2, line 33, after "to" insert "**help**".

Page 2, line 37, delete "do" and insert "**help defray the cost of**".

Page 2, line 38, delete "Defray the cost of automobile" and insert "**Automobile**".

Page 2, line 40, delete "Provide reimbursement for not" and insert "**Not**".

Page 2, line 42, delete "youth." and insert "**youth pursuant to IC 9-24-3-2.5**".

Page 3, delete lines 1 through 4, begin a new paragraph and insert:

"Sec. 2. As used in this chapter, "foster youth" refers to an individual:

(1) at least sixteen (16) years of age;

(2) not more than twenty-three (23) years of age; and

(3) who is:

(A) adjudicated a child in need of services under IC 31-34-1;

(B) an older youth in a collaborative care program under IC 31-28-5.8; or

(C) a participant in voluntary older youth services provided by a contractor of the department and referred to them by a department employee."

Page 3, line 16, delete "8" and insert "9".

Page 3, line 32, delete "who are at least sixteen (16) years of age and not".

Page 3, line 33, delete "more than twenty-three (23) years of age".

Page 3, between lines 36 and 37, begin a new paragraph and insert:

"Sec. 6. A foster youth is responsible for paying all costs of a policy of automobile insurance. A state or local government agency, foster parent, or entity providing services to a foster youth under a contract or at the

direction of a state or local government agency shall not be required to pay any costs associated with a policy of automobile insurance or supervised driving hours and shall not be liable for any damages that result from the foster youth's operation of an automobile owned and insured by the foster youth."

Page 3, line 37, delete "Sec. 6." and insert "Sec. 7.".

Page 3, line 41, delete "Sec. 7." and insert "Sec. 8.".

Page 4, line 1, delete "Sec. 8." and insert "Sec. 9.".

Page 4, delete lines 6 through 12, begin a new paragraph and insert:

"Sec. 10. The department or the department's designee may:

(1) develop evaluation criteria, payment calculation standards, and other policies related to the implementation of this chapter; and

(2) adopt and make available to foster youth a method for applying for funding under this chapter.

SECTION 3. IC 31-33-18-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: **Sec. 6. For the purposes of IC 31-26-4.5, the department may certify or acknowledge that an individual qualifies as a foster youth under IC 31-26-4.5-2.**

SECTION 4. IC 34-30-2-134.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: **Sec. 134.7. IC 31-26-4.5-6 (Concerning the department of child services, and liability of a state or local government agency, foster parent, or entity providing services to a foster youth for costs and damages associated with an automobile insurance policy issued to a foster youth.)"**

Renumber all SECTIONS consecutively.

(Reference is to ESB 246 as printed February 17, 2022.)

LEHMAN

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 251

Representative Vermilion called down Engrossed Senate Bill 251 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 365

Representative Ziemke called down Engrossed Senate Bill 365 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 381

Representative Frye called down Engrossed Senate Bill 381 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 382

Representative T. Brown called down Engrossed Senate Bill 382 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 382-1)

Mr. Speaker: I move that Engrossed Senate Bill 382 be amended to read as follows:

Page 106, line 23, reset in roman "twenty-five percent (25%)".

Page 106, line 23, delete "fifteen percent (15%)".

(Reference is to ESB 382 as printed February 21, 2022.)

ERRINGTON

Motion failed. The bill was ordered engrossed.

Engrossed Senate Bill 290

Representative Behning called down Engrossed Senate Bill 290 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 331

Representative Behning called down Engrossed Senate Bill 331 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Representatives Behning, Heine, Porter, Pressel, Snow and Teshka, who had been excused, are now present.

Representatives Hatcher and Lehman, who had been present, are now excused.

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Karickhoff.

Engrossed Senate Bill 356

Representative Behning called down Engrossed Senate Bill 356 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 356-1)

Mr. Speaker: I move that Engrossed Senate Bill 356 be amended to read as follows:

Page 4, delete lines 29 through 42.

Delete pages 5 through 6.

Page 7, delete lines 1 through 17.

Renumber all SECTIONS consecutively.

(Reference is to ESB 356 as printed February 21, 2022.)

DELANEY

Upon request of Representatives DeLaney and Dvorak, the Speaker ordered the roll of the House to be called. Roll Call 265: yeas 25, nays 63. Motion failed. The bill was ordered engrossed.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative Gore be added as cosponsor of Engrossed Senate Bill 7.

SPEEDY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative VanNatter be added as cosponsor of Engrossed Senate Bill 297.

GOODRICH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lehman be added as cosponsor of Engrossed Senate Bill 376.

CARBAUGH

Motion prevailed.

On the motion of Representative Pierce, the House adjourned at 3:19 p.m., this twenty-third day of February, 2022, until Thursday, February 24, 2022, at 10:00 a.m.

TODD M. HUSTON

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives