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General Assembly Overview

The 2014 Indiana General Assembly concluded this year's short session late in the evening on March 13. This year's session was known as a short session because the state budget is only dealt with on a biennial basis during odd-numbered years in a long session. Over the years the short sessions closely resemble the longer budget year session, just in a more condensed time period. This year seemed even more condensed due to a number of snow days which canceled session.

Even before this year's session officially began in early January, the focus of the public, legislators and media revolved around [House Joint Resolution 3](#), a proposed constitutional amendment to define marriage as between one man and one woman. The process for adopting a constitutional amendment in Indiana requires many steps. Proposed constitutional amendments have to pass two consecutive, separately elected legislatures with the exact same wording. This would be the second time the proposal would be in front of the General Assembly and would have been eligible to appear on the ballot in 2014 for final approval. However, HJR 3 did not succeed.

HJR 3 started in the House on a rocky path. Originally assigned to the House Judiciary Committee, Speaker Brian Bosma (R-Indianapolis) moved the bill to the House Elections Committee due to concerns about a lack of committee votes to move the bill to the House floor. The House Elections Committee approved the measure moving it to second reading on the House floor. A number of amendments were filed on second reading. Rep. Randy Truitt (R-West Lafayette) filed an amendment to remove the second sentence of HJR 3 which would have prohibited civil unions. Rep. Truitt's amendment passed the House by a vote of 52-43. This marked a major victory for the opposition to HJR 3 because the wording had now been changed which meant in order for the issue to appear on the ballot in 2014, the Senate would have to amend the civil union ban back into HJR 3. The House approved the amended HJR 3 on third reading by a vote of 57-40.

HJR 3 was not shy on controversy as it progressed through the Senate. Senate President Pro Tempore David Long (R-Fort Wayne)

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instrumentally guided the measure to ensure the full Senate would have the opportunity to debate and discuss amendments on the Senate floor. Sen. Mike Delph (R-Carmel) grabbed the attention of the media when he held a press conference to express his frustration for the lack of support to reinsert the second sentence of HJR 3 to ban civil unions. Nonetheless, the Senate approved the House amended version of HJR 3 by a vote of 32-17. As a result, the issue of same-sex marriage will not be able to appear on the ballot until 2016 at the earliest.

Although HJR 3 dominated the media headlines, there were plenty of other bills progressing through both chambers. There were a number of proposals included on Governor Mike Pence's agenda which gained legislative approval this year. When Gov. Pence released his legislative agenda before session began, an elimination of the business personal property tax was among the governor's top priorities. The House and Senate drafted their own versions of the proposal, [House Bill 1001](#) and [Senate Enrolled Act 1](#). From the outset it became clear a complete elimination of the business personal property tax as proposed by Gov. Pence faced an uphill battle. SEA 1 ended up passing and did not include a complete elimination of the business personal property tax as proposed by Gov. Pence. SEA 1 does include a reduction in Indiana's corporate income tax rate to 4.9 percent over six years. It also gives counties the ability to exempt all new business equipment from the business personal property taxes, exempt all companies with less than \$20,000 in equipment from the tax, and offer property tax super abatements of up to 20 years for specific economic development projects.

Education issues were plentiful once again this session covering a variety of topics. Another attempt to [require cursive writing instruction](#) was on the table but did not end up succeeding. [Senate Enrolled Act 229](#) became one of the most contentious bills of the session and was successful in passing both chambers. SEA 229 would allow people who can legally possess firearms, except for students not in school gun clubs, to keep guns concealed in locked cars on school parking lots. SEA 229 would also remove the discretion of school districts to approve gun-free parking lots. The controversial Common Core national standards for K-12 students has been a topic during recent sessions at the Statehouse. [Senate Enrolled Act 91](#) is a measure to end Indiana's use of the Common Core national standards; however, the legislation does not limit pieces of Common Core from being adopted in new math and English standards to be later approved by the State Board of Education.

Another Gov. Pence agenda item was to establish a voucher pre-K program for low-income families. [House Enrolled Act 1004](#) received bipartisan House approval by a vote of 87-9. However, the Senate Education Committee voted to amend the bill to require a study committee on the issue of pre-K education, virtually stripping the

governor's proposal. During conference committee, the pre-K program was restored to the tune of up to \$10 million in state funds for a pilot preschool program for up to 4,000 children from low-income families in five counties. Programs could begin as early as this fall.

Transportation funding remained at the forefront of various legislative proposals this session. [House Enrolled Act 1002](#) authorizes the State Budget Agency to transfer up to \$400 million from the Major Moves 2020 Trust Fund to the Major Moves Construction Fund, which is overseen by the Indiana Department of Transportation (INDOT). HEA 1002 was approved during conference committee because as the bill had passed the Senate, it provided for \$200 million as opposed to the \$400 million Gov. Pence pushed for. The House and Senate conferees approved the additional \$200 million.

Since 2014 is an election year, we expect to see some new faces in the Indiana General Assembly. We already know of a few due to various retirements. In the Senate, the following Senators are retiring: Sen. Tom Wyss (R-Fort Wayne), Sen. Allen Paul (R-Richmond), Sen. Johnny Nugent (R-Lawrenceburg), Sen. Sue Landske (R-Cedar Lake), and Sen. Lindel Hume (D-Princeton). In the House, the following Representatives are retiring, some to run for an open Senate seat: Rep. Rick Niemeyer (R-Lowell) seeking retiring Sen. Sue Landske's seat; Rep. Mark Messmer (R-Jasper) seeking retiring Sen. Lindel Hume's seat; and Rep. Tim Neese (R-Elkhart) who plans to run for Mayor of Elkhart. May 6 is Primary Election Day and November 4 is General Election Day.

These are just the headlines of what constituted a fast-paced and exciting second half of the 118th Indiana General Assembly. You will find a comprehensive summary of various bills and enrolled acts in the following pages. The enrolled acts provided in this report are intended as an overview and do not include every single bill that passed this session. To view a list of all bills which passed the legislature, [please click here](#).

We are hoping warm weather is around the corner in Indiana after a nearly record-breaking winter this year. If you attend the Indiana State Fair this year, you will be able to purchase alcohol for the first time in decades due to [Senate Enrolled Act 339](#). Please do not hesitate to contact us with questions.

Agriculture

SEA 4 – Natural Resources Matters (Sen. Brent Steele, R-Bedford)

Allows the manager of a public use airport, or the manager's designee, to chase or take at any time, without a hunting license, a white-tailed deer, coyote, wild turkey, or migratory bird that poses a threat to aircraft within the airport operations area. Requires a manager of a public use airport, or the manager's designee, to report annually to the department of natural resources certain information concerning the animals killed on the airport's property. Requires a manager of a public use airport, or the manager's designee, to obtain a permit to chase or take a wild animal if the manager or the manager's designee does not comply with the reporting requirement.

SEA 52 – Natural and Cultural Resources Penalties (Sen. Brent Steele, R-Bedford) Amends penalties for violating certain statutes in IC 14 (natural and cultural resources). Amends certain boating requirements. Repeals a law prohibiting a boat from sounding a horn.

SEA 101 – Agricultural Operations and Trespass (Sen. Travis Holdman, R-Markle) Adds causing property damage to an agricultural operation to the existing crime of institutional criminal mischief. Increases the sentence enhancement monetary thresholds for criminal mischief and institutional criminal mischief. Provides that a person commits criminal trespass if, without the owner's permission, the person enters: (1) that portion of an agricultural operation that is used for production; or (2) any part of the real property of an agricultural operation and causes property damage.

SEA 111 – Soil Productivity Factors (Sen. Jean Leising, R-Oldenburg) Provides that the soil productivity factors used for the March 1, 2011, assessment of agricultural land must be used for the March 1, 2014, assessment date. Specifies that new soil productivity factors shall be used for assessment dates occurring after March 1, 2014.

SEA 179 – Various Agricultural Matters (Sen. Jim Banks, R-Columbia City) Allows poultry farms to slaughter and process up to a certain number of poultry annually without inspection under federal regulations. Provides that a local unit of government may not by ordinance or resolution require licensure, certification, or inspection for food or food products of an individual vendor, farmer, or bona fide egg producer who meets certain requirements. Allows poultry that is sold on a farm to be refrigerated at the point of sale. Requires poultry that is sold at a farmer's market, through delivery, or at a roadside stand to be frozen at the point of sale. Requires poultry that is sold on a farm, through delivery or at a roadside stand to be used, sold, or frozen within seventy-two (72) hours of processing.

SEA 186 – State Policy on Agriculture and Farmers' Rights (Sen. Carlin Yoder, R-Middlebury) Declares the state policy on agriculture and farmers' rights.

SEA 357 – Industrial Hemp (Sen. R. Young, D-Milltown) Subject to federal approval, authorizes the state seed commissioner to license the cultivation and production of industrial hemp. Establishes requirements to obtain a license. Authorizes inspections by the state police and audits by the state seed commissioner. Provides that in addition to any other liability or penalty, the state seed commissioner may revoke or refuse to renew a license and may impose

a civil penalty. Requires the state seed commissioner to apply for necessary permissions, waivers, or other forms of legal status by the United States Drug Enforcement Agency or other appropriate federal agency that are necessary to implement the law. Makes a conforming amendment to the definition of "marijuana".

SJR 9 – Right to Hunt, Fish, and Harvest Wildlife (Sen. Brent Steele, R-Bedford) Provides that the right to hunt, fish, and harvest wildlife is a valued part of Indiana's heritage and shall be forever preserved for the public good. Provides that the people have a right, which includes the right to use traditional methods, to hunt, fish, and harvest wildlife, subject only to the laws prescribed by the general assembly and rules prescribed by virtue of the authority of the general assembly to: (1) promote wildlife conservation and management; and (2) preserve the future of hunting and fishing. Provides that hunting and fishing are the preferred means of managing and controlling wildlife. Provides that this constitutional amendment does not limit the application of any laws relating to trespass or property rights. This proposed amendment has not been agreed to by the previous general assembly.

HEA 1039 – Indiana Grown Initiative (Rep. Matt Lehman, R-Berne) Establishes the Indiana grown initiative to market and promote Indiana produced agricultural products. Establishes a commission appointed by the secretary of agriculture and rural development. Provides for the department of agriculture (department) to develop, administer, market, and promote the Indiana grown initiative program (program). Provides for the department to establish fees for participation in the program. Allows the department to adopt rules concerning the program. Requires the Indiana grown commission (commission) to provide comment and policy feedback on the program to the department. Allows the commission to provide technical assistance and industry knowledge for the program. Creates the Indiana grown initiative fund.

HEA 1300 – Dairy Products (Rep. Don Lehe, R-Brookston) Provides that certain notices concerning animal health, animal products, milk products, and livestock brands may be sent by mail. (Current law requires any mailings to be by registered or certified mail.) Provides that a bulk milk hauler/sampler permit expires two years after the most recent inspection. Replaces the grader permit with an approved industry plant sampler at certain facilities that transfer raw milk. Specifies when certain milk samples must be collected. Provides that the creamery examining board (board) may refuse to issue or reissue a milk tester's license or milk sampler's license to a person who has had a prior suspension or revocation of either license by the board or by another state. Changes the protocols, procedures, and penalties that may be used to prevent drug residue violations. Removes the prohibition of serving certain milk products that have not been maintained at certain temperatures. Removes certain drainage requirements for iced milk products. Changes an organization that elects members to the creamery examining board. Establishes procedures to appoint members on the creamery examining board if the appointing organization is unable to elect a member. Allows the creamery license division to inspect records or collect data on the quantity of milk and cream in plants. Removes the requirement that all standard Babcock testing glassware must be inspected by Purdue University. Removes the temporary permit to test or sample and weigh either milk or cream. Makes a technical correction.

HEA 1307 – Various Natural Resource Matters (Rep. Sean Eberhart, R-Shelbyville) Defines "geo-referenced". Allows a professional surveyor to use a geo-referenced aerial photograph in order to prepare a description of a parcel. Provides that any natural resources commission rules

concerning other means to describe classified lands may not result in a real property description. Exempts from the boat excise tax a motorboat registered outside Indiana and docked on the Indiana part of Lake Michigan for a combined total of not more than 180 consecutive days. Amends certain definitions. Allows money in the counties with special boat patrol needs fund to be used to enforce laws pertaining to watercraft on boundary waters located in counties with special boat patrol needs. Creates the recreational trails maintenance fund. Allows the director of the department of natural resources (DNR) to adopt rules that would authorize the taking of a wild animal in a state park under certain circumstances. Makes certain changes to the program to contain and reduce invasive animal species in the Wabash River. Allows the director of DNR to consider certain factors when determining damages caused by a person releasing certain substances that kill wild animals. Changes procedures to settle a claim for damages that resulted in a kill to wild animals. Removes a provision requiring the boundaries of a shooting preserve to be defined by fences of at least one strand of wire.

Allows the department to issue lifetime licenses to hunt, fish, or trap. Allows the department of natural resources to issue a dog training ground permit. Allows the director of the DNR to issue a permit to take a wild animal to a person that owns or has an interest in property: (1) being damaged; (2) threatened with damage; or (3) on which a health or safety threat to persons or domestic animals is posed; by a wild animal. Allows for the permit to take a wild animal to be denied to a person, after an investigation of a complaint, if the complaint is unfounded or the applicant has not complied with certain requirements. Removes a provision requiring the boundaries of a shooting preserve to be defined by fences of at least one strand of wire. Provides penalties for a person who provides fishing or hunting guide services to take wild animals that are protected by law. Repeals the pest control compact. Provides for a project permit under the flood control act to be issued for two years for most projects and five years for the department of transportation, federally funded county highway projects, and power generation facilities. Allows for a project permit issued under the flood control act to be renewed one time for a period of two years. Provides that certain duties imposed on the Lake Michigan marina and shoreline development commission under current law are discretionary powers rather than duties. Provides that, instead of being required to report on its activities to the governor and the legislative council at least once every two years, the Lake Michigan marina and shoreline development commission may report to the governor and the legislative council. Exempts from the definition of the practice of surveying classified parcels developed according to certain natural resources commission rules. Makes conforming changes. Makes a technical correction. Urges the legislative council to require an appropriate study committee to study: (1) the development of a statewide policy for recreational trails and their maintenance; and (2) a method to distribute money deposited into the recreational trail maintenance fund.

HEA 1350 – Agricultural Seed Tasting (Rep. Jim Baird, R-Greencastle) Prohibits a person from distributing agricultural or vegetable seed if the test to determine the percentage of germination has not been completed within the 12 month period before distribution. (Current law requires the test to be performed within nine months of distribution.)



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Alcohol & Tobacco Matters

SEA 339 – Allow Alcoholic Beverages at the State Fair (Sen. Jim Merritt, R-Indianapolis) Repeals a provision that prohibits the sale of alcoholic beverages at the state fairgrounds during the period of the Indiana state fair.

HEA 1116 – Alcohol and Tobacco Matters (Rep. Tom Dermody, R-LaPorte) Allows the department of natural resources to permit, in the terms of a lease or contract concerning state owned land under the management and control of the department, the retail sale of alcoholic beverages for consumption on the licensed premises of an inn if the lessee or concessionaire applies for and secures the necessary permits. (Current law allows only for a lease or contract that concerns federally owned land under the control and management of the department.) Allows the holder of an artisan distiller's permit that also holds a microbrewery permit to hold a retailer permit for a restaurant. Makes a change to the requirement that qualifies a retail tobacco store or cigar specialty store to allow smoking on the premises to provide that the store may not sell food or beverages in a manner that requires consumption on the premises. (Current law provides that the store may not sell food or beverages for consumption on the premises.) Provides that the requirement to post a sign concerning no smoking within eight feet of a public entrance does not apply to a public place or place of employment in which smoking is allowed.

Consumer Issues

SEA 349 – Telephone Solicitations (Sen. Jim Merritt, R-Indianapolis) Amends the statute governing telephone solicitations of consumers (Indiana's "do not call" statute) to provide that certain prohibitions that apply to telephone solicitors also apply to: (1) suppliers in consumer transactions; and (2) callers in commercial telephone solicitations. Adds a new prohibition to provide that a telephone solicitor, a supplier, or a caller may not sell, transfer, or make available to another person for solicitation purposes a consumer's telephone number if telephone solicitor, supplier, or caller knows that the telephone number appears in the most current "do not call" listing. Provides that this prohibition does not apply to the sale, transfer, or provision of a consumer's telephone number to a person who is exempt from the "do not call" statute.

Adds a provision to prohibit the following: (1) A telephone solicitor, a supplier, or a caller from transferring a live call to one or more other persons if the call has been placed to a consumer in

violation of the "do not call" statute or the statute governing the regulation of automatic dialing machines. (2) A telephone solicitor, a supplier, or a caller from providing substantial assistance or support to another person if the telephone solicitor, supplier, or caller knows or consciously avoids knowing that the person has violated the "do not call" statute or the statute governing the regulation of automatic dialing machines. Makes conforming amendments to the "do not call" statute's civil remedies provisions.

SEA 394 – Consumer Protection (Sen. Rod Bray, R-Martinsville) Makes various changes to consumer protection provisions enforced by the attorney general, including: (1) enforcement of investigative demands by the attorney general; (2) acceptance of written assurance of voluntary compliance for certain violations concerning nonprofit corporations; and (3) changes to the definition of "consumer transaction" and to acts, omissions, and practices by a supplier that are prohibited in connection with consumer transactions for purposes of the deceptive consumer sales law.

Allows a representative who has authority to act on behalf of a protected consumer to place a security freeze on the protected consumer's consumer report or, if the protected consumer does not have a consumer report, a record created by the consumer reporting agency.

SEA 396 – Telecommunications Service (Sen. Brandt Hershman, R-Buck Creek) Limits the authority of the utility regulatory commission (commission) with respect to interconnection, resale of telecommunications service, and unbundled access to the authority delegated to the commission under federal law. Repeals a provision authorizing the commission to establish certain rates charged by incumbent local exchange carriers to payphone service providers.

Provides that the general assembly intends for the 2010 edition of the NFPA 72, National Fire Protection Association Standard for the National Fire Alarm and Signaling Code (NFPA 72) to be incorporated into the Indiana Administrative Code (IAC). Provides that not later than July 1, 2014, the fire prevention and building safety commission (commission) shall adopt rules to incorporate NFPA 72 into the IAC. Allows the commission to adopt emergency rules to meet this requirement. Allows the commission to amend NFPA 72 as the commission considers appropriate, if the rules finally adopted by the commission do the following: (1) Incorporate the definition of, and associated requirements for: (A) a managed facilities-based voice network (MFVN); and (B) a public switched telephone network (PSTN); as set forth in NFPA 72. (2) Allow digital alarm communicator systems that make use of a MFVN to transmit signals from a fire alarm system to an offsite monitoring facility, subject to NFPA 72 requirements. Provides that if the commission does not comply with these rulemaking requirements by the date specified, the following apply on July 1, 2014: (1) The definition of and associated requirements for: (A) a MFVN; and (B) a PSTN; as set forth in NFPA 72, are considered incorporated into the IAC. (2) A person that after June 30, 2014, installs or uses a digital alarm communicator system that: (A) makes use of a MFVN to transmit signals from a fire alarm system to an offsite monitoring facility; and (B) meets the applicable NFPA 72 requirements; is not required to obtain a variance from the commission for the installation or use. Provides that a communications service provider that is an eligible telecommunications carrier for purposes of the federal Lifeline Program is not exempt from: (1) the enhanced prepaid wireless charge; or (2) the monthly statewide 911 fee.

HEA 1155 – Expungement (Rep. Eric Turner, R-Cicero) Relocates and restates certain provisions dealing with the expungement of arrest records, and deletes inconsistent language. (Under current law, there are two inconsistent procedures for expunging arrest records.) Specifies where a petition for expungement must be filed, and removes the prohibition against a waiver or reduction of the filing fee for an indigent person. Grants a defense attorney and a probation department access to expunged records if authorized by court order. Allows a court to accept filing of a subsequent petition for expungement that includes convictions not named in the original petition under certain circumstances. Provides that a court must find by a preponderance of the evidence instead of by clear and convincing evidence that all the requirements of expungement have been met to order a person's conviction records marked as expunged. Prohibits a person from waiving the right to expungement as part of a plea agreement. Grants access to expunged records to: (1) the supreme court and the state board of law examiners to determine a person's fitness for admission to the bar; and (2) a person required to access expunged records to comply with the federal Secure and Fair Enforcement for Mortgage Licensing Act. Specifies the procedure to be used to regain the right to possess a firearm by a person convicted of a misdemeanor crime of domestic violence. (The introduced version of this bill was prepared by the criminal law and sentencing policy study committee.)



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Economic Development

SEA 118 – Redevelopment Commissions and Authorities (Sen. Pete Miller, R-Avon) Provides that a redevelopment commission may not enter into any obligation payable from public funds without first obtaining the approval of the legislative or fiscal body of the unit that established the commission. Provides an exception if the obligation is for the acquisition of real property and the payments are for three years or less or the purchase price is less than \$5,000,000. Specifies that the approving ordinance or resolution must include certain items. Provides that a redevelopment commission and a department of redevelopment are subject to oversight by the legislative body of the unit, including review by the legislative body of annual budgets. Specifies that a redevelopment commission and a department of redevelopment are subject to the same laws, rules, and ordinances of a general nature that apply to all other commissions or departments of the unit.

Specifies that a redevelopment commission, a department of redevelopment, and a redevelopment authority are subject to audit by the state board of accounts and covered by the public meetings and public records laws. Requires a redevelopment commission to provide to the legislative body of the unit at a public meeting all the information supporting the action the redevelopment commission proposes to take regarding the sale, transfer, or other disposition of property. Provides that if the amount of excess assessed value determined by

the commission is expected to generate more than 200% of the amount of allocated tax proceeds necessary to carry out the commission's plan, a determination of the amount of the excess available to other taxing units by the commission must be approved by the legislative body of the unit. Permits the legislative body of the unit to modify the commission's determination with respect to the amount of excess assessed value. Requires the treasurer of a redevelopment commission outside Indianapolis and the secretary-treasurer of a redevelopment authority outside Indianapolis to report annually to the fiscal body of the unit that established the commission or authority.

Provides that the Indianapolis controller is the fiscal officer of the redevelopment commission and redevelopment authority in Indianapolis. Authorizes the Indianapolis controller to obtain financial services on a contractual basis. Prohibits redevelopment commissions and certain other redevelopment entities from owning, leasing, or holding a single family dwelling or condominium unit that is leased for purposes of leasing for the use by individuals as a dwelling. Requires the department of local government finance, with the assistance of the state board of accounts, to prepare a report on redevelopment by redevelopment commissions, authorities, and departments and to submit and present the report to the commission on state tax and financing policy during the 2014 legislative interim. Provides that the power of eminent domain for redevelopment purposes belongs to the legislative body in counties other than Marion County. Requires legislative body approval of any amendment of a plan or of a resolution establishing an allocation area. Requires a declaratory resolution or amendment that establishes an allocation provision to include a specific finding of fact that the adoption of the allocation provision will result in new property taxes in the area that would not have been generated but for the adoption of the allocation provision.

Provides, in the case of an allocation area that was initially established before July 1, 1995, that the expiration date of any allocation provisions for the allocation area is June 30, 2025, or the last date of any obligations outstanding on July 1, 2015, whichever is later. Provides that the consolidated allocation area in downtown Indianapolis is exempt from the expiration date.

SEA 260 – Assistance for Military Facilities (Sen. Jim Banks, R-Columbia City) Authorizes units of local government to expend money: (1) in direct support of an active military base located within the unit or an entity located in the territory or facilities of a military base or former military base (or territory or facilities of the United States Department of Defense) that are scheduled for closing or are completely or partially inactive or closed; and (2) in support of any other entity that provides services or direct support to such an active military base or such an entity. Provides that redevelopment commissions, military base reuse authorities, and military base development authorities may, subject to prior approval by the unit's fiscal body, expend money and provide financial assistance (including grants and loans) to such active military bases and to such entities. Provides that the fiscal body of the unit that established such a commission or authority must separately approve each grant, loan, or other expenditure for financial assistance provided by the commission or authority under these provisions. Provides that the terms of any loan made under these provisions by a commission or authority may be changed only if the change is approved by the fiscal body of the unit that established the commission or authority.

SEA 375 – Business Financing Arrangements (Sen. Travis Holdman, R-Markle) Specifies that the following are not securities subject to IC 23: (1) A venture capital investment tax credit. (2)

A certificate from the Indiana economic development corporation indicating that a taxpayer has fulfilled the requirements of the corporation and is entitled to a venture capital investment tax credit. Defines "accredited investor" for the purposes of the Uniform Securities Act. Adds exemptions to the Uniform Securities Act for certain transactions.

HEA 1003 – Economic Development (Rep. Steve Braun, R-Zionsville) Provides for grants to eligible school corporations and charter schools to support cooperative arrangements with businesses for training students. Provides that, for taxable years beginning after December 31, 2014, and before January 1, 2019, an economic development for a growing economy (EDGE) tax credit may be awarded to a business that employs students who have participated in a course of study that includes a cooperative arrangement between the business and an educational institution for the training of students in high wage, high demand jobs that require industry certifications. Caps the aggregate amount of EDGE tax credits awarded for this purpose in a state fiscal year at \$2.5 million. Renames the Indiana workforce intelligence system the Indiana network of knowledge (INK). Repeals provisions that assign to the Indiana career council responsibility for the INK, and transfers administration and oversight of the INK to the INK governance committee and the INK executive director appointed by the governor. Establishes an INK governance committee consisting of: (1) the commissioner of the department of workforce development; (2) the commissioner of the commission for higher education; (3) the superintendent of public instruction; (4) a member representing private colleges and universities appointed by the governor; (5) a member representing the business community appointed by the governor; and (6) the INK executive director, who serves in an advisory capacity. Authorizes the governor to appoint additional members of the INK governance committee as necessary. Requires the governor to appoint the INK executive director from a list of three candidates submitted by the INK governance committee. Requires agencies of the state to submit data to the INK as requested by the executive director.

Allows private sector business or commercial employers, groups, associations, agencies and other entities, and private institutions of higher education to submit data to the INK by working with the executive director. Provides that the data submitted to Indiana network of knowledge (INK): (1) remains under the ownership and control of the agency submitting the data; and (2) may be used only for the purposes described in the INK statute (IC 22-4.5-10), unless the agency that submitted data consents to the additional use. Provides that, to the extent permitted by applicable federal law, regulation, or executive order, the policies established by the INK governance committee must provide for access to INK data requested by the legislative department of state government. Provides that the INK may not obtain or store student disciplinary, juvenile delinquency, criminal, or medical and health records.

HEA 1020 – Study of Economic Development Incentives (Rep. Eric Koch, R-Bedford) Requires the commission on state tax and financing policy to review, analyze, and evaluate state and local tax incentives that are provided to encourage economic development or to alter, reward, or subsidize a particular action or behavior by a tax incentive recipient.

HEA 1035 – Regional Economic Development (Rep. Steve Braun, R-Zionsville) Requires the Indiana economic development corporation to conduct an assessment of Indiana's regional metropolitan areas. Provides that the assessment must analyze the economic potential of each of Indiana's regional cities and provide a report on the needs of each regional city along with

recommendations on initiatives and improvements in each regional city that will lead to regional economic growth.

HEA 1052 – Development Around Military Base (Rep. Mark Messmer, R-Jasper) Expands, for purposes of the limitations on planning and zoning that affect the Crane military base, the definition of "military base" to include the Glendora Lake Test Facility in Sullivan County at which the Crane military base conducts affiliated operations.

HEA 1332 – Office of Small Business and Entrepreneurship (Rep. Mark Messmer, R-Jasper) Codifies the law concerning the office of small business and entrepreneurship. Transfers the small business development center, the small business ombudsman, and the young entrepreneurs program from the Indiana economic development corporation to the office of small business and entrepreneurship by removing or repealing the appropriate provisions in the Indiana economic development corporation law and recodifying them in the law concerning the lieutenant governor. Extends the young entrepreneurs program by two years. Makes conforming changes. Repeals the following chapters that are substantively similar to other chapters of the Indiana Code: (1) The promotion of livestock shows. (2) The promotion of foreign markets for agricultural products. (3) The promotion of aquaculture. (4) The inspection of grain moisture testing equipment. Repeals the community promotion program. Transfers money from the livestock industry promotion and development fund to the fund created in a similar chapter. Transfers money from the livestock export facility administration fund and the community development fund to the state general fund. Makes an appropriation.

Education

SEA 85 – School Resource Officers (Sen. Pete Miller, R-Avon) Permits the secured school safety board to award a matching grant for school resource officer training. Requires a school resource officer to be: (1) employed by a law enforcement agency; (2) appointed as a police reserve officer or special deputy; or employed as a school corporation police officer. Permits the Indiana law enforcement training board to approve school resource officer training programs.

SEA 91 – Education Standards (Sen. Dennis Kruse, R-Auburn) Adds a definition of "college and career readiness". Provides that before July 1, 2014, the state board of education (state board) shall adopt Indiana college and career readiness educational standards. Provides that during the 2015-2016 school year, the state board shall authorize the department to administer either the ISTEP assessment or a comparable assessment program that is aligned with the educational standards. Provides that before the state board may authorize a new assessment program, the state board shall submit the proposed assessment program to the budget committee for review. Makes technical and conforming amendments.

SEA 114 – Excused Absences from School for State Fair Activities (Sen. Jean Leising, R-Oldenburg) Provides that the governing body of a school corporation or the chief administrative officer of a nonpublic school system shall authorize, for not more than five instructional days in a school year, the absence and excuse of each school student if the student or a member of the student's household participates or exhibits in the state fair.

SEA 205 – Charter Schools (Sen. Jim Banks, R-Columbia City) Requires an authorizer to submit an annual report of certain information to the state board of education (state board), the department of education, and the public. Limits the length of a charter agreement to not more than seven years. Requires the state board to determine, during a turnaround academy's fifth year of operation, whether the turnaround academy will be returned to the operation of the school corporation, become a charter school, or be subject to an additional intervention. Specifies that the length of a contract with a special management team to operate a turnaround academy is 5 years.

SEA 207 – School Operating Referendum Ballot Language (Sen. Greg Walker, R-Columbus) Changes the language to be used on the ballot when a school corporation conducts a school general fund referendum. Removes the requirement that the department of local government finance must approve the ballot language proposed by a school corporation for a school general fund referendum. Provides that the county election board of the county or counties in which the school corporation is located must either approve or revise the proposed ballot language. Provides that if the county election board revises the ballot language, the governing body of the school corporation may request the Indiana election commission to review the county election board's decision. Provides that if the Indiana election commission does not act not later than 60 days before the election at which the public question is to be placed on the ballot, the county election board's language is the language used for the public question. Provides that if a majority of the voters do not vote in favor of a school general fund referendum, another referendum under the law may not be held for another 350 days. (Current law provides that another referendum may not be held for another year.)

SEA 282 – Choice Scholarships (Sen. Doug Eckerty, R-Yorktown) Provides that a choice scholarship student identified as eligible for special education services may receive special education funding as part of the choice scholarship if the choice scholarship school offers the necessary special education services and the student elects to receive those services at the choice scholarship school.

SEA 321 – Charter School Funding (Sen. Scott Schneider, R-Indianapolis) Allows a charter school organizer to notify the department that it wants to receive the tuition support distributions for the state fiscal year 2014-2015 for all of the charter schools that the organizer operates. Provides that the state examiner shall establish guidelines and prescribe reporting requirements for organizers that are consistent with generally accepted accounting principles. Requires the organizer's authorizer to verify to the department that the charter schools are operated by the organizer. Provides that the department shall distribute the tuition support for the verified charter schools to the organizer. Permits the organizer to distribute the tuition support to each charter school it operates in the amounts determined by the organizer. Requires identification numbers and accounts to be used at the organizer and charter school levels. Prohibits an organizer from using tuition support for expenses incurred outside Indiana that are not directly related to the charter school the organizer operates in Indiana. Provides that a student, and the student's siblings, who attends a charter school may attend a different charter school held by the same organizer in subsequent years. Provides that if the state board adopts a rule to assign a category or designation of school improvement to a school corporation the state board shall also assign a category or designation of school improvement to a charter school organizer.

SEA 330 – Better Skills for Adult Learners (Sen. Phil Boots, R-Crawfordsville) Makes changes to what is included as instructional time for a performance qualified school district or qualified high school. Provides that a high school may replace high school courses on the high school transcript with dual credit courses or advanced placement courses on the same subject matter with equal or greater rigor to the required high school course and may count such course as satisfying academic honors or another special diploma requirement. Requires the commission for higher education (commission) to award part-time student grants totaling at least 50% of the available appropriation each fiscal year to students who are identified by the commission as financially independent from their parents and who are pursuing a program of study that will lead to a specific high demand, high wage job.

Requires the commission to submit not later than November 1, 2014, to the legislative council a report that provides information about the part-time student population in Indiana, including the population's size, its financial need, its completion rates, and recommendations for increasing the population's completion rates using financial support and student incentives. Provides that, for state fiscal years beginning after June 30, 2014, the state workforce innovation council shall allocate a percentage of the funds made available to Indiana under the Workforce Investment Act for adult and dislocated worker training for performance based funding training that leads to occupations that the department of workforce development has categorized as high demand, high wage jobs and that are tied to existing employer demand in the region in which the training is offered. Provides an educational loan repayment for a public elementary or high school teacher who: (1) was in the highest 20% of the individual's high school graduating class or in the top twentieth percentile on the SAT or ACT examination; (2) graduated from college with at least a 3.5 grade point average; and (3) teaches science, technology, engineering, mathematics, or special education, or teaches in a critical shortage geographic area; in a public school in Indiana. Provides that at the end of the third consecutive year the teacher teaches, the commission for higher education shall make a payment of an amount determined by the commission based on the funds appropriated for the repayments or the balance of the teacher's student loans (whichever is less) directly to the financial institution that holds the teacher's student loans if a specific appropriation has been made to fund teacher student loan repayments.

HEA 1004 – Early Learning Pilot Grant Program (Rep. Bob Behning, R-Indianapolis) Authorizes the office of the secretary of family and social services (office) to establish a pilot program (pilot program) to make grants to certain entities that provide qualified early education services to eligible children who are four years of age. Specifies that the pilot program shall be funded (after review by the budget committee and approval by the budget agency) from any one or both of the following: (1) From Child Care and Development Fund (CCDF) grant funding. (2) From amounts reverted in a state fiscal year from funds appropriated to the divisions, departments, and bureaus administered by the office that are designated by the budget agency as available for funding the pilot program. Provides that the total amount of grants awarded from such funding under the pilot program in a state fiscal year may not exceed \$10,000,000. Specifies certain requirements that must be satisfied by an eligible provider that participates in the program. Provides that the amount of a grant made under the pilot program for an eligible child: (1) must equal at least \$2,500 during the state fiscal year; and (2) may not exceed \$6,800 during the state fiscal year. Specifies that at least 10% but not more than 50% of the tuition for eligible children under the pilot program during the state

fiscal year must be paid from donations, gifts, grants, bequests, and other funds received from a private entity or person, from the United States government, or from other sources.

Specifies that the grants shall be distributed in a manner consistent with how funds are distributed under the CCDF grant program. Requires the office to carry out a longitudinal study of students who participate in the pilot program to determine the achievement levels of those students in kindergarten and later grades. Provides that the office may, after consulting with the state board of education, enter into a contract with one or more persons to carry out the longitudinal study. Requires the office to report annually to the governor, the budget committee, the state board of education, the department of education, and the legislative council regarding the pilot program. Provides that a taxpayer is not entitled to a school scholarship tax credit for a contribution to a scholarship granting organization that is used to provide a scholarship or other assistance to a child participating in the pilot program. Establishes the prekindergarten and early learning study commission.

HEA 1028 – Adult High Schools (Rep. Dave DeVon, R-Granger) Adds a definition of an "adult high school". Repeals a provision that prohibits the establishment of new adult high schools. Provides that an adult high school may only be authorized by the Indiana charter school board. Requires a charter for an adult high school to contain certain requirements. Provides that, with certain exceptions, for state fiscal years beginning after June 30, 2014, an adult high school is not entitled to receive funding from the state unless the general assembly enacts an appropriation for the adult high school. Provides that an adult high school is subject to an alternative accountability system established by the state board. Provides that certain authorizers may collect a 3% administrative fee from the amount appropriated to an adult high school. (Current law provides that an authorizer may collect the administrative fee from the charter school's basic tuition support.)

HEA 1063 – Charter School Compacts (Rep. Todd Huston, R-Fishers) Provides that a charter school and a school corporation may enter into a compact under which the: (1) school corporation or charter school agrees to provide goods, facilities, services, or other consideration to the other party to the compact; and (2) charter school authorizes the school corporation to include the charter school's performance assessment results when calculating the school corporation's performance assessment. Provides that a charter school may participate in a special education cooperative. Provides that a special education cooperative may be operated and managed by a board of managers that consists of members as determined by agreement between the parties. Provides that a charter school may enter into an interlocal agreement.

HEA 1079 – Student Transfers (Rep. Mike Karickhoff, R-Kokomo) Provides that the governing body of a school corporation may authorize the school corporation to enter into an agreement with an accredited nonpublic school or charter school to allow students of the accredited nonpublic school or charter school to transfer to a school within the school corporation. Provides that a school corporation that has adopted a policy not to accept student transfers after June 30, 2013, is not prohibited from enrolling a member of a household in which any other member of the household was a transfer student who attended a school within the school corporation during the 2012-2013 school year. Provides that in the event a school corporation enrolls a transfer student or a member of the same household of a transfer student that attended a school corporation during the 2012-2013 school year, the school corporation

shall also allow a student or member of the same household of a student who attended an accredited nonpublic school within the attendance area of the school corporation during the 2012-2013 school year to enroll in a school within the school corporation.

HEA 1181 – Career and Technical Education Centers (Rep. Randy Frye, R-Greensburg)

Provides that a school corporation career and technical education center may receive a grant from the Indiana safe schools fund. Provides that a school corporation career and technical education school may apply for a matching grant from the Indiana secured school fund. Provides that a school corporation career and technical education center may receive an advance from the common school fund. Specifies that each member school corporation is considered to receive a proportionate share of the advance and is responsible for its proportionate share of the repayment based on the number of pupils the school corporation has attending the career and technical education center in the school year when the advance is made. Allows a school corporation career and technical education center to receive an advance even if the school corporation has an outstanding advance. Specifies, for purposes of the law relating to controlled project financing, that the project cost is not the total project cost but is to be allocated among the member school corporations based on pupils.

HEA 1204 – Various Education and School Matters (Rep. Todd Huston, R-Fishers)

Provides that if the parent, guardian, or court appointed special guardian of a child enrolled in a school requests a health care provider to disclose certain mental health information to the child's school, the health care provider shall provide the child's school the information. Prescribes the manner in which the information must be released and requires a principal or school leader to sign a confidentiality agreement concerning the release of the information. Prohibits a superintendent or school leader from excusing or excluding a student who was found to be mentally or physically unfit for school attendance if a physician, psychologist, or psychiatrist certifies that the student is fit for school attendance. Provides that the witness fee for an employee of a school district is \$100. Provides civil immunity for a school, school employee, or school board for civil damages that are the result of: (1) an injury to a child or family members of a child if the injury is the result of a student's mental health issue that has not been disclosed to the school by the student's parent or guardian; or (2) referrals the school made or services the school offered concerning evaluations or treatment of the student's health.

HEA 1213 – Career and Technical Education (Rep. Wendy McNamara, R-Mt. Vernon)

Requires the Indiana career council to appoint a subcommittee that includes a member of each council and representatives of high school career and technical education programs, the department of education, community colleges, the commission for higher education, and industry to: (1) review the current Core 40 diploma course offerings; (2) make recommendations to the state board of education concerning changing course requirements, including the total number of academic credits required, changing the types of diplomas offered, and the need for a career and technical education diploma; and (3) examine and make recommendations concerning career and technical education offerings. Makes changes to the provision regarding the number of dual credit or advanced placement courses that must be provided by a high school. Provides that a student who is enrolled in a dual credit course must achieve at least a 2.0 on a 4.0 unweighted grading scale to enroll in subsequent related dual credit course work in the same subject area

HEA 1319 – Education Matters (Rep. Bob Behning, R-Indianapolis) Adds a school counselor to the definition of a teacher. Provides that a student's latest PSAT test results are included in

the student's official high school transcript. Changes the date on which a school corporation's annual performance report must be published from between January 15 and January 31 to between March 15 and March 31. Requires the department of education (department) to disaggregate from the ISTEP program test results the percentage of students in each school and each grade who are identified as high ability students by the school corporation who achieved a score in the highest performance level designated for the ISTEP program test.

Requires the department to assign unique identifiers for students whose parents are active duty members of the armed forces. Requires the department to develop a format for school corporations to publish, as part of the school corporation's annual report, the percentage of students in each school and each grade who are identified as high ability students and also achieved a score in the highest performance level designated for the ISTEP test. Requests the legislative council to assign certain topics to interim study committees. Changes the date, from August 15 to 14 days before the first day a teacher is required to report for duty, after which a contract entered into between a school corporation and a teacher is void if at the time of signing the contract the teacher is bound by a previous contract, unless the teacher provides a 30 day written notice to the first employer or the first employer releases the teacher from the previous contract.

HEA 1321 – Innovation Network Schools (Rep. Bob Behning, R-Indianapolis) Authorizes Indianapolis public schools to enter into an agreement with a school management team to establish innovation network schools in certain schools. Provides that certain schools may be reconstituted as innovation network schools.

HEA 1388 – Teacher Preparation Programs (Rep. Bob Behning, R-Indianapolis) Makes changes to the information a teacher preparation program must annually submit to the department of education (department). Requires certain additional information to be included on the department's Internet web site. Specifies that the department, the commission for higher education, the Independent Colleges of Indiana, Inc., and teacher preparation programs must establish a matrix rating system for teacher preparation programs. Provides that a transition to teaching program participant may obtain a license to teach in prekindergarten if the participant meets certain requirements. Requires principals and teachers to complete surveys concerning beginning teacher preparation.

Energy/Environment

SEA 217 – Underground Tank Fee and Drainage Onsite Reviews (Sen. Ed Charbonneau, R-Valparaiso) Provides that if an underground storage tank consists of a single tank in which there are separate compartments, a separate annual registration fee shall be paid for each compartment within the single tank. Requires the owner of an underground storage tank to pay an annual registration fee for a calendar year if the underground storage tank is not closed before January 1 of that year. Requires the department of environmental management (instead of the department of state revenue) to collect the annual registration fee. Provides that: (1) for purposes of determining eligibility for payment of a tank owner's liability from the underground petroleum storage tank excess liability trust fund, only registration fees paid in 1991 or later shall be considered; (2) for the period preceding July 1, 2014, the payment of a single annual fee of \$90 for a tank containing separate compartments shall be deemed to

satisfy the annual fee requirements; and (3) IDEM is not required to pay any refunds to a tank owner that, before July 1, 2014, paid a separate registration fee for each compartment within a tank. Provides that a county surveyor planning to perform a regulated drain reconstruction or maintenance project shall request a review of the project but is not required to request an onsite field review.

SEA 271 – Water Related Study Committee Responsibilities (Sen. Ed Charbonneau, R-Valparaiso) Urges the legislative council to assign to the appropriate committee for the 2014 legislative interim the responsibility: (1) to receive testimony about a number of subjects related to water resources, including certain recommendations of the utility regulatory commission, the effect of water resource availability on state and regional economic development decisions, coordination of state government activities relating to water resources, and key elements that a state water plan should contain; and (2) to study the potential creation of a water institute and a water management authority.

SEA 340 – Demand Side Management Programs (Sen. Jim Merritt, R-Indianapolis) Provides that industrial customers of an electricity supplier may opt out of participating in an energy efficiency program implemented by the electricity supplier in response to an order of the utility regulatory commission (commission) concerning demand side management (DSM) programs. Provides that the commission may adopt rules or guidelines to assist electricity suppliers and industrial customers. Provides that certain energy efficiency programs may not be renewed after December 31, 2014. Provides that, after December 31, 2014, an electricity supplier may offer an energy efficiency program and, if authorized by the IURC, recover associated costs. Requires the commission to provide a status report on energy efficiency programs implemented under DSM orders, including the effects on customer rates and charges, to the regulatory flexibility committee and the legislative council by August 15, 2014.

SEA 405 – Underground Utility Facilities (Sen. Carlin Yoder, R-Middlebury) Amends the statute concerning the location and protection of underground utility facilities (facilities) during excavation or demolition activities to require, with respect to an excavation or demolition in an unincorporated area, the excavator to submit a separate locate request and notice of the excavation or demolition (notice) to the Indiana Underground Plant Protection Service (association) for at least every 2,640 linear feet (versus every 2,500 linear feet under current law) of proposed excavation or demolition. Provides that a notice expires 20 days after the date the notice is submitted to the association. Provides that if, at the conclusion of the 20 day period, any part of the excavation or demolition is not complete at any part of the site for which the original notice was submitted, the excavator may not continue or resume the excavation or demolition until: (1) the excavator submits to the association a new locate request and notice for that part of the site for which the excavation or demolition is not complete; and (2) each affected utility operator (operator) provides facility locate markings for that part of the site for which the new locate request and notice are submitted. Provides that if an operator receiving notice of a proposed excavation determines that the operator is unable to: (1) locate and mark the operator's affected facilities not later than the expiration of the statute's mandated two-day period for doing so; or (2) mark the approximate location of the operator's affected facilities; the operator shall notify the excavator and provide additional information and, if requested, onsite assistance to the excavator. Provides that mechanized equipment may not be used to perform an excavation within two feet of either side of the outer limits of a facility unless the excavator meets certain conditions. Provides that mechanized equipment may be used for the

initial penetration and removal of pavement or other manmade hard surfaces if certain conditions are met. Urges the legislative council to assign to a study committee during the 2014 legislative interim the topics of underground facilities generally and the technology used to determine the elevation or depth, or both, of facilities subject to the statute. Provides that if a committee is assigned this topic for study, the committee shall not later than November 1, 2014, report its findings and recommendations to the legislative council and the governor.

HEA 1183 – Recycling Reporting, State Goal, and Study (Rep. David Wolkins, R-Warsaw)

Requires every recycler that recycles materials generated by two or more persons to report to the commissioner of the department of environmental management (commissioner) on the recycling activities conducted by the recycler. Allows a recycler the option of reporting annually or quarterly. Allows certain persons who are not subject to the reporting requirement, including those who recycle materials other than municipal waste, to report voluntarily. Requires the commissioner to post on the department's Internet web site a uniform recycling activity report form to be used in making the recycling activity reports. Requires the commissioner to submit an annual written report summarizing the information obtained through the recycling activity reports submitted to the commissioner. Establishes a state goal of recycling at least 50% of all municipal waste. Urges the legislative council to assign to the appropriate study committee, for the 2014 interim period, the task of producing a written report setting forth the committee's analysis of a number of recycling-related subjects.

HEA 1342 – Environmental Fees and Expenses (Rep. David Wolkins, R-Warsaw) Provides that the hazardous waste disposal fee (which replaces the hazardous waste disposal tax), the fee on the disposal or incineration of solid waste, and the annual registration fee paid by owners of underground storage tanks shall be collected by the department of environmental management instead of the department of state revenue. Provides that 75% of the revenue from the hazardous waste disposal fee shall be deposited in the hazardous substance response fund and 25% shall be paid over to the county in which the hazardous waste is disposed of. Provides that: (1) 50% of the registration fees paid in connection with underground petroleum storage tanks and deposited in the petroleum trust fund shall be used to pay for corrective actions that involve releases of regulated substances from underground storage tanks that are not eligible to receive funds from the underground petroleum storage tank excess liability trust; and (2) not more than 11% of the funds expended for the corrective actions may be used to pay for administrative and personnel expenses incurred in carrying out the corrective actions. Allows the commissioner of the department of environmental management, under certain circumstances, to authorize the modification of a restrictive covenant that the owner of a property contaminated with a hazardous substance has been required to execute and record. Provides for the administrative and personnel expenses incurred by the state in evaluating a proposed modification of a restrictive covenant to be paid from the hazardous substances response trust fund, and requires the environmental rules board to adopt rules providing for the recovery of those expenses by the state. Removes references to the solid waste management board, which was abolished on January 1, 2013.

HEA 1423 – Private Generation (Rep. Eric Koch, R-Bedford) Allows the owner of a private generation project to sell excess electric output generated by the project to an electric utility. Provides that the electric utility may recover the purchase price through a fuel adjustment charge. Requires an electric utility to provide, upon request, back up, maintenance, and supplementary power to a private generation project.

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Healthcare

SEA 44 – Electronic Health Data Work Group (Sen. Jean Breaux, D-Indianapolis) Requires the state department of health and the office of the secretary of family and social services to establish a work group to study specified issues concerning electronic health data. (The introduced version of this bill was prepared by the health finance commission.)

SEA 50 – Minors and Tanning Devices (Sen. Pat Miller, R-Indianapolis) Prohibits a person less than 16 years of age from using a tanning device in a tanning facility. Repeals a provision requiring a person less than 16 years of age to be accompanied by a parent or guardian when using a tanning device in a tanning facility. Repeals the tanning facility committee. (The introduced version of this bill was prepared by the health finance commission.)

SEA 139 – Health Matters (Sen. Vaneta Becker, R-Evansville) Amends the definition of "attendant care services" to include providing assistance for the taking of medications that include controlled substances and prescription drugs. Removes the July 1, 2014, expiration date of the anatomical gift promotion fund.

SEA 222 – Student Athlete Concussions (Sen. Travis Holdman, R-Markle) Provides that a high school student athlete who has been removed from play because of a suspected concussion or head injury may not return to play until at least 24 hours have passed since the incident. Beginning July 1, 2014, requires football coaches and assistant football coaches who are coaching individuals less than 20 years of age to complete a course concerning player safety and concussions at least once during a two year period. Provides civil immunity for football coaches in certain circumstances.

SEA 235 – Mental Health Pilot Project (Sen. Mike Young, R-Indianapolis) Requires community corrections programs to use evidence based services, programs, and practices that reduce the risk for recidivism. Permits the community corrections board to coordinate or operate certain programs. Establishes standards for the award of certain grants by the department of correction, and requires the department of correction to consult with the judicial conference and the division of mental health and addiction before awarding grants. Defines "mental health and addiction forensic treatment services", establishes eligibility and treatment criteria, and creates the mental health and addiction forensic treatment services account to fund mental health and addiction forensic treatment services. Requires the judicial conference to discuss with the department of correction and the division of mental health and addiction before awarding financial assistance, and requires any person providing mental health and substance use treatment services to be certified by the division of mental health and addiction. Provides that the department of correction may provide financial assistance to community corrections programs from the mental health and addiction forensic treatment services account. Allows for the establishment of a three year pilot project in Marion County to reduce recidivism by providing mental health and forensic treatment services. Extends Supplemental Nutrition Assistance Program and Temporary Assistance for Needy Families benefits for individuals participating in the Marion County mental health pilot project and other evidence based treatment programs. (The introduced version of this bill was prepared by the criminal law and sentencing policy study committee.)

SEA 245 – Schools and Auto-Injectable Epinephrine (Sen. Pat Miller, R-Indianapolis) Allows a health care provider with prescriptive authority to prescribe auto-injectable epinephrine to a school or school district. Sets requirements for certain individuals employed by a school or school district to fill, store, and administer auto-injectable epinephrine. Provides civil immunity for: (1) certain school employees in the administration of auto-injectable epinephrine; and (2) health care providers in the prescribing of auto-injectable epinephrine and in the training of school employees in the administration of auto-injectable epinephrine.

SEA 262 – Biosimilar Drugs (Sen. Brandt Hershman, R-Buck Creek) Allows a pharmacist to substitute an interchangeable biosimilar product for a prescribed biological product if certain conditions are met. Requires a pharmacist to record in a certain manner the name and manufacturer of a biologic product that the pharmacist is dispensing not later than ten days after dispensing the biologic product. Requires the board of pharmacy to maintain a link on the board's website to the current list of all biological products that are determined by the United States Food and Drug Administration to be interchangeable with a specific reference biological product. Allows the board of pharmacy to adopt rules. Provides that a written or electronic prescription for a biological product must comply with the existing prescription form requirements. (The introduced version of this bill was prepared by the health finance commission.)

SEA 408 – Neonatal Abstinence Syndrome (Sen. Vaneta Becker, R-Evansville) Defines "neonatal abstinence syndrome" (NAS). Requires the state department of health to: (1) meet with representatives of certain associations to study and make recommendations on issues concerning NAS; and (2) report, before November 1, 2014, on certain issues concerning NAS to the legislative council for distribution to the appropriate interim study committee. Allows the state department of health to establish, before June 1, 2015, one or more pilot programs with hospitals that consent to participate in the programs to implement appropriate and effective models for NAS identification, data collection, and reporting.

HEA 1045 – Occupational Therapy (Rep. Cindy Kirchhofer, R-Indianapolis) Revises the definition of "practice of occupational therapy". Adds a definition of "occupational therapy services". Requires that an occupational therapist who performs an evaluation that suggests a condition that requires medical attention must promptly refer the patient to a physician. Sets forth requirements that must be met in order for an occupational therapist or a speech-language pathologist to assess and manage the pharyngoesophageal phase of swallowing. Requires that an occupational therapist must have a master's degree for initial licensure beginning July 1, 2006.

HEA 1123 – Abortion Coverage (Rep. Jeff Thompson, R-Lizton) Prohibits accident and sickness insurance policies and health maintenance organization contracts from providing abortion coverage except in specified circumstances. Allows an insurer or health maintenance organization to provide abortion coverage through a rider or an endorsement.

HEA 1190 – Treatment of Miscarried Remains (Rep. Hal Slager, R-Schererville) Provides that, beginning October 1, 2014, the parent or parents of a fetus miscarried in a health care facility may determine the final disposition of the remains of the miscarried fetus. Requires a health care facility to provide certain information to the parent or parents of a miscarried fetus.

HEA 1218 – Drug Treatment and Reporting (Rep. Steve Davisson, R-Salem) Expires standards for operation rules concerning prior authorization for a take home supply of opioid treatment medication (current law requires rules to require prior authorization for more than 14 days of medication). Prohibits an opioid treatment program from prescribing, dispensing, or providing more than a seven day supply of opioid treatment medication to a patient to take out of the facility. Requires the division of mental health and addiction (division) to establish certain standards and protocols for opioid treatment programs. Requires an opioid treatment program to follow the standards and protocols adopted by the division for each opioid treatment program patient. Requires the dispenser at an opioid treatment program to transmit certain information to the division within specified time frames. Provides that the information is subject to federal patient confidentiality regulations. Requires a provider to release certain information from a committed patient's mental health records upon request of a court.

Requires that the board of pharmacy adopt a rule requiring a practitioner and a opioid treatment program to check the Indiana scheduled prescription electronic collection and tracking (INSPECT) program in specified circumstances. Requires the division to report on the information collected. Increases the penalty to a Level 6 felony for violations of the central repository for controlled substances data laws. Requires the Indiana professional licensing agency to study the impact of including all prescription drugs in the INSPECT program and sets forth requirements of the study. Requires the legislative council to assign an interim committee to study: (1) the security of the INSPECT program; and (2) whether opioid treatment programs should be prohibited from allowing patients to take home opioid treatment medication. (The introduced version of this bill was prepared by the commission on mental health and addiction.)

HEA 1258 – Telehealth Pilot Program (Rep. Robin Shackelford, R-Indianapolis) Requires the medical licensing board to: (1) before August 1, 2014, establish a pilot program to provide telehealth services to patients in Indiana; and (2) report to the general assembly concerning the outcomes of the pilot program. Sets forth requirements of the pilot program. Establishes time frames for the expiration of the pilot program, the latest of which is July 1, 2016.

HEA 1290 – Health of Student Athletes (Rep. Ron Bacon, R-Chandler) Adds athletic trainers to the definition of "health care provider" for purposes of laws concerning hospitals and public health measures. Requires the department of education to disseminate guidelines, information sheets, and forms to school corporations, charter schools, public schools, and accredited nonpublic schools to inform and educate coaches, student athletes, and parents and legal guardians of student athletes of the nature and risk of sudden cardiac arrest. Requires that a form acknowledging receipt of the information sheet must be returned to the student athlete's coach each year before beginning practice for an athletic activity. Requires that a student athlete who is suspected of experiencing a symptom of sudden cardiac arrest must be removed from the athletic activity at the time the symptom is identified. Provides that the student athlete may not return to practice and play until the student athlete's parent or legal guardian has been informed and the parent or legal guardian has provided permission for the student to return to practice and play.

Requires the commission on higher education to disseminate guidelines, information sheets, and forms to a postsecondary educational institution's athletic department to inform and

educate coaches and student athletes of the nature and risk of sudden cardiac arrest. Requires that a form acknowledging receipt of the information must be returned to the student athlete's coach each year before beginning practice for an athletic activity. Requires that a student athlete who is suspected of experiencing a symptom of sudden cardiac arrest must be removed from the athletic activity at the time the symptom is identified. Provides that the student athlete may not return to practice and play until the student athlete has received permission to return to practice and play from the team's or postsecondary educational institution's athletic trainer or physician. Requires an applicant for an athletic trainer license to submit to a national criminal history background check. Provides that the athletic trainers board may conduct a random audit and require an individual seeking a renewal of an athletic trainer license to submit to a national criminal history background check. Requires that each school corporation and accredited nonpublic school shall include in the school corporation's or accredited nonpublic school's high school health education curriculum instruction in cardiopulmonary resuscitation and use of an automated external defibrillator for its students. Provides that a school administrator may waive the requirement that a student receive instruction if the student has a disability or is physically unable to perform the psychomotor skill component of the instruction. Provides that the department of education may grant schools a waiver of the psychomotor skill requirement.

HEA 1323 – Epinephrine in Institutions of Higher Education (Rep. David Ober, R-Albion)

Allows a postsecondary educational institution to develop a policy for the emergency administration of an auto-injectable epinephrine to a student, faculty member, or staff member under certain circumstances. Sets forth requirements for the policy and for those employees who act as trained designees and administer the epinephrine. Requires the state department of health to set forth guidelines for the policies. Allows a health care provider to write a prescription for epinephrine for a postsecondary educational institution and allows a pharmacist to dispense the prescription. Requires storage of the epinephrine in a safe location. Provides for civil immunity for licensed campus medical professionals, trained designees, and certain healthcare providers in the administration of epinephrine in compliance with the policy and guidelines.

HEA 1358 – Office of Minority Health (Rep. Charlie Brown, D-Gary) Extends the office of minority health until July 1, 2017. Repeals the law concerning the health care facility advisory council. Transfers certain duties of the council to the state department of health. Adds certain persons to qualify as representatives for physician order for treatment forms. Changes the amount of time from four years after birth to twelve months after birth that a birth certificate presented for filing is considered a delayed certificate of birth. Requires a diagnosis of autism spectrum disorder at any age to be reported to the birth problems registry. (Current law provides for the reporting of an autism diagnosis made before a child's fifth birthday). Allows not more than 50% of the monies in the spinal cord and brain injury fund to be used to develop a statewide trauma system. Allows not more than 50% of the monies in the spinal cord and brain injury fund to be used to develop a statewide trauma system. Requires the state department of health to: (1) adopt rules concerning the regulation of facilities for treatment of traumatic brain injuries; and (2) make recommendations to the legislative council and health finance commission concerning food handling law changes.

Insurance

SEA 36 – Probate, Trust and Transfer on Death Matters (Sen. Mike Delph, R-Carmel) - provides, in pertinent part, that entities provided with a small estate affidavit must respond to a small estate affidavit claim within thirty (30) business days. If they fail to respond within thirty (30) business days a court may award the claimant attorney's fees and costs. The act contains a carve-out for insurers and instead requires insurers to respond in a manner consistent with IC 27.

SEA 220 – Unclaimed Life Insurance Benefits (Sen. Travis Holdman, R-Merkel) - requires insurers to perform biannual comparisons of its in-force life insurance policies, annuity contracts and retained asset accounts against the Social Security Administration's Death Master File or a database as inclusive to help with the accurate administration of unclaimed death benefits.

SEA 294 – Worker's Compensation (Sen. Phil Boots, R-Crawfordsville) (an encore to HEA 1320 from last year) – contains more restrictive language relative to repackaged drugs, clarification with respect to the definition of a medical service provider, prohibits double billing for implants and allows corporate officers to exempt themselves from worker's comp coverage.

HEA 1020 – Study of Tax Credits (Rep. Eric Koch, R-Bedford) - at one point in the session the act contained language which would have sunset numerous tax credits (including the Indiana Insurance Guaranty Association tax credit and the Indiana Life and Health Insurance Guaranty Association tax credit) on January 1, 2020. Similar sunset language was also in HEA 1266 and SEA 367. However, instead of sunsetting the credits, the legislature decided to continue studying all tax credits via HEA 1020 by requiring the commission on state tax and financing policy to review, analyze, evaluate and report on all tax credits at least once every five (5) years until the section expires December 31, 2023.

HEA 1058 – Electronic Delivery of Insurance Notices and Documents (Rep. Peggy Mayfield, R-Martinsville) - provides for the electronic delivery of insurance notices and documents instead of other modes of delivery otherwise required for such notices and documents. The act requires a recipient's consent to electronic delivery and a method to withdraw consent. It also includes provisions regarding electronic posting of documents on an insurer's website.

HEA 1059 – Motor Vehicle Financial Responsibility (Rep. Matt Lehman, R-Berne) - makes various changes to the motor vehicle financial responsibility law, including the: (1) definition of "registration" to include the license plate issued in connection with the registration of a vehicle; (2) requirement of proof of financial responsibility and reinstatement fees; (3) suspension of a registration as a consequence of operation of the vehicle without financial responsibility in effect; and (4) requirement of proof of future financial responsibility for five years related to operating a vehicle without financial responsibility in effect. The introduced version of this act was prepared by the interim study committee on insurance.

HEA 1206 – Insurance Matters (Rep. Matt Lehman, R-Berne) - an IDOI omnibus bill which does the following: (1) removes a requirement for life insurers to submit individual investments to the Department of Insurance; (2) removes a requirement that a foreign or alien insurer submit an application for admission to do business in Indiana in duplicate; (3) changes from March 15 to July 1 of each year the due date for certain insurance holding company filings; (4)

adopts ORSA; (5) specifies requirements for motor vehicle service contracts; (6) removes IC 27-1-13-16(c) regarding the requirement to stamp an envelope if residential policy coverage has been reduced, restricted or removed; (7) requires a \$2,500 registration fee for captive insurers doing business in Indiana; and (8) provides immunity for insurance producers in relation to electronic delivery or non-delivery of an insurance document or notice between the insurer and consumer.

The following is a list of insurance related bills that did not pass:

HB 1077 – Credit Scoring (Rep. Matt Lehman, R-Berne) – sought to prohibit an insurer from considering credit information in connection with the renewal of a personal insurance policy. The bill also provided that: (1) if an insurer uses a credit report or insurance score to re-underwrite or re-rate a personal insurance policy at the request of the insured or the insured's agent at annual renewal; and (2) if the result is that the insured is eligible to be placed in a less favorably priced tier; the insurer is required to maintain the insured in the insured's current tier. The bill failed to receive a hearing in committee.

HB 1094 – Group Life Insurance Beneficiary (Rep. Richard Hamm, R-Richmond) – a bill to allow a key employee (as defined under federal law) insured under an employer group life insurance policy to name the employer as a beneficiary. Due to concerns regarding ERISA compliance and potential federal tax implications, the bill failed to receive a hearing in committee.

HB 1205 – Consumer Lawsuit Lending (Rep. Matt Lehman, R-Berne) – sought to regulate the practice of lawsuit lending subject to the jurisdiction of the Indiana Department of Insurance. Interest rate capped at 38%. The bill passed out of the House but failed to receive a hearing in the Senate Civil Law Committee.

HB 1241 – Environmental Coverage (Rep. Martin Carbaugh, R-Ft. Wayne) – a bill to clarify when environmental coverage is excluded from a commercial general liability insurance policy. The bill passed out of the House but was defeated in the Senate Insurance Committee due to concerns over how to define pollutant and potential interference with insurers and policyholders right to contract.

SB 66 – State-Assisted Retirement Plan (Sen. Greg Walker, R-Columbus) – sought to create a state-assisted retirement plan for private employers and employees. It provided that the treasurer of state is the administrator of the plan and the manager of the plan will be contracted out to a third party. It also provided a tax credit to individuals that participate in the plan. The bill passed out of the Senate Pensions & Labor Committee, but failed to receive a hearing before the Senate Tax & Fiscal Committee due to concerns with ERISA compliance and placing the gov't in direct competition with private industries that offer retirement products.

Labor

SEA 61 – Emergency Medical Services Provider Disability Benefits (Sen. Phil Boots, R-Crawfordsville) Authorizes a municipal corporation to provide programs of disability insurance

(programs) to its emergency medical services providers who become disabled as the result of an injury or illness: (1) that is not covered by worker's compensation or occupational diseases compensation; or (2) for which worker's compensation or occupational diseases compensation has been exhausted. Provides that the elimination or waiting period before a benefit begins may not be greater than: (1) 30 days, for a short term disability program; or (2) 120 days, for a long term disability program. Allows a municipal corporation to provide the programs by purchasing policies of group insurance or establishing a self-insurance program. Requires the fiscal body of a municipal corporation to approve the establishment of a self-insurance program. Allows the programs to exclude part-time employees and individuals who provide services to the municipal corporation under a contract. (The introduced version of this bill was prepared by the pension management oversight commission.)

HEA 1083 – Child Labor Law and Unemployment Insurance (Rep. Jerry Torr, R-Carmel)

Provides that a legal entity whose ownership is limited to the parents of an employed child or persons standing in place of the parent of an employed child is not subject to certain provisions of the child labor law. Provides that all blank forms necessary to carry out child labor law regulation must be prepared by the department of labor and supplied to issuing officers by means of electronic or printed publication and repeals language providing that funds to pay expenses incurred by the department in printing and distributing the blank forms are appropriated annually out of any money in the state general fund that is not otherwise appropriated. Authorizes a child between the ages of 16 and 17 to work until 11 p.m. on a night followed by a school day if the employer has obtained written permission from the child's parent and placed the written permission on file in the employer's office. Authorizes a child to work in an occupation designated as hazardous by the child labor provisions of the federal FLSA when the child is working for the child's parent or a person standing in the place of the child's parent on a farm owned or operated by the parent or person.

Adds language concerning the public policy involved in the application and payment of unemployment benefits (benefits). Removes any burden of proof from the determination of eligibility for benefits and the determination of gross misconduct. Repeals provisions concerning the process for determining a positive drug test for purposes of an individual's disqualification for benefits. Removes language concerning a department of workforce development's rule or policy regarding an employer's filing of a notice in connection with an individual, group, or mass separation arising from a vacation period. Provides that holiday and vacation pay are deductible income for the week in which the holiday or vacation occurs. Redefines "employer" for purposes of participation in the unemployment insurance system as an employing unit that: (1) has incurred liability for wages payable to one or more individuals; or (2) incurs liability for payment of wages of at least \$1 in any calendar quarter during the current or immediately preceding calendar year. Provides that a benefits overpayment includes any week for which the failure to disclose or falsification of a fact caused benefits to be paid improperly. Provides that, when an individual's most recent separation from employment is a disqualifying separation, the individual must earn remuneration from employment for eight weeks and the remuneration must equal or exceed eight times the weekly benefit amount before the individual again qualifies for benefits.

Provides that payment of private unemployment benefits that is conditional upon the signing of a release of employment related claims against the employer is severance pay and is deductible income. Increases from 15 to 30 days the time in which a party has to file an appeal

of a review board's decision with the court of appeals. Authorizes the use of money in the special employment and training services fund for the prevention, detection, and recovery of delinquent contributions and penalties and improper benefit payments. Updates references to the high school equivalency diploma program and corrects a reference to the rulemaking body for the program.

HEA 1242 – Employment Discrimination Against Veterans (Rep. Martin Carbaugh, R-Fort Wayne) Provides that it is an unlawful employment practice (practice) for an employer to discriminate against a prospective employee on the basis of status as a veteran by: (1) refusing to employ an applicant for employment on the basis that the applicant is a veteran of the armed forces of the United States; or (2) refusing to employ an applicant for employment on the basis that the applicant is a member of the Indiana national guard or member of a reserve component. Requires the Indiana civil rights commission to enforce alleged violations of the practice. Requires the Indiana department of veterans' affairs to disseminate information necessary to inform veterans of the practice. Makes technical corrections.

Local Government

SEA 53 – Municipal Utilities (Sen. Joe Zakas, R-Granger) Provides that for purposes of the statutes governing municipal sewage works, the municipal legislative body may include in an ordinance adopted under the statutes one or more of the following provisions with respect to tenant-occupied property: (1) That sewer fees for the property are payable by the tenant. (2) That sewer fees for the property are payable by the tenant if the property owner or the tenant satisfies certain requirements or conditions that the municipal legislative body includes in the ordinance. (3) That sewer fees for the property do not constitute a lien against the property, subject to certain requirements or conditions set forth in the ordinance. Makes conforming amendments to provisions setting forth the manner in which municipal sewer liens attach and are enforced. Specifies that the authority to adopt these provisions concerning tenant-occupied property does not prohibit a municipality from including in an ordinance adopted under the statutes any other provision that the municipality considers appropriate. Specifies that the authority to adopt these provisions concerning tenant-occupied property does not apply to a conservancy district that provides sewage service. For purposes of the statutes governing municipal storm water works and municipal sewage works, amends provisions requiring notice of fee delinquencies to the owner of tenant-occupied property to provide that the notice of the delinquency must be sent to the owner: (1) regardless of whether the owner has provided an address to which the notice must be sent; and (2) at the last address of the owner as indicated in the records of the county auditor, or to another address specified by the owner in a written notice.

Provides that the notice may be sent by first class mail or by certified mail (or another service equivalent to certified mail). (Current law requires that the notice be sent by certified mail or another equivalent service for delinquent sewer fees and does not specify the method of mailing a notice for delinquent storm water fees.) Provides that, in a situation in which a municipal utility is providing services to properties located outside the municipality under contracts that provide for the property owners to make payments in lieu of annexation, if the contracts expire, the municipal utility may not terminate services to the properties and, as a condition of continuing to receive services, the owners of the properties must continue paying

the rate for the services provided for in the expired contracts, for two years or until: (1) the municipal utility and the owners of the properties enter into new contracts; (2) the area in which the properties are located is annexed into the municipality; or (3) the matter is submitted to arbitration. Specifies that, in an arbitration proceeding, the award made by the arbitrator must establish reasonable and just terms of a new contract between the municipal utility and the owners of the properties, considering all relevant factors, and that if either party fails or refuses to enter into a new contract according to the terms of the arbitration award, the other party may commence legal action to enforce the award.

SEA 106 – Local Government Transparency (Sen. Ed Charbonneau, R-Valparaiso) Requires the state board of finance to post a narrative description of all approved transfers of money, and the reason for each transfer, on the Indiana transparency Internet web site. Requires the department of local government finance (DLGF) to develop indicators of fiscal health for school corporations and other political subdivisions. Requires the DLGF to present information for evaluating the fiscal health of political subdivisions on the Indiana transparency Internet web site through conveniently and easily accessed dashboards. Prohibits the department of local government finance and other state agencies from using the fiscal health indicators to assign a school corporation or political subdivision a summative grade. Allows political subdivisions to request technical assistance from the distressed unit appeals board (DUAB) beginning in 2015. Requires the office of management and budget (OMB) to evaluate whether the DUAB requires additional powers and resources to provide technical assistance. Requires the OMB to also evaluate the organizational structure, board composition, and number of board members of the DUAB. Allows the OMB to recommend any legislation necessary to provide those additional powers and resources to the DUAB.

SEA 174 – Marion County Zoning (Sen. Pat Miller, R-Indianapolis) Provides that a proposal to rezone property (by changing the zoning maps) shall be certified to the Marion County city-county council by the metropolitan development commission regardless of whether the proposal receives a favorable recommendation, an unfavorable recommendation, or no recommendation from the metropolitan development commission. Specifies that the provisions concerning approval of rezoning by the city-county council apply regardless of whether there is a favorable recommendation, an unfavorable recommendation, or no recommendation from the metropolitan development commission. (Under current law, the provisions concerning approval by the city-county council of rezoning proposals apply only if the proposal receives a favorable recommendation.) Specifies that the legislative body member in whose district the parcel of real property under consideration is located may submit a request to the president of the legislative body that the proposal be considered. Allows a member of the Indianapolis-Marion County city-county council in whose district the parcel of real property under consideration is located to appeal any decision of a board of zoning appeals approving, denying, or otherwise concerning a use variance (other than a decision affecting real property within the boundaries of an excluded city). Requires the metropolitan development commission to give strong consideration to the first continuance of an appeals hearing that is filed by a member of the city-county council.

SEA 249 – Transfers of Real Property (Sen. Jim Buck, R-Kokomo) Specifies that a property tax penalty for property sold by a county executive through a certificate of sale procedure is to be removed from the tax duplicate if the penalty is associated with a delinquency that was not due until after the date of the original tax sale but is due before the issuance of the certificate of

sale by the county executive. Specifies procedures for collecting unpaid taxes after the county auditor determines that a property is no longer eligible for a standard deduction. Provides that no lien attaches for any additional taxes and civil penalties resulting from the removal of the deduction with respect to a bona fide purchaser of the property who is without knowledge of the county auditor's determination. Indicates that certain defects in a lease recorded with the county recorder do not invalidate the effect of recording the lease.

Provides that a person acquiring a condominium unit is not liable for unpaid assessments if the condominium association, manager, or board of directors fails to provide a statement of unpaid assessments within 10 days of the person's written request. Specifies the appraisal procedure to be used when selling property at auction in a partition action, and provides that the parties may waive appraisal and valuation. Permits any person with an interest in property being sold at a sheriff's sale in a partition action to request that the court order the sale be conducted by an auctioneer. Provides that a governmental entity may claim title by adverse possession without having paid property taxes and special assessments due on the property if the governmental entity is exempt from the payment of property taxes and special assessments.

SEA 308 – Sports and Convention Development Areas (Sen. Tom Wyss, R-Fort Wayne)

Allows a professional sports development area (PSDA) in Allen County to be amended after April 30, 2014, and before January 1, 2015. Provides that a PSDA in Allen County must terminate before the later of January 1, 2028, or (if the designating body takes final action on the financing before January 1, 2015) a date agreed to jointly by the budget agency and the designating body that established the tax area. Specifies that the expiration date may not be later than 25 years after the debt to finance the facility or proposed facility is issued, and that the budget agency must approve the final financing for the facility or proposed facility.

SEA 385 – Various Election Law Matters (Sen. Pete Miller, R-Avon)

Changes election law as follows: (1) Permits the election division to provide voter registration information from the statewide voter registration system (system) without charge to the clerks of the United States District Courts for the Northern and Southern Districts of Indiana. (2) Amends online voter registration procedures. (3) Provides that an individual who knowingly making a false statement about a voter identification number on a poll list commits a Level 6 felony. (4) Permits a county voter registration office to provide precinct inspectors a scanned copy of a more recent signature of a voter than the signature on the voter's original registration. (5) Exempts precinct officials, a county voter registration office, and various other agencies taking custody of voter registration forms from "chain of custody" documentation. (6) Specifies efforts officials must make to obtain information missing on voter registration forms. (7) Permits a county voter registration office to send an address confirmation notice to an active voter who may no longer reside at the address shown on the voter's registration record if the county sends a similar notice to voters when a boundary or polling place is changed. (8) Sets requirements for mailings for the statewide voter registration residency confirmation outreach project. (9) Provides a method for a voter to update information in the voter's registration record in a county using electronic poll books. (10) Requires officials to request information from various public sources to update voter registration records. (11) Provides that a family and social services administration office (FSSA) providing Medicaid services has the same deadlines to transmit voter registration applications as other FSSA offices. (12) Specifies how a person having a power of attorney for a voter may assist the voter with absentee voting. (13) Clarifies

the timeline for a county voter registration office to cancel the record of inactive voters who have failed to vote or appear to vote at the address on the registration record. (14) Specifies that the inspector (rather than two judges) marks the poll list in the presence of the poll clerks to indicate that a voter has voted by absentee ballot in a precinct. (15) Requires a county to adopt procedures concerning the security of absentee ballots cast on an electronic voting system. (16) Permits a vote center plan to provide that vote centers not be used in municipal elections in some or all small towns in a county. (17) Updates provisions concerning the location of challengers within a polling place. (18) Specifies the retention requirements for data on recording units used in direct record electronic voting systems. (19) Specifies that the county voter registration office is required to update voter registration records using information contained on a poll list returned after election day. (20) Requires a board to enter into the system certain information regarding provisional ballots. (21) Provides a procedure to reconcile the number of signatures on poll lists with the number of votes cast in a precinct where the majority of ballots are cast by electronic voting system. (22) Establishes a small precinct committee in Lake County to determine if precincts in the county that had fewer than 500 active voters as of June 1, 2014, can be combined with one or more adjacent precincts. Requires the Lake County board of elections and registration to adopt a precinct establishment order implementing the committee's findings. Provides when the establishment order takes effect. (23) Repeals obsolete provisions concerning voter registration forms, county National Voter Registration Act implementation plans, absentee voting in the county clerk's office, certificates of error, and hand counted paper ballots. (24) Makes conforming amendments and technical corrections.

SEA 422 – Abandoned Housing (Sen. Jim Merritt, R-Indianapolis) Requires the attorney general to establish and maintain a tax sale blight registry of all persons ineligible to participate in the tax sale. Provides that properties certified as vacant or abandoned may be sold outright at the tax sale. Reduces the interest rate for payments in excess of a minimum bid from 10% to 5%. Lowers the interest rate for refunds on certain tax sales from 6% to 5%. Provides that the notice to a record owner of property must occur six months, instead of nine months, after the date of the tax sale. Requires the executive of a county, city, or town to obtain a judgment that a parcel of real property is vacant or abandoned before a certification can be made to the county auditor for tax sales purposes. Reduces the period from six to three months when a tax sale purchaser may petition the court for a judgment directing the county auditor to issue a tax deed if the real property is not redeemed from the sale. Specifies that a property tax penalty for property sold by a county executive through a certificate of sale procedure is to be removed from the tax duplicate if the penalty is associated with a delinquency that was not due until after the date of the original tax sale but is due before the issuance of the certificate of sale by the county executive. Requires, for tax deeds executed for real property sold at a tax sale, that the county auditor submit the tax deed directly to the county recorder for recording and charge the tax sale purchaser the appropriate recording fee. Permits the county auditor to be the only signer of a sales disclosure form. Adds the term "blighted" in determining whether a building is an unsafe building. Requires a business entity that seeks to register to bid at a tax sale to provide a certificate from the secretary of state to the county treasurer. Prohibits foreign business associations that have not registered with the secretary of state from participating in the tax sale. Requires persons who purchase a property or certificate at a tax sale to reimburse the county for the costs of a title search. Permits a county to establish a paddle fee for persons who attend the tax sale. Requires the sheriff to notify the owner of a foreclosed property being sold at auction if the sale is canceled.

HEA 1099 – Annexation of Noncontiguous Property (Rep. Rick Niemeyer, R-Lowell) Allows a municipality to annex property that is not contiguous to the municipality and is occupied by: (1) a municipally owned or operated wastewater treatment facility or water treatment facility; or (2) a police station of the municipality. Provides that if a municipality annexes such territory, the municipality may annex additional territory to enlarge the territory for the use of the wastewater treatment facility or water treatment facility only if the county legislative body approves that use of the additional territory by ordinance. Provides that certain municipalities may appeal an annexation on the basis that the annexed territory is not contiguous to the annexing municipality. Specifies that certain annexed territory may not be considered a part of the municipality for purposes of annexing additional territory and may not be considered a part of the corporate boundaries of the municipality for certain purposes under zoning laws.

HEA 1132 – Infrastructure Improvement Costs (Rep. Bill Friend, R-Macy) Provides that a public utility that provides water or wastewater service may petition the utility regulatory commission for an adjustment of its basic rates and charges to allow for recovery of eligible infrastructure improvement costs. (Current law provides that only a public utility that provides water service may apply for a distribution system improvement charge.) Requires a public utility to annually reconcile the difference between its utility rate improvement adjustment revenues and infrastructure improvement costs. Repeals definitions related to distribution system improvement charges. Makes conforming amendments.

HEA 1187 – Municipal Utility Service (Rep. Ron Bacon, R-Chandler) Provides that a municipal utility's offering or providing of water or wastewater service in an area outside the corporate boundaries of the utility's municipality is under the jurisdiction of the Indiana utility regulatory commission (IURC) under certain circumstances. Establishes criteria that the IURC must consider in resolving service disputes involving municipal utilities. Provides that the IURC may recover from a municipal utility costs associated with an investigation concerning utility service outside the corporate boundaries of the municipality.

HEA 1196 – Construction Managers as Constructors (Rep. Randy Truitt, R-West Lafayette) Authorizes public agencies to employ construction managers as constructors for certain construction projects. Provides that state educational institutions may use the process for public works projects that begin after June 30, 2014. Provides that public agencies other than a state educational institution may use the process for public works projects that begin after June 30, 2017. Provides that the statute expires July 1, 2020.

HEA 1216 – Zoning Commitments and Annexation (Rep. Randy Truitt, R-West Lafayette) Allows a municipal legislative body that annexes real property subject to a zoning commitment to modify, terminate, or enforce the commitment after the annexation takes effect. Provides that the legislative body of a unit may modify or terminate a commitment if the commitment is part of a rezoning proposal being considered by the legislative body. Provides that a decision of the legislative body regarding modification or termination of a zoning commitment is a legislative act and is not subject to judicial review.

HEA 1266 – Local Government Finance Issues (Rep. Dan Leonard, R-Huntington) Provides that public utility property tax returns shall be filed in the manner prescribed by the department of local government finance (DLGF). Allows a railroad car company to file its return

by July 1 (rather than May 1). Authorizes a public utility company to file an amended return. Provides that the penalty assessed on a public utility company for filing a late return may not exceed \$1,000. Deletes from current law the authority of the DLGF to extend the due date for a public utility company to file a return with the DLGF. Provides that if the DLGF assesses the property of a public utility company because the public utility company does not file a return, the public utility company may file a return with the DLGF and the DLGF may amend its assessment. Provides that if, after an assessment date, an exempt property is transferred or its use is changed resulting in its ineligibility for an exemption, the county assessor shall terminate the exemption for that assessment date.

Specifies that if the property remains eligible for an exemption following the transfer or change in use, the exemption shall be left in place for that assessment date. Provides that for the following assessment date, the person that obtained the exemption or the current owner of the property shall file an application with the county assessor. Requires applications for certain property tax deductions to be completed and dated in the calendar year for which the taxpayer wishes to obtain the deduction and to be filed with the county auditor on or before January 5 of the immediately succeeding calendar year. Provides that a petition to correct an error must be filed within three years after the taxes were first due. Requires a political subdivision to submit to the DLGF information concerning the adoption of budgets and tax levies using the DLGF's computer gateway. Provides that publication requirements in current law continue in 2014 for 2015 budgets (along with the new requirements added in the bill concerning submission of budget and levy information to the DLGF's computer gateway). Requires the DLGF to make this information available to taxpayers through its computer gateway and provide a telephone number through which taxpayers may request copies of a political subdivision's information. Specifies that for taxes due and payable in 2015 and 2016, each county shall publish a notice stating the Internet address at which the budget information is available and the telephone number through which taxpayers may request copies of a political subdivision's budget information. Allows counties to seek reimbursement from the political subdivisions in the county for the cost of the notice. Provides that if a political subdivision timely submits the budget information to the DLGF's computer gateway but subsequently discovers the information contains a typographical error, the political subdivision may request permission from the DLGF to submit amended information.

Specifies the conditions under which the DLGF shall increase a political subdivision's tax levy to an amount that exceeds the amount originally advertised or adopted by the political subdivision. Provides that if the DLGF increases a tax levy under this provision, the DLGF shall (unless the department finds extenuating circumstances) reduce the levy below the maximum allowable levy by the lesser of: (1) 5% of the difference between the advertised or adopted levy and the increased levy; or (2) \$100,000. Allows DeKalb County and the towns of Middlebury, Lewisville, and Mooreland to borrow money to offset levy reductions made by the DLGF because budget and property tax levy information were not properly advertised. Eliminates the provision added in 2013 that specifies that the exemption from the property tax levy limits for property taxes to pay debt does not apply to property taxes imposed by a township to repay money borrowed under the emergency loan provisions. Specifies that the balance maintained by the provider unit of a fire protection territory may not exceed 120% of the budgeted expenses of the territory. Deletes current law requiring certain specified reporting of other post-employment benefits (OPEB) information, and adds a provision requiring a political subdivision to annually report information and data on its retiree benefits and expenditures.

HEA 1318 – Various Election Law Matters (Rep. Kathy Richardson, R-Noblesville) Makes changes in election and related statutes concerning the following: (1) Modifications of voting systems. (2) Proof of voter identification. (3) Printing the name of deceased candidates on the ballot. (4) Use of voting systems by voters with disabilities. (5) Registration of military and overseas voters. (6) Receiving ballots from military and overseas voters. (7) Use of electronic mail for candidate filing confirmations. (8) Notice provisions on declarations of candidacy and other candidate documents. (9) School board candidates. (10) Candidate statements of economic interests. (11) Certificates of nomination. (12) Recount procedures. (13) Schedules for conducting special elections. (14) Electronic poll books. (15) Vote centers. (16) When candidates for county and township assessors must meet certification requirements to hold office.

HEA 1346 – County Government Issues (Rep. Dan Leonard, R-Huntington) Provides that in a county having a population of more than 300,000 but less than 400,000, a public question shall be held in the county at the 2014 general election on whether the executive and legislative structure of county government should be changed. Provides that if the public question is approved, the voters of the county shall not elect a board of county commissioners, but shall instead elect a single county executive to serve as the county executive and shall elect a county council that has the legislative and fiscal powers and duties of the county. Provides that in a county with a single county executive, the county council must consist of nine members elected from single-member districts (instead of four members elected from single-member districts and three members elected at large).

Provides that if the office of single county executive becomes vacant, the county council shall appoint an individual to serve as interim single county executive until the office is filled. Provides that in a county that has abolished the board of county commissioners and has elected a single county executive, the county council may adopt an ordinance to change the county government structure back to a structure that includes: (1) the election of a board of county commissioners (instead of a single county executive); and (2) a county council in which four members are elected from single-member districts and three members are elected at large (instead of a county council in which all nine members are elected from single-member districts). Provides that if such an ordinance is adopted, a public question shall be held to determine whether the county government structure shall be changed back to a structure that includes the election of a board of county commissioners. Provides that in a county that has a single county executive, the drainage board consists of: (1) the single county executive; and (2) two or four persons (as determined by the single county executive) who are appointed by the single county executive.

HEA 1403 – Regulation of Residential Rental Property (Rep. Jud McMillin, R-Brookville) Provides that the owner of a rental unit assessed any fee by a political subdivision pertaining to the rental unit may: (1) notify the tenants of the rental unit of the assessment of the fee; and (2) require the tenants of the rental unit to reimburse the owner for the payment of the fee. (Current law refers to "inspection, registration, or other fee".) Requires fees regarding rental units and rental communities to be deposited in a dedicated fund to for reimbursement of costs actually incurred by the political subdivision relating to the imposition and amount of the fee. Restricts the circumstances and conditions in which a political subdivision may require a rental unit's owner or landlord to obtain a permit. Allows an owner of a rental unit to obtain an

exemption from a political subdivision's inspection and inspection fee requirements if the rental unit satisfies certain requirements. Allows a political subdivision to impose a penalty for an act constituting a nuisance or ordinance violation. Allows a successful county, city, or town or a successful defendant to recover attorney's fees incurred in a nuisance action. Provides that a political subdivision may assess an annual registration fee. Repeals superseded statutes relating to local regulation of residential landlord and tenant relations.

Public Safety

SEA 169 – Firearms (Sen. Mike Young, R-Indianapolis) Makes it a Level 5 felony for a person to provide an individual with a firearm if the person knows that the individual: (1) is legally ineligible to possess a firearm; or (2) intends to use the firearm to commit a crime; and increases the penalty to a Level 3 felony if the firearm is used to commit murder. Provides a defense for certain persons accused of providing firearms to ineligible individuals if: (1) the accused person contacted NICS to request a background check on the individual; and (2) the accused person received authorization from NICS to provide the firearm to the individual. Makes theft a Level 6 felony instead of a Class A misdemeanor if the property involved is a firearm. Allows the state to seek a sentencing enhancement of from five years to 20 years if a person uses a firearm to commit: (1) a felony against the person that results in death or serious bodily injury; (2) kidnapping; or (3) criminal confinement as a Level 2 or Level 3 felony.

SEA 171 – Community Supervision (Sen. Mike Young, R-Indianapolis) Requires a community corrections program to develop a plan of collaboration with the county probation department as a condition of receiving financial assistance from the department of correction. Permits the commissioner of the department of correction to award additional financial aid to counties with an approved community supervision collaboration plan. (The introduced version of this bill was prepared by the criminal law and sentencing policy study committee.)

SEA 227 – Alcohol and Medical Emergencies; Crime Studies (Sen. Jim Merritt, R-Indianapolis) Provides that a person is immune from arrest or prosecution for certain alcohol offenses if the arrest or prosecution is due to the person: (1) reporting a medical emergency; (2) being the victim of a sex offense; or (3) witnessing and reporting what the person believes to be a crime. (Current law provides immunity from arrest or prosecution only if the person reports a medical emergency that is due to alcohol consumption.) Establishes a mitigating circumstance for the sentencing of a person convicted of a controlled substance offense if the person's arrest or prosecution was facilitated in part because the person requested emergency medical assistance for an individual in need of medical assistance due to the use of alcohol or a controlled substance. Allows a court to defer entering a judgment of conviction for an individual arrested for an alcohol offense if the individual was arrested after a report that the person needed medical assistance due to the use of alcohol if certain conditions are met.

Allows an advanced emergency medical technician, an emergency medical responder, an emergency medical technician, a firefighter or volunteer firefighter, a law enforcement officer, or a paramedic to administer an overdose intervention drug to a person suffering from an overdose. Allows certain health care providers to prescribe, and a pharmacist to dispense, an overdose intervention drug for an advanced emergency medical technician, an emergency medical responder, an emergency medical technician, a fire department or volunteer fire

department, a law enforcement agency, or a paramedic. Requires the commission on improving the status of children in Indiana to study and evaluate: (1) crimes of sexual violence against children; and (2) the impact of social media, wireless communications, digital media, and new technology on crimes against children. Requires the state department of health or the office of women's health to conduct a study to determine the number of persons who are the victims of crimes of domestic or sexual violence, the reasons why these crimes are underreported, best practices to improve reporting, and the most effective means to connect victims with appropriate treatment services. Establishes a framework for the study, and permits the department of health or the office of women's health to contract with a third party to conduct the study. Urges the legislative council to assign to the appropriate study committee during the 2014 interim the task of studying the causes of violence and violent crime in Indiana.

SEA 229 – Firearm Matters (Sen. Jim Tomes, R-Wadesville) Allows a firearm that may be destroyed to be sold to a salvage company and destroyed by dismantling the firearm for parts, scrap metal, or recycling, or for resale as parts for other firearms. Provides that a unit may conduct a firearms buyback program only with private funds or grants. Removes a provision from the law making possession of a firearm on property that is being used by a school for a school function a felony. Provides, for purposes of the law concerning possession of firearms on school property, that the law does not apply to certain students who are members of a shooting sports team or certain individuals who may legally possess a firearm and possess a firearm that is locked in the trunk of the person's motor vehicle, kept in the glove compartment of the person's locked motor vehicle, or stored out of plain sight in the person's locked motor vehicle. Specifies that the law concerning firearms in locked vehicles does not prohibit an employer from prohibiting an employee from possessing a firearm or ammunition at the employer's residence.

Provides that the chapter concerning possession of firearms on school property and school buses does not apply to a person who may possess the firearm and possesses the firearm in a motor vehicle. Makes it a Class A misdemeanor if certain persons leave a firearm in plain view in a motor vehicle parked in a school parking lot. Removes a provision from the law concerning firearms in locked vehicles that allows a person to adopt or enforce an ordinance, a resolution, a policy or rule that prohibits an employee of the person from possessing a firearm or ammunition in or on school property, in or on property that is being used by a school for a school function, or on a school bus in violation of: (1) student discipline laws concerning possession of firearms; or (2) the law concerning possession of firearms on school property and school buses. Provides that a person may adopt or enforce an ordinance, a resolution, a policy, or a rule that prohibits an employee from possessing a firearm or ammunition in a motor vehicle that is owned, leased, or controlled by a school or school district.

SEA 236 – Alcohol and Criminal Offenses (Sen. Mike Young, R-Indianapolis) Revises numerous provisions of IC 7.1 that deal with criminal liability. Removes the requirement that the driver's license of a minor shall be suspended if the minor commits certain offenses related to the unlawful possession or purchase of an alcoholic beverage if the offenses do not involve the use of a motor vehicle. Makes it a Class B misdemeanor for a person to knowingly or intentionally: (1) rent property; or (2) provide or arrange for the use of property; for the purpose of allowing or enabling a minor to consume an alcoholic beverage on the property. Makes this offense a: (1) Class A misdemeanor if the person has a prior unrelated conviction; and (2) Level 6 felony if the consumption, ingestion, or use of the alcoholic beverage is the proximate cause

of the serious bodily injury or death of any person. Provides immunity from civil liability for a postsecondary educational institution or its agents under certain conditions. (The introduced version of this bill was prepared by the criminal law and sentencing policy study committee.)

SEA 238 – Inspection of Private Buses (Sen. Tom Wyss, R-Fort Wayne) Requires the state police department to establish a program to inspect private buses. Provides that the state police department is not required to conduct the inspections. Provides that an inspection that complies with regulations of the United States Department of Transportation satisfies the requirements of the program established by the state police. Requires the owner of a private bus to provide to the bureau of motor vehicles an unexpired certificate of inspection for the private bus before the owner may register or reregister the private bus.

SEA 343 – Law Enforcement Training and Emergency Services (Sen. Tim Lanane, D-Anderson) Requires the law enforcement training board to adopt rules for minimum standards for a course of study on cultural sensitivity training, including training on the U nonimmigrant visa.

SEA 387 – Department of Homeland Security (Sen. Tom Wyss, R-Fort Wayne) Eliminates the designation of the division of planning and assessment as the division within the department of homeland security that disburses federal and state homeland security funds to the state and local governments. Transfers from the state department of health to the department of homeland security the authority to regulate radioactive materials. Requires the fire prevention and building safety commission to elect one of its members as vice chair of the commission and provides that, in the absence of the chair, the vice chair shall perform the duties of the chair. Removes, from the law requiring the fire prevention and building safety commission to adopt a statewide code of fire safety laws, certain language pertaining to a previous statewide code of fire safety and building laws.

HEA 1006 – Criminal Code Revision (Rep. Greg Steuerwald, R-Danville)

This bill is the culmination of a criminal code rewrite that began with formation of a study committee in 2009. The process of creating this legislation included thousands of man hours of study, discussion, compromise and legislative consideration. While the general public will take some time to get used to the change in terminology from A-D felonies to level 1-6 felonies, the final bill builds meticulously upon that framework passed as HEA 1006-2013. The major highlights include are numerous but fall into an overall theme of reducing the inmate population in the Department of Corrections while establishing a higher level of proportionality of penalties in Indiana's criminal code.

Sentencing

While the discussion of this bill took many twists and turns, one main point was referred to by legislators throughout the dialogue; the DOC population must be reduced to prevent the state from having to build another multi-million dollar penitentiary. To balance the goal of proportionality with the concern over the DOC population, the general compromise was met to decrease penalties on low level drug crimes while maintaining or increasing penalties on violent criminals or drug crimes involving more hardcore drugs.

The bill reduces the penalties for the crimes of dealing in cocaine or a narcotic drug and dealing in methamphetamine, and reduces sentences for arson with intent to defraud, institutional criminal mischief, an offense against intellectual property, and auto theft; from a

Level 5 to a Level 6 felony. It also increases the minimum enhancement amount for certain controlled substances from three grams to five grams.

1006-2014 provides that a person may only be convicted of possession with intent to deliver if, in addition to possessing the controlled substance, other evidence exists to show intent. The bill also resets the maximum penalties for certain felonies to current law (instead of the 1006-2013 levels) as follows: (1) Level 1 felonies, from 40 to 50 years; (2) Level 3 felonies, from 15 to 20 years; (3) Level 4 felonies, from 10 to 12 years; and Level 5 felonies, from five to six years. The bill also allows a court to suspend any part of a sentence for a Level 2 felony or a Level 3 felony concerning a controlled substance.

The bill also requires a court to sentence a person found to be a habitual offender to an additional fixed term of imprisonment that is between: (1) six years and 20 years, for a person convicted of murder or a Level 1 through Level 4 felony; and (2) two years and six years, for a person convicted of a Level 5 or Level 6 felony.

A pretrial diversion program is established for persons charged with a Level 5 or Level 6 felony as part of the effort to limit the number of felons who are incarcerated in the Department of Corrections.

Advisory Sentences and Modification

HEA 1006-2014 requires a court to explain its reasons for imposing a sentence unless the court imposes an advisory sentence. The legislature reasons that this allowance will guide courts to impose the advisory sentence and therefore the intended punishment for the crime. The basis for many of the studies upon which this act was built was an assumption that the advisory sentence would be used by courts, and legislators built in language to help guide the courts to use the assumed sentences.

Compared to 1006-2013, this version increases the advisory sentence: (1) from six years to 10 years for a Level 3 felony; (2) from four years to six years for a Level 4 felony; and (3) from two years to three years for a Level 5 felony.

One of the issues brought out during testimony on the bill is whether sentence modifications should continue to be allowed, and when they should be available to the court. This act provides that after one year from when a convicted person begins serving the person's sentence; the court will obtain a report from the department of correction concerning the convicted person's conduct while imprisoned. The court may then reduce or suspend the person's sentence and impose any sentence the court was authorized to impose at the time of sentencing. Also, the legislature included as part of 1006 that a person may not waive the person's right to sentence modification as part of a plea agreement.

Department of Corrections and Local Jails

While the legislature considered these changes for the past 4 or 5 years, one constant concern was the lack of data on which to build projections for DOC population in the coming years, regardless of what sentences were eventually mandated. While the current law is built upon assumptions about the DOC population, the legislature has included provisions in this bill that require DOC to estimate the amount of any operational cost savings that will be realized from a reduction in the number of individuals who are in the custody of the DOC attributable to the sentencing changes made under the bill.

However, the natural result of many of the provisions to reduce DOC population is to increase the population in local jails. So, the bill also specifies that if the DOC estimates that such operational cost savings will be realized, the department may make additional grants to counties for community corrections programs, or to the judicial conference for court probation services, from funds appropriated by the legislature to the DOC. The legislature's best estimate of the savings is \$11 million, so they placed made this amount the maximum that DOC could provide to locals or the judicial conference.

Other Changes

Other, smaller changes to the code include a change to the law governing so-called "sexting", or sending of indecent images via cellphone or other electronic communications, to remove it from being a felony generally when being conducted between consenting individuals who are in a dating relationship.

The bill applies the same level of scrutiny on law enforcement officials as other professions considered to be positions of authority when considering child seduction penalties. Juvenile Court will now have jurisdiction over more crimes, including criminal gang activity, criminal gang intimidation, and certain drug offenses.

Also, the bill provides that a person confined on home detention as a condition of probation earns one day of credit time for each day the person is confined on home detention.

HEA 1009 – Surveillance and Privacy (Rep. Eric Koch, R-Bedford) Requires a law enforcement officer to obtain a search warrant in order to use an unmanned aerial vehicle, with certain exceptions. Exempts electronic or video toll collection activities and facilities from certain restrictions relating to video and electronic surveillance and data collection. Provides that a law enforcement officer may not compel a person to provide a passkey, password, or keycode to any electronic communication service, electronic device, or electronic storage, or any form of stored electronic user data without a valid search warrant issued by a judge. Prohibits a law enforcement officer or law enforcement agency from using a real time tracking instrument that is capable of obtaining geolocation information concerning a cellular device or a device connected to a cellular network unless certain conditions are met. Provides that, except for a law enforcement officer or governmental entity who has obtained a search warrant, a person who knowingly or intentionally places a camera or electronic surveillance equipment that records images or data of any kind while unattended on the private property of another person without the consent of the owner or tenant of the private property commits a Class A misdemeanor.

Urges the legislative council to assign to a study committee during the 2014 legislative interim the topic of digital privacy, including: (1) issues related to searches of electronic devices, compelling the disclosure of electronic user data, the collection and use of geolocation information, and the collection and use of biometric information by government agencies; and (2) any other issue concerning digital privacy and related subjects.

HEA 1037 – Broadcasters During Emergencies or Disasters (Rep. Kevin Mahan, R-Hartford City) Provides that: (1) broadcasters shall develop comprehensive and coordinated plans for preparation for and responding appropriately to an emergency or disaster; and (2) any statewide organization or a member of a statewide organization that represents broadcasters may establish a program for training and certifying broadcast engineers and technical personnel as first response broadcasters.

HEA 1268 – Probation and Community Corrections Treatment (Rep. Greg Steuerwald, R-Danville) Requires community corrections programs to use evidence based services, programs, and practices that reduce the risk for recidivism. Permits the community corrections board to coordinate or operate certain programs. Establishes standards for the award of certain grants by the department of correction, and requires the department of correction to consult with the judicial conference and the division of mental health and addiction before awarding grants. Defines "mental health and addiction forensic treatment services", establishes eligibility and treatment criteria, and creates the mental health and addiction forensic treatment services account to fund mental health and addiction forensic treatment services. Requires the judicial conference to consult with the department of correction and the division of mental health and addiction before awarding financial assistance, and requires any person providing mental health and substance use treatment services be certified by the division of mental health and addiction. Provides that the department of correction may provide financial assistance to community corrections programs from the mental health and addiction forensic treatment services account. Makes certain individuals participating in evidence-based mental health and addiction treatment programs eligible for TANF and SNAP benefits). (The introduced version of this bill was prepared by the criminal law and sentencing policy study committee.)

HEA 1269 – Criminal Matters (Rep. Greg Steuerwald, R-Danville) Specifies that a person who commits a crime before the effective date of HEA 1006-2013 or HEA 1006-2014 is to be sentenced in accordance with the law in effect at the time the crime was committed. Conforms provisions dealing with nonsuspendibility and community corrections to the nonsuspendibility provisions of HEA 1006-2013 and HEA 1006-2014. Defines "service provider" and "lawful supervision", and makes it sexual misconduct, a Level 5 felony, for a service provider to knowingly or intentionally engage in sexual intercourse or other sexual conduct with a person who is subject to lawful supervision. Makes it sexual misconduct, a Level 4 felony, for a service provider who is at least 18 years of age to knowingly or intentionally engage in sexual intercourse or other sexual conduct with a person who is: (1) less than 18 years of age; and (2) subject to lawful supervision.

HEA 1301 – Fire and Building Safety Issues (Rep. Heath VanNatter, R-Kokomo) Repeals the statute requiring the division of fire and building safety (division) to employ a state building law compliance officer. Creates the office of state building commissioner, who is appointed by the governor to serve: (1) at the pleasure of the governor; and (2) full time. Provides that the state building commissioner has the duties and responsibilities of the state building law compliance officer. Requires the state building commissioner to issue a written interpretation of a building law or fire safety law not later than 10 business days after the date of receiving a request. Provides that a design release may be issued without a plan review if: (1) the application for a design release is complete; and (2) the application for a design release is not selected for a plan review by the division. Establishes deadlines for the division to conduct plan reviews and provide notices. Provides that, with certain exceptions, if the division fails to provide notice or complete plan review within the time required by statute, a design release must be issued without further review. Provides that if a plan review reveals one or more state building or fire code violations determined by the division to pose a substantial threat to the public health, safety, or welfare: (1) the division is required to notify: (A) the preparer of the plans; (B) the licensing agency of the preparer for possible disciplinary sanctions; and (C) the project owner or general contractor; and (2) the time limitations for plan review do not apply.

Requires the division to maintain a single electronic file regarding each project for which a design release application is filed. Requires the fire prevention and building safety to established objective criteria for certifying the competency of a city, town, or county (unit) to perform plan reviews. Provides that a townhouse is a Class 2 structure (instead of a Class 1 structure) for purposes of the state fire, building, and equipment laws. Provides that a plan review may be limited to the corrections required by the division. Allows for an administrative hearing to be conducted to determine if action is appropriate when the results of a plan review reveal that an engineer or architect knowingly or recklessly submitted plans or specifications that are determined to pose a wanton and willful disregard for the public health, safety, or welfare. Prohibits a political subdivision from adopting an ordinance or other requirement after February 28, 2013, that would require a builder or remodeler to be licensed, certified, permitted, registered, or listed by the political subdivision as a condition to the builder or remodeler constructing or remodeling a residential dwelling. Provides that a political subdivision is not prohibited from licensing, permitting, or registering specific trades or issuing permits and approvals that regulate the use, planning, and development of property. Establishes deadlines for local units to conduct local plan reviews and provide notices. Repeals a noncode provision that prohibits the regulation of builders and remodelers by political subdivisions. (This provision is currently set to expire July 1, 2015.)

HEA 1303 – School Bus Safety (Rep. Heath VanNatter, R-Kokomo) Provides that the driver of a special purpose bus or school bus (bus) at the time of the inspection shall be notified of an out-of-service order and a copy shall be made available on the Internet web site of the state police department. (Current law provides that a copy of the out-of-service order is to be forwarded to the governing body of the school corporation that controls the operation of the bus.) Requires the state school bus committee to adopt and enforce rules that require that each school bus placed into service for the first time bear in black letter on the back of the school bus: (1) an indication that the school bus is required to stop at all railroad crossings; and (2) the name of the school corporation. Provides that an individual who is or intends to become a school bus driver must obtain a physical examination certificate from an individual who is registered in the Federal Motor Carrier Safety Administration's National Registry of Certified Medical Examiners. Provides that a school corporation shall determine how a certified medical examiner who is to conduct the physical examination is chosen and who must pay for the physical examination.

HEA 1384 – Downloading of Cellular Telephone Information by Police (Rep. Mike Speedy, R-Indianapolis) Prohibits a police officer from extracting or otherwise downloading information from a telecommunications device without the owner's consent for a violation of the law concerning typing, transmitting, or reading a text message while operating a motor vehicle unless: (1) the police officer has probable cause to believe that the telecommunications device has been used in the commission of a crime; (2) the information is extracted or otherwise downloaded under a valid search warrant; or (3) otherwise authorized by law. Provides that if a law enforcement officer detains a person because the law enforcement officer believes the person has committed an infraction or ordinance violation, the law enforcement officer may not, without the person's consent, extract or otherwise download information from a cellular telephone or another wireless or cellular communications device possessed by the person at the time the person is detained unless: (1) the law enforcement officer has probable cause to believe that the cellular telephone or other wireless or cellular communications device has

been used in the commission of a crime; (2) the information is extracted or otherwise downloaded under a valid search warrant; or (3) otherwise authorized by law.

Tax & Fiscal Policy

SEA 1 – State and Local Taxation (Sen. Brandt Hershman, R-Buck Creek) Specifies that the county income tax council of a county may adopt an ordinance providing that if for a particular assessment date the acquisition cost of a taxpayer's business personal property in a county is less than \$20,000: (1) the taxpayer is not required to file a personal property return for the taxpayer's business personal property in the county for that assessment date; and (2) the taxpayer's business personal property in the county for that assessment date is exempt from taxation. Specifies that such an exemption ordinance may apply to assessment dates after December 31, 2015. Specifies that this exemption does not apply to mobile homes assessed as personal property, personal property held as an investment, or personal property that is owned by certain utilities subject to regulation by the utility regulatory commission and is assessed as utility property. Requires the taxpayer to file a certification with the county assessor before May 15 of the year in which the assessment date occurs, and imposes a penalty if the annual certification is not timely filed.

Provides that the tax rate for certain tax increment financing areas shall be calculated as if this exemption were not in effect. Provides that a county income tax council may adopt an ordinance to exempt from property taxation any new business personal property that is located in the county. Specifies that this exemption does not apply to mobile homes assessed as personal property, personal property held as an investment, or personal property that is owned by certain utilities subject to regulation by the utility regulatory commission and is assessed as utility property. Provides that a designating body may establish an enhanced abatement schedule for personal property that may not exceed 20 years. Provides that 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 as part of a property tax abatement or on account of the taxpayer's failure to comply with any other requirement to receive a property tax abatement, 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 abatement deduction.

Phases down the corporate income tax rate from 6.5% in 2015 to 4.9% after June 30, 2021. Phases down the financial institutions tax rate to 4.9% in calendar year 2023. Provides that a retail merchant engaged in selling bulk propane at retail in Indiana shall claim a credit before June 30, 2014, equal to the sales tax paid by the retail merchant's customers after December 31, 2013, and before April 1, 2014, on that part of the price of bulk propane that exceeded \$2.50 per gallon. Requires such a retail merchant to provide a credit to customers of the retail merchant on their next purchase of bulk propane occurring after the retail merchant claims the credit. Specifies that retail merchants are entitled to a collection allowance for administering the credits provided to customers. Establishes the commission on business personal property and business taxation to study certain issues during 2014.

SEA 161 – Tax Issues (Sen. Luke Kenley, R-Noblesville) Specifies that for purposes of computing sales tax, a seller may elect to round the tax on an item basis or an invoice basis.

Removes blood glucose monitoring meters from the separate sales tax exemption for blood glucose supplies to comply with the Streamlined Sales and Use Tax Agreement. Provides that blood glucose meters and the packaging or literature for a blood glucose meter furnished without charge by a diabetic supply distributor are exempt from sales tax. (Blood glucose meters would also be exempt from sales tax as durable medical equipment if sold or rented under a prescription.) Provides that the sales tax exemption for blood glucose monitoring supplies applies only to supplies furnished without charge. Provides that the value of an Olympic medal and prize money paid by the United States Olympic Committee to the winner of an Olympic medal are exempt from the Indiana adjusted gross income tax.

SEA 225 – Various State and Local Financial Matters (Sen. Luke Kenley, R-Noblesville)

Eliminates the requirement that excess state general fund reserves are to be carried over each year for purposes of determining a transfer to the pension stabilization fund and an automatic taxpayer refund. Reduces from 50 to 25 the number of hard copy documents a state agency must provide to the state library. Permits the state library foundation to choose to have its annual audit performed by an independent certified public accountant or by the state board of accounts. Changes the publisher of the annual report of the meetings of the Indiana Academy of Science from the commission on public records to the Indiana Academy of Science. Changes various copy requirements concerning the Indiana Academy of Science's reports. Repeals the annual appropriation for the printing of the proceedings and papers of the Indiana Academy of Science. Eliminates local unit participation in the state employee health plan. Repeals the requirement that the state provide a retiree health benefit plan to state employees after they become eligible for Medicare coverage. Repeals the mandatory contribution by state employees at retirement of unused vacation leave to the PERF 401(h) retirement medical benefits account. Recognizes multiparty agreements, including agreements with other states and local government units, using a transportation public-private arrangement. Modifies hearing requirements related to public-private partnership arrangements. Removes restrictions on how the state police department may use certain appropriations. Allows parties involved in a property tax appeal to agree to receive notices and other material by electronic means.

SEA 266 – Assessment of Real Property (Sen. Scott Schneider, R-Indianapolis) Consolidates provisions relating to the burden of proof concerning assessments into one section of the Indiana Code (and repeals the existing provision that is moved to another citation in the Indiana Code). Specifies that if the assessed value of real property is increased above the amount of the assessed value as reduced by any assessing official or reviewing authority, the assessing official making the assessment has the burden of proving that the assessment is correct. (Under current law, this burden of proof applies only if the assessed value was reduced by the property tax assessment board of appeals.)

Amends the existing law concerning the assessor's burden of proof when an assessment is increased by more than 5% over the prior tax year by specifying the following: (1) In calculating the change in the assessment, the assessment to be used for the prior tax year is the original assessment for that prior tax year or, if applicable, the assessment for that prior tax year as last corrected by an assessing official, as stipulated or settled by the taxpayer and the assessing official, or as determined by the reviewing authority. (2) If the assessor fails to meet the burden of proof, the taxpayer may introduce evidence to prove the correct assessment. (3) If neither the assessor nor the taxpayer meets these burdens of proof, the assessment reverts to the assessment for the prior tax year. (4) These provisions concerning the burden of proof do not

apply to an assessment that is based on structural improvements, zoning, or uses that were not considered in the assessment for the prior tax year.

SEA 332 – State and Local Investments (Sen. Travis Holdman, R-Markle) Provides that investments in municipal securities must have a stated final maturity of five years or less. Permits the treasurer of state to invest with supranational issuers. (Current law limits the investment to the International Bank for Reconstruction and Redevelopment and the African Development Bank.) Provides that a public depository may invest funds in the same investments and for the same terms as the treasurer of state may invest funds of the state. Amends the Indiana Code provision that allows the treasurer of state to lend certain securities if the agreement under which the securities are lent is collateralized to provide that: (1) cash; or (2) non-cash collateral if the state is indemnified by the custodian holding the non-cash collateral; are acceptable forms of collateral. (Current law provides that: (1) cash; or (2) certain interest bearing obligations of the federal government; are acceptable forms of collateral.)

SEA 363 – Complexity Index Calculation (Sen. Ryan Mishler, R-Bremen) Provides that the following apply in the case of a school corporation that does not request reimbursement from the state for providing free curricular materials to students: (1) The complexity index used in determining state funding is based on the percentage of the school corporation's students who were eligible to receive free curricular materials. (Under current law, the complexity index is based on the number of students receiving such assistance.) (2) The school corporation shall estimate and report to the department of education the percentage of the school corporation's students who are enrolled in the school corporation and are eligible for such assistance. Authorizes the state board of education to adopt emergency rules to implement this provision.

SEA 367 – Various Tax Matters (Sen. Brandt Hershman, R-Buck Creek) Specifies that the county auditor (rather than the county treasurer, under current law) makes certain requested advances to political subdivisions within the county. Specifies that an active duty military member who maintains ownership of a home in Indiana and is ordered to deploy outside of Indiana may maintain eligibility for a homestead deduction. Provides that for purposes of the circuit breaker credit, residential property: (1) includes a single family dwelling that is under construction and the land, not exceeding one acre, on which the dwelling will be located; and (2) excludes real property that consists of a commercial hotel, motel, inn, tourist camp, or tourist cabin. Requires the state board of finance to make a loan to a school corporation from the rainy day fund, if the school corporation's petition for a loan from the fund was denied in October 2013 and a general fund referendum was not passed in 2014 by the voters in the school corporation.

Specifies that delinquent penalties, fees, and interest are included in the amounts due for determining whether a parcel is included on the delinquency list for purposes of the tax sale law. Makes the 2012 maximum property tax levy adjustment for Fairfield Township in Tippecanoe County permanent. Restores the requirement deleted by SEA 207-2014 that the department of local government finance (DLGF) must approve the ballot language proposed by a school corporation for a school general fund referendum and restores the related certification procedures. Removes the requirement added by SEA 207-2014 that the county election board of the county or counties in which the school corporation is located must either approve or revise the proposed ballot language and removes related changes. Provides that the sales tax rate on a motor vehicle that a purchaser intends to transport outside Indiana

within 30 days and title or register for use in another state or country is the rate of that state or country.

Extends the sales and use tax exemption for aircraft repair and maintenance. Authorizes a shareholder, partner, or member of a pass through entity to claim the industrial recovery tax credit. Specifies that contributions to organizations that provide services to individuals who are ex-offenders are eligible for the neighborhood assistance credit. Provides that beginning in 2015, the office of community and rural affairs administers the historic rehabilitation income tax credits. Changes the schedule of maximum property tax rates that may be imposed by an airport authority. Includes a maximum tax rate calculation that provides that the tax rate is not decreased to a level where the airport authority would initially lose tax revenue as the assessed value increases. Provides that if a taxpayer fails to make a payment under a property tax payment arrangement, the county treasurer and the taxpayer may enter into a subsequent arrangement and avoid the penalties otherwise due.

Makes changes to the income tax credit for property taxes paid on homesteads in Lake County. Provides that if the cost of the credit is less than \$8,500,000, riverboat admissions tax revenue equal to the difference between \$8,500,000 and the cost of the credits shall be paid to the northwest Indiana regional development authority and used for public mass rail transportation in Lake County. Requires electronic filings for cigarette and alcoholic beverage taxes. Makes changes to the membership requirements for the Madison County visitor and convention commission. Requires township trustees to publish the annual abstract of receipts and expenditures within four weeks after the third Tuesday following the first Monday in February. Requires redevelopment commissions, authorities, and departments to submit certain information to the DLGF before July 1, 2014. Provides that the DLGF shall deliver the report required by SEA 118-2014 by October 1, 2014 (rather than August 1, 2014). Requires the office of management and budget to prepare certain studies.

SEA 420 – Property Tax Deadlines and Procedures (Sen. Randy Head, R-Logansport)

Changes for property taxation purposes: (1) the assessment and valuation date for property to January 1; (2) the date a reassessment of a group of parcels in a particular class of real property begins to May 1; (3) the date after which changes on an amended property tax roll over as a credit to a subsequent year to April 1; (4) the exemption filing date to April 1; and (5) various other related dates. Requires the department of local government finance to certify to each county the assessed values tentatively determined for public utilities by June 1. Changes the deadline for meeting to fix the budget for school corporations that have elected to use a fiscal year budget to April 1.

HEA 1062 – Local Government Finance (Rep. Todd Huston, R-Fishers) Provides that for all political subdivisions, the maximum amount allowed for an operating balance for a debt service fund is 50% of the budget estimate for annual debt service payments from the fund for debt originally incurred before July 1, 2014, including refinanced debt, and 15% on debt originally incurred after June 30, 2014. Permits a school corporation that experiences at least a 10% loss to the school corporation's transportation fund due to circuit breaker credits in 2014, 2015, or 2016 to use a proportional circuit breaker credit allocation for that year. Permits a school corporation that experiences at least a 20% loss to the school corporation's levies due to circuit breaker credits to use debt restructuring by adopting a resolution before January 1, 2019. Specifies that if a taxpayer appearing at the public hearing files a written objection to the

proposed restructuring and a sufficient number of people request a petition and remonstrance process, the bonds may not be issued unless more petitioners than remonstrators sign the petition.

HEA 1215 – Historic Preservation (Rep. Ed Clere, R-New Albany) Requires the commission on state tax and financing policy to compare the effectiveness of tax credits to the effectiveness of grant programs in encouraging the preservation and commercial redevelopment of historic properties.

HEA 1222 – Adoption Committee and Tax Credit (Rep. Rebecca Kubacki, R-Syracuse) Provides an adjusted gross income tax credit for an individual who is eligible to claim the federal adoption credit. Establishes the interim committee on adoption to: (1) study how other states provide services under public adoption programs and study legal and regulatory costs associated with foster care and private adoption; (2) make recommendations concerning improving adoption programs; and (3) report the committee's findings and recommendations.

HEA 1234 – Property Tax Matters (Rep. Jeff Thompson, R-Lizton) - Requires county treasurers to mail property tax statements at least 15 business days, instead of 15 calendar days, before the first payment is due. Provides that an employee of an assessor's office or an appraiser may not serve as a voting member of the property tax assessment board of appeals (PTABOA) in the county where the individual is employed. Allows a county fiscal body to waive certification requirements for certain members of the PTABOA appointed by the fiscal body. Provides that a school corporation with a majority of its property tax levies imposed in LaPorte County may, before September 1, 2014, transfer from the school corporation's debt service fund to the school corporation's rainy day fund a total amount equal to not more than 20% of the school corporation's 2014 certified debt service fund budget. Establishes assessor, appraiser, and tax representative standards of conduct. Establishes a certification appeal board to conduct appeals brought by assessors and employees of assessors whose certifications are revoked by the department of local government finance.

HEA 1340 – Refunding Bonds for School Consolidation (Rep. Todd Huston, R-Fishers) Authorizes the Indiana bond bank to purchase obligations issued by a school corporation to refund debt incurred by a school corporation before that school corporation completed a consolidation or merger. Specifies that a school corporation may sell refunding bonds at a negotiated, private sale to the Indiana bond bank.

HEA 1380 – State and Local Tax Matters (Rep. Eric Turner, R-Cicero) Provides that certain calculations concerning the capture of state revenue in a motorsports investment district are based on calendar years rather than state fiscal years. Requires the Indiana motorsports commission to establish a motorsports facility fund if a motorsports investment district is established. Provides that during the term of the written agreement the commission shall each state fiscal year deposit in the motorsports facility fund at least \$2,000,000 solely from payments by the motorsports facility owners. Provides that the motorsports facility fund reverts to the state general fund on June 30 of each year. Requires the commission to request an appropriation in each state fiscal year that the written agreement is in effect equal to the amount deposited into the motorsports facility fund. Provides that the amount of the appropriation must be deposited into the motorsports investment district fund.

Requires the department of state revenue to annually notify entities of the incremental tax amounts and the reversion amount from the motorsports facility fund. Provides that an entity is not considered to have Indiana income for purposes of the state income tax merely because of certain logistics activities concerning the distribution of legend drugs, medical devices, or medical supplies that are conducted in Indiana by a third-party logistics provider. Repeals the following income tax credits: (1) Prison investment credit. (2) Riverboat building credit. (3) Blended biodiesel credit. (4) Ethanol production credit. (5) Voluntary remediation tax credit. (6) Energy savings tax credit. (7) New employer tax credit. Allows a taxpayer whose qualified investment to build or refurbish a riverboat is certified by the Indiana economic development corporation before January 1, 2015, to claim a tax credit in the year that the qualified investment is made as if the riverboat building tax credit had not been repealed. Provides a credit against county economic development income taxes for taxes paid to local governments outside Indiana.

Removes a reference to propane and butane in the special fuel tax law in conformance with HEA 1180-2014. Allows the department of state revenue to deny or suspend certain oversized and overweight vehicle permits if the applicant or permit holder is delinquent in paying escort fees to the state police department. Provides that all Indiana adjusted gross income tax return and financial institutions tax return due date extensions are treated the same as an extension granted because of a federal income tax due date extension. Requires the annual budget of the Lake County convention and visitor bureau to be published on the department of local government finance's gateway Internet web site. Extends the current Vanderburgh County innkeeper's tax revenue distributions through December 31, 2019.

Specifies that aviation manufacturing, aviation assembly, and aviation research and development facilities are aviation related property or facilities for purposes of the airport law. Specifies the amount that shall be collected by the department of state revenue for registrations of vehicles in a commercial fleet, if the department adopts rules to implement staggered registration. Increases the maximum property tax levy for Washington Township in Hamilton County in 2015. Requires the office of the secretary of family and social services to study and report on the benefits provided to individuals whose income does not exceed 200% of the federal income poverty level. Urges the legislative council to study issues related to holding the proceeds of the sale of a major county asset in trust.

Transportation

SEA 176 – Central Indiana Transit (Sen. Pat Miller, R-Indianapolis) Provides for the establishment or expansion of public transportation services other than light rail in an eligible county through a local public question placed on the ballot under an ordinance adopted by the fiscal body of the eligible county. Requires the department of local government finance to review and approve the language of a local public question. Provides that Delaware County, Hamilton County, Hancock County, Johnson County, Madison County, and Marion County are eligible counties. Authorizes eligible counties to fund approved public transportation projects through various parts of the local option income tax rates that are available under current law for other purposes.

Requires that fares must cover at least 25% of the operating costs of a transportation system established or expanded under the bill. Requires that revenue raised from sources other than taxes and fares must: (1) equal at least 10% of the local option income tax revenue that the budget agency certifies that an eligible county will receive in the first year of operations of a public transportation project; and (2) cover at least 10% of the operating costs of a transportation system established or expanded under the bill in the second year and thereafter. Provides that eligible counties are responsible for covering any shortfalls in raising alternative revenues. Requires foundations to be established in eligible counties for the purpose of meeting the alternative revenue requirements.

Authorizes interlocal agreements, public-private partnerships, and bonding with respect to a public transportation project. Prohibits a political subdivision from using public funds to promote a position on a local public question regarding transit. Provides that the provisions in the bill do not create a moral obligation of the state. Specifies that no general revenues of the state may be used to pay for a transportation project or service under the provisions in the bill (but that this restriction does not apply to distributions from the public mass transportation fund). Requires goals for participation by minority business enterprises, veteran business enterprises, and women's business enterprises in the development of a public transportation project. Provides that the public mass transportation fund distribution formula is subject to annual review by the budget committee and approval of the budget director.

Authorizes the fiscal body of a township that is: (1) located in an eligible county in which the county fiscal body does not adopt an ordinance to place a local public question on the ballot; and (2) adjacent to either an eligible county in which a public transportation project has been approved or a township in which a public transportation project has been approved; to adopt a resolution placing a local public question on the next general election ballot in the township concerning the establishment of a public transportation public project in the township. Requires the county fiscal body to carry out a public transportation project approved by the voters of the township and fund it through local option income taxes imposed only upon the county taxpayers who reside in the township.

HEA 1002 – Transportation Funding (Rep. Tim Brown, R-Crawfordsville) Authorizes the budget agency to transfer not more than \$200,000,000 from the state general fund to the major moves 2020 trust fund (trust fund). (Current law requires a transfer of \$200,000,000.) Provides that the transfer is in addition to a transfer from the state general fund to the trust fund made before January 1, 2014. Authorizes the budget agency, after review by the budget committee, to transfer before July 1, 2014, not more than \$200,000,000 from the trust fund to the major moves construction fund (construction fund). Provides that if a transfer is made to the trust fund from the state general fund after December 31, 2013, and subject to budget committee review, the budget agency may transfer from the trust fund to the construction fund an additional amount equal to the lesser of \$200,000,000 or the total amount of transfers made to the trust fund after December 31, 2013.

HEA 1080 – Proceeding Through Intersection at Red Light (Rep. Mike Karickhoff, R-Kokomo) Authorizes the operator of a: (1) motorcycle; (2) motorized bicycle; (3) motor scooter; or (4) bicycle; approaching an intersection that is controlled by a traffic control signal to proceed through the intersection on a steady red signal under certain circumstances. Makes corresponding amendments.

HEA 1104 – Alternative Transportation Funding Mechanisms (Rep. Ed Soliday, R-Valparaiso) Requires the Indiana department of transportation to contract with a third party for a study of alternative funding mechanisms for the maintenance of Indiana's transportation infrastructure.

HEA 1180 – Various Commercial Vehicle Matters (Rep. Randy Frye, R-Greensburg) Makes various changes concerning the administration of the tax credit for natural gas powered vehicles. Excludes natural gas products from the definition of alternative fuel. Excludes alternative fuels from the definition of special fuel. Specifies that propane and butane are alternative fuels. Establishes an alternative fuel decal system. Provides that the road tax credit for motor carriers consuming compressed natural gas must be claimed on a quarterly basis. Makes numerous changes to the registration requirements for owners of commercial vehicles who register at least 25 vehicles that all have declared gross vehicle weights exceeding 26,000 pounds. Provides that the operator of a motor vehicle using compressed gas as a motor fuel is subject to the same nighttime operating requirements outside the corporate limits of a municipality as other vehicles and is permitted to carry flares or red-burning fuses.

HEA 1237 – Bureau of Motor Vehicles Fees (Rep. Ed Soliday, R-Valparaiso) Amends and codifies various bureau of motor vehicle (BMV) fees and related distributions to conform to BMV practice following the settlement of fee related litigation. Amends various statutes governing the secretary of state's dealer services division to preserve existing authority to impose, collect, and distribute certain fees. Authorizes the BMV to modify a Purple Heart license plate for issuance to an individual who is eligible for both a Purple Heart license plate and a disability placard or license plate. Provides that the photograph on a license or permit must be a digital color photograph, with certain exceptions. Requires the secretary of state to adopt emergency rules concerning the elimination of dealer-wholesale license plates and wholesale dealer licenses. Voids BMV rules rendered obsolete by the codification of fees and distributions. Resolves conflicts among and between various enrolled acts.

HEA 1279 – Various Motor Vehicle Issues (Rep. Jud McMillin, R-Brookville) Makes various changes to criminal law provisions in motor vehicle law. Modifies statutes concerning driver's license suspension and revocation. Modifies the duties of an operator of a motor vehicle if the operator is involved in certain accidents. Modifies the definition of "highway work zone". Repeals sections concerning "street cars". Repeals certain motor vehicle fraud provisions, and creates a new motor vehicle fraud statute. Creates specialized driving privileges. Requires the bureau of motor vehicles to adopt rules to specify reasonable grounds for suspension or revocation of driving privileges, driver's licenses, certificates of registration, or license plates. Provides that a motor vehicle may be stopped to determine compliance with motor vehicle window tinting standards but may not be inspected, searched, or detained solely because of a violation of window tinting standards. Creates the habitual vehicular substance offender designation and sentencing. Requires: (1) the state department of toxicology (department) to develop standards and testing for ignition interlock devices (devices); and (2) all devices used in Indiana after July 1, 2015 to be certified under rules adopted by the department. Requires a vendor or provider of devices to: (1) report to the court or court's designee certain occurrences concerning the use of devices; and (2) provide any reports or data requested by the department.

HEA 1286 – Annual Transportation Reports (Rep. Holli Sullivan, R-Evansville) Requires the following entities to provide annual reports to the joint study committee on transportation and infrastructure assessment and solutions: (1) The Indiana department of transportation. (2) The bureau of motor vehicles. (3) The Indiana finance authority. (4) Purdue University.

HEA 1343 – Motor Driven Cycles (Rep. David Wolkins, R-Warsaw) Repeals obsolete provisions concerning an interim study of motorized bicycles. Defines "Class A motor driven cycle", "Class B motor driven cycle", and "motor driven cycle". Repeals the definitions of "motor scooter" and "motorized bicycle". Provides that the county motor vehicle excise surtax and the motor vehicle excise tax apply to motor driven cycles. Requires that motor driven cycles must be registered with the bureau of motor vehicles. Excludes motor driven cycles from titling requirements. Requires that a license plate must be displayed on a motor driven cycle. Provides that certain equipment requirements and traffic regulations apply to motor driven cycles. Requires an individual who operates a Class A motor driven cycle to hold a valid driver's license with a motorcycle endorsement or a motorcycle endorsement with a Class A motor driven cycle restriction and to provide proof of financial responsibility. Requires an individual who operates a Class B motor driven cycle to hold an unexpired identification card with a Class B motor driven cycle endorsement or a valid driver's license. Provides that a motor driven cycle may not be operated on an interstate highway. Provides that the operation of a Class B motor driven cycle may be a defense to certain motor vehicle offenses. Excludes motor driven cycles from: (1) the definition of "motorized cart" for purposes of certain natural resource laws; and (2) certain motor vehicle protection laws. Makes technical corrections. Reconciles a conflict with HEA 1006-2013 and other criminal law bills enacted in the 2013 legislative session.

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