

2016 LEGISLATIVE SESSION

# SUMMARY

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**SENATE DEMOCRATIC CAUCUS**



**INDIANA**  
SENATE DEMOCRATS

**TABLE OF CONTENTS**

BILL ACTION HISTORY ..... 2

AGRICULTURE ..... 3

APPROPRIATIONS..... 3

CIVIL LAW ..... 10

COMMERCE & TECHNOLOGY ..... 20

CORRECTIONS AND CRIMINAL LAW ..... 27

EDUCATION & CAREER DEVELOPMENT..... 37

ELECTIONS..... 50

ENVIRONMENTAL AFFAIRS ..... 52

FAMILY & CHILDREN SERVICES ..... 58

HEALTH & PROVIDER SERVICES..... 62

HOMELAND SECURITY & TRANSPORTATION ..... 72

INSURANCE & FINANCIAL INSTITUTIONS..... 76

JUDICIARY ..... 79

LOCAL GOVERNMENT ..... 87

NATURAL RESOURCES ..... 94

PENSIONS & LABOR..... 98

PUBLIC POLICY ..... 104

RULES & LEGISLATIVE PROCEDURE ..... 110

TAX & FISCAL POLICY ..... 111

VETERANS’ AFFAIRS & THE MILITARY ..... 126

VETOES ..... 129

ENROLLED ACT NUMBER TO ..... 131

PUBLIC LAW NUMBER TABLE ..... 131

ROLL CALLS

**This summary was prepared by:  
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## AGRICULTURE

### **SEA 291 INDUSTRIAL HEMP**

**AUTHOR(S): LEISING, GLICK**

**SPONSOR(S): LEHE, WRIGHT, KLINKER**

**CITATIONS AFFECTED: 15-15**

SEA 291 removes provisions that allow a grower to retain seed from an industrial hemp crop for the following year. Additionally, the act exempts a grower from obtaining an agricultural hemp seed production license in order to retain seed for future planting. The act provides that seed retained by a grower may not be sold or transferred and is not required to meet the State Seed Commissioner's agricultural hemp seed standards. Effective July 1, 2016. (RC# 102; 3<sup>rd</sup> Rdg; 49-1)

## APPROPRIATIONS

### **SEA 167 STATE HIGHER EDUCATION INSTITUTIONS**

**AUTHOR(S): KENLEY, CHARBONNEAU**

**SPONSOR(S): CHERRY, BROWN, PORTER, KLINKER**

**CITATIONS AFFECTED: 23-17**

SEA 167 allows a public benefit corporation to merge with a state higher education institution, without court approval, if the public benefit corporation is controlled by the state higher education institution. (RC #328; Concurrence; 42-0)

### **SEA 221 SECURITIES AND FINANCIAL PROTECTION**

**AUTHOR(S): ECKERTY, KENLEY**

**SPONSOR(S): HEATON, MACER**

**CITATIONS AFFECTED: 23-19; 34-30**

SEA 221 contains the following provisions:

- Defines "financially endangered adult" as an individual who is:
  - at least 65 years of age; or
  - at least 18 years of age and is incapable, by reason of certain mental or physical incapacities, of managing the individual's property.
- Defines "qualified individual" as an individual associated with a broker-dealer who serves in a supervisory, compliance, or legal capacity as part of the individual's job.
- Provides that "protective agencies" refers to the Adult Protective Services Unit and the Securities Commissioner.
- Requires that a qualified individual who has reason to believe that financial exploitation of a financially endangered adult has occurred, has been attempted, or is being attempted shall make a report and notify the protective agencies.

- Allows a qualified individual to refuse a request for disbursement of funds from an account:
  - owned by a financially endangered adult; or
  - of which a financially endangered adult is a beneficiary or beneficial owner; if the qualified individual has reason to believe that the requested disbursement will result in financial exploitation of the financially endangered adult.
- Establishes requirements for notification by a broker-dealer or qualified individual if a qualified individual refuses a request for disbursement of funds.
- Provides for expiration of the refusal of disbursement.
- Provides broker-dealers and qualified individuals certain immunity from administrative or civil liability.
- Allows broker-dealers to provide to certain entities access to or copies of records relevant to a suspected financial exploitation.
- Requires the Securities Commissioner to develop and make available on the Secretary of State's (SOS) Internet web site information that includes training resources to assist in the prevention and detection of financial exploitation of financially endangered adults.
- Changes deposits into the Securities Division Enforcement Account and state general fund from 50%, to each fund, of the first \$2 million of amounts recovered from:
  - civil penalties;
  - settlements of actions; and
  - judgments awarded; in the enforcement of the securities law to 50%, to each fund, of the first \$4 million. It specifies that any amount exceeding \$4 million is deposited into the state general fund.
- RC #331; Concurrence; 44-0

**SEA 310 LAKE COUNTY PILOT PROGRAM AND OTHER LOCAL GOVERNMENT MATTERS**

**AUTHOR(S): ROGERS, NIEMEYER**

**SPONSOR(S): SLAGER, SMITH**

**CITATIONS AFFECTED: 6-1.1; 36-4; 36-7**

SEA 310 establishes a three-year pilot program applicable only in Lake County. The act does the following:

- Authorizes a redevelopment commission to:
  - establish an area known as a new opportunity area; and
  - sell any property that is held by the redevelopment commission and located in a new opportunity area at auction to the highest responsible and responsive bidder.
- Makes changes to the statute concerning determination of serial tax delinquencies to provide that:
  - a petitioner is required to serve notice of a petition only on a person with a substantial property interest of public record, eliminating the need to serve notice on other appropriate parties;
  - a hearing date on a petition for a determination of serial tax delinquencies may be set not earlier than 30 days and not later than 60 days after the petition is filed

(current law specifies that the hearing date may be set not earlier than 15 days and not later than 25 days after the petition is filed); and

- property taxes and special assessments are removed from the tax duplicate as soon as an order is issued finding that serial tax delinquencies exist with respect to the subject properties, regardless of whether the petitioner acquires a tax deed for the properties.
- Provides that a petitioner for a tax deed under the normal tax sale statute may (instead of must) include various items of documentation with the petition.
- Adds Kosciusko County to the list of counties whose municipalities may annex noncontiguous territory for industrial park purposes.
- RC #335; Concurrence; 44-0

**SEA 330 SCHOOL FUNDING**

**AUTHOR(S): MISHLER, KENLEY, CHARBONNEAU**

**SPONSOR(S): BROWN, HUTSON**

**CITATIONS AFFECTED: 20-43; NONCODE**

SEA 330 amends the statute allowing transfers from the state tuition reserve account to the state general fund to be made during the state fiscal year beginning in 2015 and in the state fiscal year beginning in 2016 if distributions for choice scholarships cause a reduction in state tuition support. The act provides that the Budget Agency may transfer money from the state tuition reserve account to the state general fund if the budget director, after review by the Budget Committee, makes a determination that the tuition support distribution for the state fiscal year has been reduced because the amount of the distributions for choice scholarships for the state fiscal year exceeds the amount that the Legislative Services Agency before May 1, 2015, estimated would be made for such distributions for that state fiscal year.

The act provides funding for new charter schools using an enrollment estimate. It requires a new charter school to submit an enrollment estimate to the Department of Education (DOE) before April 1 of the year the new charter school will be open for enrollment. It provides that in each odd-numbered year, the DOE shall provide the new charter school's estimated average daily membership (ADM) to the Legislative Services Agency before April 10 of that year.

It also provides that certain innovation network charter schools are to be treated the same as a charter school for state funding purposes. (RC #408; CCR#1; 49-0)

**HEA 1001 ROAD FUNDING**

**AUTHOR(S): SOLIDAY**

**SPONSOR(S): KENLEY, HERSHMAN, ARNOLD, TALLIAN, MILLER, RANDOLPH**

**CITATIONS AFFECTED: 4-10; 6-3.5; 8-14; 9-29; 34-28; 35-52; NONCODE**

HEA 1001 contains the following provisions:

- Transfers state reserves that exceed 11.5% of general revenue appropriations at the end of state fiscal year 2016 as follows:

- 55% to the state highway fund.
- 45% to the local road and bridge matching grant fund.
- Provides that use tax collected on sales of gasoline is distributed differently than ordinary sales and use tax collections.
- Allows a county that uses a transportation asset management plan approved by the Indiana Department of Transportation (INDOT) to impose the county motor vehicle license excise surtax and the county wheel tax at higher rates.
- Authorizes a municipal motor vehicle license excise surtax and wheel tax.
- Provides for the deposit of certain excise taxes and local taxes collected under the tax amnesty program, including funding for a third regional cities project, thirteenth pension checks in 2016, and Next Generation Hoosier Educators Scholarships.
- Requires a transfer of \$100 million from the state general fund to the state highway fund instead of to the Major Moves 2020 Trust Fund in state fiscal year 2017 and provides that the money transferred must be used only for preserving and reconstructing existing roads and bridges for which INDOT is responsible.
- Establishes the Local Road and Bridge Matching Grant Fund.
- Provides the following in the case of infraction judgments imposed in Clark County for toll violations after January 1, 2017:
  - the court must impose a fee of at least \$35 for such an infraction judgment.
  - the funds collected for such an infraction judgment shall be transferred to a dedicated toll revenue fund created as part of the project and may be used only to pay the cost of operating, maintaining, and repairing the tolling system.
- Establishes the Funding Indiana's Roads for a Stronger, Safer Tomorrow Task Force.
- Requires the task force to develop a long term plan for state highway and major bridge needs, including sustainable funding methods for the various plan components.
- Makes appropriations for various highway and bridge maintenance purposes.
- Appropriates \$500,000 for the local technical assistance program to assist with the development and operation of local government transportation asset management plans and pavement management plans.
- RC #409; CCR#1; 46-4

**HEA 1002 NEXT GENERATION HOOSIER EDUCATORS SCHOLARSHIP**

**AUTHOR(S): BOSMA**

**SPONSOR(S): MISHNER, KENLEY, KRUSE, RANDOLPH**

**CITATIONS AFFECTED: NONCODE**

HEA 1002 has the following provisions:

- Requires the Commission for Higher Education (CHE) to prepare a report concerning scholarship programs and other incentives for high achieving students who intend to enter the teaching profession in Indiana upon graduation.
- Provides that the CHE must provide a copy of the report to the Budget Agency and Legislative Council before December 1, 2016.

- Establishes the Next Generation Hoosier Educators Scholarship Program, and provides that the CHE may approve awarding a scholarship to an eligible applicant in an amount of \$7,500 each academic year for not more than four academic years.
- Establishes criteria an applicant must meet to receive a scholarship.
- Prohibits the commission from:
  - awarding a scholarship in an amount of more than a total of \$30,000 to an individual applicant;
  - awarding scholarships to more than 200 new applicants each academic year; and
  - awarding a scholarship to an applicant unless the applicant has applied to and been accepted for enrollment in an accredited postsecondary educational institution approved by the commission.
- Establishes the Next Generation Hoosier Educators Scholarship Fund to provide funds for Next Generation Hoosier Educators Scholarships and makes an appropriation.
- RC #420; CCR#1; 48-2

**HEA 1068 ASSESSMENT APPEALS**

**AUTHOR(S): CULVER**

**SPONSOR(S): MESSMER, ZAKAS, YODER, RANDOLPH**

**CITATIONS AFFECTED: 6-1.1**

HEA 1068 provides that, if the county Property Tax Assessment Board of Appeals (PTABOA) fails to issue a determination concerning a petition to correct errors within 180 days after the petition is filed with the county auditor, the taxpayer may petition the Indiana Board of Tax Review to correct errors in a final administrative determination.

It provides that, if the PTABOA fails to approve or disapprove an exemption application within 180 days after an owner files the exemption application, the owner may petition the board to approve or disapprove the exemption application.

The act provides that the board is authorized to approve or disapprove an exemption application: previously submitted to a PTABOA; and that is not approved or disapproved by the PTABOA within 180 days after the owner filed the application for exemption.

It also provides that the county assessor is a party to a petition to the board to approve or disapprove an exemption application. (RC #203; 3<sup>rd</sup> Rdg; 50-0)

**HEA 1109 SCHOOL FUNDING AND ANNUAL PERFORMANCE GRANTS**

**AUTHOR(S): HUTSON**

**SPONSOR(S): MISHLER, KENLEY, RANDOLPH, KRUSE, CHARBONNEAU**

**CITATIONS AFFECTED: 6-1.1; 20-40; 20-43; NONCODE**

HEA 1109 contains the following provisions regarding school funding and performance grants:

- Extends through 2018 the eligibility of school corporations to allocate circuit breaker credits proportionately.

- Provides, with some exceptions, that if:
  - a school corporation in 2017 or 2018 issues new bonds or enters into a new lease rental agreement for which the school corporation is imposing or will impose a debt service levy; and
  - the school corporation's total debt service levy in 2017 or 2018 is greater than the school corporation's debt service levy in 2016; the school corporation is not eligible to allocate circuit breaker credits proportionally.
- Extends the date to January 1, 2018, for using money in a school's capital projects fund for utility services and property and casualty insurance.
- Changes the submission date for a school corporation's fall average daily membership (ADM) estimates to April 1 of each year.
- Specifies, for a school corporation that fails to submit its average daily membership (ADM) estimates by the deadline that the Department of Education (DOE) is to compute the monthly support distributions using data that were used by the General Assembly in determining the state tuition support appropriation for the budget act.
- Amends certain annual performance grant provisions that set forth the:
  - qualification requirements; and
  - grant amount; for annual performance grants.
- Requires review by the Budget Committee before the distribution of an annual performance grant to schools.
- Provides that the DOE, after review by the Budget Committee, may waive the deadline by which annual performance grants must be distributed to schools and approve an extension of that deadline to a later date within the state fiscal year.
- Repeals certain deadlines for a school to distribute the stipends from a performance grant received from the DOE to individual teachers.
- Provides that a school must distribute all stipends from a performance grant to individual teachers within 20 business days of the date the DOE distributes the performance grant to the school. (Under current law, a school must distribute stipends from a performance grant within 20 business days of receipt only in the state fiscal year beginning July 1, 2015, and ending June 30, 2016.)
- Provides that the appropriation of \$2 million in the state budget for excellence in performance grants does not revert to the state general fund on June 30, 2016, but remains available for allotment if the State Board of Education approves the grants before July 1, 2016.
- RC #259; 3<sup>rd</sup> Rdg; 50-0

**HEA 1353 PRESIDENT BENJAMIN HARRISON CONSERVATION TRUST**

**AUTHOR(S): KARICKHOFF**

**SPONSOR(S): CRIDER, GLICK, TALLIAN, KRUSE, STOOPS**

**CITATIONS AFFECTED: 9-18; 14-8; 14-12; NONCODE**

HEA 1353 repeals the Indiana Heritage Trust Fund and renames the Indiana Heritage Trust Fund as the President Benjamin Harrison Conservation Trust Fund and makes various changes to the purposes of the trust fund, including the uses of the accounts within the trust fund.

The act specifies the membership and purposes of the President Benjamin Harrison Conservation Trust Project Committee, provides for the appointment of four members of the General Assembly as nonvoting members of the project committee and adds the chairperson of the board of directors of the Natural Resources Foundation to the project committee. It provides that the Governor appoints the chair and vice chair of the project committee.

The act specifies that money in the trust fund may be used for a state or local project approved by the project committee, and specifies that the following procedure must be followed before the money from the trust fund may be used to acquire property for a project:

- The project committee must review and approve the project.
- The project committee must recommend the project to the Governor for approval.
- The Governor must approve the project as recommended by the project committee and inform the director of the department of natural resources.

The act increases the amount of money that must be allotted to the stewardship account within the trust fund from 5% to 9% of the amount appropriated to the trust fund, and repeals a provision specifying minimum amounts of required matching funds for expenditures from the trust fund discretionary account. It provides that money from the discretionary account may not be used to acquire property for an approved project unless the approved project receives endorsement and participation from:

- The appropriate division of the department; and
- Non-state sources or the Indiana natural resources foundation.

The act limits the amount of money from the discretionary account that may be used to acquire property. It repeals the law establishing the fish and wildlife land acquisition stamp. The act also urges the Legislative Council to assign certain topics to an interim study committee. (RC #299; 3<sup>rd</sup> Rdg; 50-0)

## **HEA 1372 PUBLIC PERSONNEL BONDS AND STATE BOARD OF ACCOUNTS**

**AUTHOR(S): LEHMAN**

**SPONSOR(S): CHARBONNEAU, ECKERTY**

**CITATIONS AFFECTED: 5-4; 5-11; 5-13; 6-3.6; 20-26**

HEA 1372 has the following provisions:

- Amends the law requiring surety bonds for certain individuals having public fiscal responsibilities to:
- Define "contractor";
- Allow for filing of the bond in the county of office or employment rather than residence;
- Set threshold amounts of public funds for which a bond is required; (4) permit the use of a schedule bond;
- Permit the use of a continuous bond; and
- Require a crime insurance policy that meets the requirement to include a faithful performance endorsement.
- Allows, rather than requires, the Commissioner of Insurance to prescribe the form of public official surety bonds and crime insurance policies.

- Provides that any claim under a continuous bond must be brought not later than six years after the occurrence giving rise to the claim.
- Specifies the following:
  - that the maximum aggregate liability of the surety or insurer for a policy year is the penal sum of the bond.
  - that in the case of a continuous bond, the maximum aggregate liability of the surety or insurer for the entire term that the bond is in effect is the penal sum of the bond for the current term of the bond and the penal sums of the bond for the five immediately preceding years.
- Allows, in certain circumstances, the state examiner to issue an examination final report less than 45 days after an initial exit conference.
- Allows certain individuals who receive State Board of Accounts records to divulge the records in an action with respect to the misappropriation or diversion of public funds.
- Removes requirements for annual audits by the state examiner of certain funds and allows the audits to be performed according to the state examiner's schedule.
- Makes conforming amendments.
- RC #396; CCR#1; 50-0

## CIVIL LAW

### **SEA 21 OBSOLETE STATUTES**

**AUTHOR(S): BRAY, BREAUX**

**SPONSOR(S): PRICE, VANNATTER, BAIRD, STEMLER**

**CITATIONS AFFECTED: 4-4; 4-15; 4-20.5; 4-23; 5-10; 5-11; 5-14; 5-28; 6-1.1; 6-8.1; 8-24; 14-19; 16-47; 20-26; 20-28; 21-13; 22-2; 35-44.2; 36-3; 36-8; 36-9; NONCODE**

SEA 21 repeals or expires various provisions in the Indiana Code containing the following:

- Reporting requirements that have been completed, including the following:
  - A 2013 report by the Commission for Higher Education concerning study and evaluation of postsecondary education issues.
  - A 2008 plan for a display commemorating black citizens.
  - A 2008 plan for a bust of Benjamin Harrison.
  - A 2012 report concerning 911 and enhanced 911.
  - A 2011 report concerning the Auditor of State progress in complying with requirement for state agency access to financial data.
  - A 2011 report on Commission for Higher Education progress in complying with requirement for state education institution access to financial data.
  - A 2011 report concerning the Department of Local Government Finance progress in complying with requirement for local unit access to financial data.
  - An Economic Development Corporation report concerning economic sectors to be emphasized in geographic regions.
  - A report series ending in 2014 concerning Economic Development Corporation collaboration with local economic development organizations.

- Office of Management and Budget Review and recommendations for 2015 legislation.
- A 2015 Commission for Higher Education report concerning the effect of the Minority Teacher Scholarship Program.
- A 2010 Department of Labor report concerning employee classification recommendations.
- An evaluation and report concerning Indianapolis police consolidation completed in 2014.
- The statute that, until July 1, 2014, provided for local governmental units to purchase health insurance coverage through the State Personnel Department.
- Transitional language related to the 2005 abolishment of the Professional Standards Board and the creation of the Division of Professional Standards within the Department of Education.
- The northern Indiana regional transportation district statute that is dependent on a 2009 referendum that did not pass.
- Removes Military Park from the statute authorizing the City of Indianapolis to use and operate Military Park and University Square in Indianapolis.
- Strikes obsolete references to audit reports that were removed from the Indiana Code in 2015.
- Makes conforming amendments.
- RC#15; 3<sup>rd</sup> Rdg; 50-0

**SEA 28 MEDICAL MALPRACTICE**  
**AUTHOR(S): STEELE, HEAD, BUCK**  
**SPONSOR(S): KOCH, STEUERWALD, LEHMAN, TORR**  
**CITATIONS AFFECTED: 34-18**

SEA 28 increases the amount of recoverable damages for injury or death to a patient and increases health care provider liability limits. The act defines "final nonappealable judgment." The act specifies that claims from the patient's compensation fund must be paid not later than 60 days after the issuance of a court approved settlement or final nonappealable judgment. The act increases amounts paid to health care provider members; and the chairman of the medical review panel. The act provides that attorney fees may not exceed 32% of the total recovery. The act also adds anesthesiologist assistants to the definition of health care providers for purposes of the law concerning medical malpractice. (RC#362; Concurrence; 49-0)

**SEA 31 PROBATE STUDY SUBCOMMITTEE**  
**AUTHOR(S): ZAKAS, STEELE**  
**SPONSOR(S): KOCH, STEUERWALD, WASHBURN**  
**CITATIONS AFFECTED: 2-5**

SEA 31 establishes a Probate Study Subcommittee of the Interim Study Committee on Courts and the Judiciary. (RC#323; Concurrence; 44-1)

**SEA 146 TORT CLAIMS IMMUNITY**

**AUTHOR(S): CHARBONNEAU, BRAY, BUCK**

**SPONSOR(S): FRIEND, PORTER**

**CITATIONS AFFECTED: 3-13; 4-24; 11-8; 11-10; 11-11; 12-26; 16-41; 34-13; 35-38; 36-4; 36-8**

SEA 146 provides that the tort claims act applies to a claim against certain approved postsecondary educational institutions and associations acting on behalf of certain approved postsecondary educational institutions if the institution or association has complied with certain data sharing requirements and the claim relates to a breach of this data. The act also provides that a claim or suit in tort against a postsecondary educational institution filed before March 30, 2016, is not eligible for tort claims immunity. (RC#366; CCR#1; 50-0)

**SEA 221 SECURITIES AND FINANCIAL PROTECTION**

**AUTHOR(S): ECKERTY, KENLEY**

**SPONSOR(S): HEATON, MACER**

**CITATIONS AFFECTED: 23-19; 34-30**

SEA 221 includes the following provisions:

- Defines "financially endangered adult" as an individual who is:
  - At least 65 years of age; or
  - At least 18 years of age and is incapable, by reason of certain mental or physical incapacities, of managing the individual's property.
- Defines "qualified individual" as an individual associated with a broker-dealer who serves in a supervisory, compliance, or legal capacity as part of the individual's job.
- Provides that "protective agencies" refers to the adult protective services unit and the Securities Commissioner.
- Requires that a qualified individual who has reason to believe that financial exploitation of a financially endangered adult has occurred, has been attempted, or is being attempted shall make a report and notify the protective agencies.
- Allows a qualified individual to refuse a request for disbursement of funds from an account owned by a financially endangered adult or of which a financially endangered adult is a beneficiary or beneficial owner; if the qualified individual has reason to believe that the requested disbursement will result in financial exploitation of the financially endangered adult.
- Establishes requirements for notification by a broker-dealer or qualified individual if a qualified individual refuses a request for disbursement of funds.
- Provides for expiration of the refusal of disbursement.
- Provides broker-dealers and qualified individuals certain immunity from administrative or civil liability.
- Allows broker-dealers to provide to certain entities access to or copies of records relevant to a suspected financial exploitation.
- Requires the Securities Commissioner to develop and make available on the Secretary of State's Internet web site information that includes training resources to assist in the prevention and detection of financial exploitation of financially endangered adults.

- Changes deposits into the Securities Division Enforcement Account and state general fund from 50%, to each fund, of the first \$2,000,000 of amounts recovered from:
  - Civil penalties;
  - Settlements of actions; and
  - Judgments awarded; in the enforcement of the securities law to 50%, to each fund, of the first \$4,000,000.
- Specifies that any amount exceeding \$4,000,000 is deposited into the state general fund.
- RC#331; Concurrence; 44-0

**SEA 250 PARENTING COORDINATORS**

**AUTHOR(S): BUCK, YOUNG, MILLER**

**SPONSOR(S): KOCH, COOK**

**CITATIONS AFFECTED: NONCODE**

SEA 250 urges the Legislative Council to assign to the appropriate committee a study of the use of parenting coordinators in resolving custody and parenting conflicts. (RC#96; 3<sup>rd</sup> Rdg; 44-5)

**SEA 253 UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS**

**AUTHOR(S): WALTZ, BRAY**

**SPONSOR(S): WASHBURN, SMITH**

**CITATIONS AFFECTED: 29-1; 29-3; 30-4; 30-5; 32-39; 34-30**

SEA 253 enacts the Revised Uniform Fiduciary Access to Digital Assets Act of the National Conference of Commissioners on Uniform State Laws. This act contains the following provisions:

- Defines "digital asset" as an electronic record in which an individual has a right or interest.
- Defines "custodian" as a person that carries, maintains, processes, receives, or stores a digital asset.
- Defines "user" as a person for whom a custodian carries, maintains, processes, receives, or stores the digital asset.
- Defines "fiduciary" as an attorney in fact, guardian, personal representative, or trustee of a user.
- Authorizes a user to use an online tool to direct the custodian to disclose or not to disclose some or all of the user's digital assets.
- Provides that if an online tool allows the user to modify or delete a direction at all times, a user's direction to the custodian through use of the online tool concerning disclosure overrides a contrary direction by the user in a will, trust, power of attorney, or other record, but otherwise the user, in a will, trust, power of attorney, or other record, may allow or prohibit disclosure to a fiduciary of some or all of the user's digital assets.
- Requires a custodian, under certain circumstances, to disclose to the personal representative of the estate of the user the content of an electronic communication sent or received by the user, or a catalogue of electronic communications sent or received by the user.

- Requires a custodian, under certain circumstances, to disclose to an attorney in fact the content of the electronic communications of the user, or a catalogue of electronic communications sent or received by the user, if the user, through a power of attorney, conferred upon the attorney in fact authority over the content of electronic communications sent or received by the user.
- Requires a custodian, under certain circumstances, to disclose to a trustee the content of an electronic communication sent or received by a user and carried, maintained, processed, received, or stored by the custodian in the account of the trust, or to disclose to the trustee a catalogue of electronic communications sent or received by a user and stored, carried, or maintained by the custodian in the account of the trust.
- Provides that a court may grant a guardian access to the digital assets of the protected person and that, under certain circumstances, a custodian is required to disclose to a guardian a catalogue of electronic communications sent or received by the protected person.
- Authorizes a fiduciary of a user to request that a custodian terminate the user's account.
- Provides that, if the conditions for compliance are met, a custodian must comply with a request from a fiduciary to disclose digital assets or terminate an account within 60 days, and if the custodian fails to comply with the request, the fiduciary may apply for a court order directing compliance.
- Provides that the legal duties imposed on a fiduciary charged with managing tangible property also apply to a fiduciary charged with managing digital assets.
- Amends the law on unsupervised administration of a decedent's estate to provide that a distributee has the same rights as a personal representative to access the digital assets of the decedent.
- Makes conforming amendments.
- Provides that a custodian is immune from liability for an act done or omission made in good faith in compliance with the Revised Uniform Fiduciary Access to Digital Assets Act.
- RC#97; 3<sup>rd</sup> Rdg; 49-0

**SEA 371 PROBATE MATTERS**

**AUTHOR(S): BRAY, ZAKAS**

**SPONSOR(S): KOCH, HAMM**

**CITATIONS AFFECTED: 6-1.1; 6-4.1; 23-14; 25-15; 29-1; 29-2; 29-3; 32-17.5;**

**NONCODE**

SEA 371 contains the following provisions:

- Provides that an individual otherwise qualified for certain property tax deductions for property that the individual occupies as a beneficiary of the trust that owns the property is not required to be considered the owner of the property under the rules of construction for the property tax law for the trust to receive the property tax deduction.
- Transfers certain inheritance tax duties from the probate court, county assessor, and county treasurer to the Department of State Revenue with respect to inheritance tax returns filed after March 31, 2016.

- Revises the inheritance tax allocation statute so that the current allocation between the counties and the state is unaffected by the transfer of inheritance tax duties.
- Provides that a will contest must be initiated in the same cause of action.
- Specifies the priority of a personal representative and stepchildren with respect to the disposition of a decedent's body and funeral arrangements.
- Specifies that a court must consider a standby guardian designation when appointing a guardian. Specifies that for purposes of a guardianship appointment, a person designated a standby guardian is second in priority to a person designated in a durable power of attorney.
- Specifies how property passes in a transfer on death transfer if the beneficiary disclaims the property.
- Makes technical corrections.
- RC#116; 3<sup>rd</sup> Rdg; 50-0

**SEA 372 DEFICIENCY JUDEMENTS AND FORECLOSED PROPERTY**

**AUTHOR(S): BRAY, HOLDMAN**

**SPONSOR(S): WASHBURN, PRICE**

**CITATIONS AFFECTED: 24-4.4; 24-4.5; 32-29**

SEA 372 provides that the following statutes are not intended to provide the owner of real estate subject to the issuance of process under a judgment or decree of foreclosure any protection or defense against a deficiency judgment for purposes of the borrower protections from liability that must be disclosed on a specified form required by amendments to a federal rule concerning mortgage disclosures:

- The statutes governing the payoff of, and short sales involving:
  - first-lien mortgage transactions; and
  - consumer credit sales and consumer loans under the Uniform Consumer Credit Code.
- The statute allowing the owner of real estate subject to the issuance of process under a judgment or decree of foreclosure to waive, with the consent of the judgment holder, the time limitations that would otherwise apply to the issuance of process with respect to the judgment or decree of foreclosure.
- RC#311; concurrence; 50-0

**HEA 1022 PRIVATE UNIVERSITY POLICE DEPARTMENTS**

**AUTHOR(S): BAUER**

**SPONSOR(S): GLICK, KRUSE, BRODEN, RANDOLPH**

**ACT VETOED BY THE GOVERNOR**

HEA 1022 provides that certain records of a private university police department relating to arrests or incarcerations for criminal offenses are public records. This act allows a private university police department to withhold investigatory records. It provides that the name of a crime victim in records released by a private university police department must be redacted unless the release is authorized by the crime victim. It provides that an educational institution, a governing board of an educational institution, delegated office or offices of a governing board, or an individual employed by the educational institution as a police officer have the same

immunities of the state or state police officers with regard to activities related to law enforcement. (RC#246; 3<sup>rd</sup> Rdg; 49-1) *(This act was vetoed by the Governor. For more information on the veto, refer to the section on Vetoes.)*

**HEA 1036 TECHNICAL CORRECTIONS**

**AUTHOR(S): WASHBURN**

**SPONSOR(S): YOUNG, BRAY, RANDOLPH**

**CITATIONS AFFECTED: NUMEROUS PROVISIONS THROUGHOUT THE INDIANA CODE**

HEA 1036 resolves technical problems in the Indiana Code, including incorrect statutory references, nonstandard tabulation, and various grammatical problems. The act includes the following provisions:

- Provides that the technical corrections bill may be referred to as the "technical corrections act of the 2016 General Assembly".
- Specifies that the title may be used in the lead-in line of each SECTION of another act to identify the provisions added, amended, or repealed by the technical corrections act that are also amended or repealed in another act being considered during the 2016 legislative session.
- Provides the publisher of the Indiana Code with guidance concerning resolution of amend/repeal conflicts between the technical corrections act and other acts passed during the 2016 legislative session.
- Specifies that if there is a conflict between a provision in the technical corrections act and a provision being repealed in another act, the other act's repealer is law.
- RC#190; 3<sup>rd</sup> Rdg; 50-0

**HEA 1127 CIVIL PROCEEDING ADVANCE PAYMENT TRANSACTIONS**

**AUTHOR(S): LEHMAN**

**SPONSOR(S): HEAD, HOLDMAN, RANDOLPH, TAYLOR**

**CITATIONS AFFECTED: 24-4.5; 24-12**

HEA 1127 makes various revisions to the Indiana Code relating to civil proceeding advance payment transactions. The act:

- Defines a "civil proceeding advance payment transaction", or "CPAP transaction", as a nonrecourse transaction in which a person (CPAP provider) provides to a consumer claimant in a civil proceeding a funded amount, the repayment of which is:
  - Required only if the consumer claimant prevails in the civil proceeding; and
  - Sourced from the proceeds of the civil proceeding.
- Permits a CPAP provider to charge:
  - A fee not exceeding an annual rate of 36% of the funded amount;
  - A servicing charge not exceeding an annual rate of 7% of the funded amount; and
  - A one-time document fee not exceeding \$250 for a CPAP transaction with a funded amount of less than \$5,000; and \$500 for a CPAP transaction with a funded amount of at least \$5,000; in connection with a CPAP transaction.
- Specifies that other than these fees and charges, a CPAP provider may not assess or collect any other fee or charge in connection with a CPAP transaction.

- Specifies that a CPAP transaction is not a loan.
- Specifies that provisions in the Uniform Consumer Credit Code (UCCC) concerning the regular schedule of payments and maximum loan term that otherwise apply to supervised loans do not apply to CPAP transactions.
- Establishes certain requirements, including specified disclosures, for a CPAP contract and requires that, if the consumer entering into the CPAP transaction is represented by an attorney, the consumer's attorney must review the CPAP contract.
- Sets forth prohibited acts with respect to:
  - CPAP providers; and
  - Attorneys representing consumer claimants.
- Provides that after December 31, 2016, a person may not regularly engage in the business of making CPAP transactions in Indiana unless the person obtains, and maintains on an annual basis, a CPAP license issued by the Department of Financial Institutions. Allows the department to adopt rules or policies to implement these provisions.
- RC#417; CCR#1; 40-10

**HEA 1164 LAW ENFORCEMENT OFFICERS**  
**AUTHOR(S): MAHAN**  
**SPONSOR(S): CRIDER, HOLDMAN, RANDOLPH**  
**CITATIONS AFFECTED: 35-50**

HEA 1164 adds gaming agents and gaming control officers to the definition of "police officer" for purposes of the statute providing a sentence enhancement for individuals who point a firearm or discharge a firearm at a police officer while committing certain crimes. (RC#268; 3<sup>rd</sup> Rdg; 48-2)

**HEA 1173 VARIOUS PROPERTY TAX MATTERS**  
**AUTHOR(S): LEONARD**  
**SPONSOR(S): MISHLER, HERSMAN, RANDOLPH**  
**CITATIONS AFFECTED: 6-1.1; 8-25; 36-6; 36-8; 36-12; NONCODE**

HEA 1173 replaces certain pronouns in IC 4 with gender-neutral pronouns. The act makes technical changes. (RC#193; 3<sup>rd</sup> Rdg; 50-0)

**HEA 1220 WITHDRAWS FROM CEMETERY PERPETUAL CARE FUND**  
**AUTHOR(S): HEATON**  
**SPONSOR(S): BASSLER, BRAY, RANDOLPH**  
**CITATIONS AFFECTED: 23-14; 30-4**

HEA 1220 provides that if the perpetual care fund of a cemetery is established as a trust, the trustee may withdraw funds from it in accordance with the cemetery law and in an amount that the trustee considers necessary to pay the cost of perpetual care of the cemetery, even though terms of the trust would otherwise restrict withdrawals from the fund to a lesser amount. (RC# 274; 3<sup>rd</sup> Rdg; 50-0)

**HEA 1222 CONDOMINIUMS AND HOMEOWNERS ASSOCIATIONS**

**AUTHOR(S): BURTON**

**SPONSOR(S):BUCK, WALKER, RANDOLPH**

**CITATIONS AFFECTED: 32-25; 32-25.5**

HEA 1222 makes various amendments to the Indiana Code relating to condominiums and homeowners' associations. The act:

- Provides that notice of a proposed amendment of a condominium declaration or the governing documents of a homeowners' association is required only with respect to first mortgage holders that provide an address to the secretary of the board of directors of the condominium association or homeowners association, as applicable.
- Provides that a condominium co-owner or a homeowners' association member is entitled to attend any meeting of the condominium's or homeowners' association board, including an annual meeting.
- Provides that the board of directors may meet in private to discuss delinquent assessments or litigation matters.
- Repeals provisions requiring condominium instruments and the governing documents of homeowners' associations to include grievance resolution procedures.
- Makes technical changes.
- Makes the following amendments to the statute concerning homeowners' associations:
  - Specifies that certain provisions of the homeowners' association statute apply to a homeowners' association established before July 1, 2009, regardless of whether the members of the homeowners' association have elected to be governed by the statute.
  - Provides that a homeowners' association is not required to disclose communications that are initiated by the association or by a member of the association; and concern suspected criminal activity by another member of the association.
- Provides that in an enforcement action by the Attorney General under the statute, the court may impose a civil penalty not exceeding \$500 on an individual determined by the court to have exercised a proxy in violation of the statute.
- RC#275; 3<sup>rd</sup> Rdg; 50-0

**HEA 1259 UNFAIR PRACTICES CONCERNING MOTOR VEHICLE DEALERS**

**AUTHOR(S): SPEEDY**

**SPONSOR(S):FORD, BASSLER, RANDOLPH**

**CITATIONS AFFECTED: 9-32**

HEA 1259 amends current law concerning unfair practices of a motor vehicle manufacturer or distributor, and provides that certain actions relating to parts and labor for motor vehicles are unfair practices. (RC#281; 3<sup>rd</sup> Rdg; 50-0)

**HEA 1336 BUSINESS ENTITIES; SERIES LIMITED LIABILITY**

**AUTHOR(S): COX**

**SPONSOR(S):BRAY, HOLDMAN, BRODEN, RANDOLPH**

**CITATIONS AFFECTED: 23-1; 23-4; 23-15; 23-16; 23-17; 23-18; 23-18.1**

HEA 1336 makes various changes to the Indiana Code relating to business and other association law. The act:

- Requires that an application to reserve or renew a reservation of a name and a notice of transfer of a reserved name must be filed with the Secretary of State electronically and makes the corresponding changes to the fees.
- Establishes requirements concerning plans or filed documents that include terms that are dependent on facts objectively ascertainable outside the plan or filed document for limited liability partnerships, limited partnerships, nonprofit corporations, and limited liability companies.
- Provides that the name of a limited liability company must be distinguished from the name of any limited liability company or other business entity reserved or organized under the laws of Indiana or authorized to transact business in Indiana. (Current law requires that the name must be distinguished from any limited liability company or other business entity reserved or organized under the laws of Indiana or qualified to transact business as a foreign limited liability company in Indiana.)
- Allows limited liability companies to organize as series limited liability companies.
- Adds a fee for filing articles of organization for a master limited liability company; applications for certificate of authority series; and articles of designation.
- RC#294; 3<sup>rd</sup> Rdg; 50-0

**HEA 1374 DECEASED LAW ENFORCEMENT OR SERVICE ANIMALS**  
**AUTHOR(S) : PELATH**  
**SPONSOR(S):HERSHMAN, TALLIAN, ARNOLD, DELPH, RANDOLPH**  
**CITATIONS AFFECTED: 23-14**

HEA 1374 provides that if specified conditions are met, the cremated remains of a deceased animal of a deceased record owner of burial rights in a grave space may be scattered or placed on top of the deceased owner's burial plot or interred in the earth on top of the deceased owner's burial plot if the interment does not involve the digging or penetration of earth at a depth that exceeds one foot. The act provides that for purposes of these provisions, a "deceased animal" means a deceased law enforcement animal or a service animal that was owned by or assigned to assist the deceased owner during the deceased owner's lifetime. (RC#306; 3<sup>rd</sup> Rdg; 50-0)

**SJR 14 ARTICLE V CONVENTION**  
**AUTHOR(S): HOLDMAN, YOUNG**  
**SPONSOR(S):KOCH, SMALTZ, MORRISON, LEHMAN**  
**CITATIONS AFFECTED: ARTICLE V OF THE UNITED STATES CONSTITUTION**

SJR 14 is an application to Congress for a convention under Article V of the United States Constitution to propose amendments to the United States Constitution. The Joint Resolution provides that such a convention be limited to proposing amendments to the United States Constitution that do the following: (1) Impose fiscal restraints on the federal government. (2) Limit the power and jurisdiction of the federal government. (3) Limit the terms of office for its officials and for members of Congress. (RC #122; 3<sup>rd</sup> Rdg; 34-16)

## COMMERCE & TECHNOLOGY

### **SEA 15 FRESH FOOD INITIATIVE**

**AUTHOR(S): HEAD, MERRITT**

**SPONSOR(S): OLTHOFF, SHACKLEFORD, DAVISSON, MOED**

**CITATIONS AFFECTED: NONCODE**

SEA 15 urges the Legislative Council to assign to an appropriate study committee the topics related to the establishment of a food desert grant and loan program. (RC #322; Concurrence; 36-9)

### **SEA 219 EXPEDITED LICENSES FOR MILITARY SPOUSES**

**AUTHOR(S): GLICK, BROWN, BUCK**

**SPONSOR(S): ZENT, CARBAUGH, OBER, MOSLEY**

**CITATIONS AFFECTED: 25-1**

SEA 219 makes changes regarding expedited licenses for military spouses. The act:

- Requires certain profession and occupation boards to adopt rules that establish procedures to expedite the issuance or renewal of a license, certificate, registration, or permit to a military spouse whose husband or wife is assigned to a duty station in Indiana.
- Repeals superseded provisions that allowed (but did not require) the profession and occupation boards to adopt expedited issuance and renewal rules.
- Provides that any rules adopted under the repealed statutes remain effective until the board adopts a rule that supersedes the original rule in whole or in part.
- RC #90; 3<sup>rd</sup> Rdg; 50-0

### **SEA 378 INDIANA ECONOMIC DEVELOPMENT COMMISSION**

**AUTHOR(S): YODER, HERSHMAN**

**SPONSOR(S): SMALTZ, OLTHOFF, HALE, MACER**

**CITATIONS AFFECTED: 4-4; 5-14; 5-28; 6-3.1**

SEA 378 makes changes to the duties and responsibilities of the Indiana Economic Development Corporation (IEDC). The act:

- Provides that the Office of Small Business and Entrepreneurship may maintain:
  - A toll free telephone number; and
  - An Internet web page; to provide free access to the office's services related to the Indiana Small Business Development Center.
- Provides that the IEDC may (instead of "shall" as under current law) maintain a small business division to carry out its duties.
- Provides that, if the IEDC maintains a small business division, the IEDC shall provide free access to the division services through:
  - A toll free telephone number; and
  - An Internet web page.
- Repeals the Local Economic Development Organization Grant Program.

- Amends the definition of "qualified entity" for purposes of the Economic Development Fund to include a local economic development organization eligible for a grant under the Local Economic Development Organization Grant Program.
- Provides that the IEDC has certain powers concerning enterprise zones that would otherwise be entrusted to the board of the IEDC under current law.
- Provides that an enterprise zone business that fails to comply with certain annual reporting requirements to the IEDC waives the amount of the tax and exemption incentives available to the zone business for the preceding year, unless the zone business pays the IEDC a penalty of:
  - An amount not to exceed 7% for the first instance of noncompliance; or
  - 15% for the second instance of noncompliance and each subsequent instance; of the amount of the tax credit and exemption incentives for the preceding year. (Under current law, the penalty amount is 15% for each instance of noncompliance).
- Provides that the IEDC (and not the board of the IEDC as under current law) has certain powers and duties concerning certain tax credit provisions.
- Repeals the definition of "director" in certain tax credit provisions.
- Provides that the IEDC (and not the director of the IEDC as under current law) has certain duties concerning those tax credit provisions.
- Provides that, if the IEDC determines that a taxpayer is not in compliance with an economic development for a growing economy tax credit agreement, a Hoosier business investment tax credit agreement, or a Hoosier alternative fuel vehicle manufacturer tax credit agreement, the IEDC shall, after giving the taxpayer an opportunity to explain the noncompliance:
  - Notify the state Department of Revenue (DOR) of the noncompliance; and
  - Request that the DOR impose an assessment on the taxpayer as provided by the tax credit agreement. (Under current law, the DOR and the IEDC may make determinations concerning a taxpayer's noncompliance with a tax credit agreement.)
- Repeals outdated language.
- Makes conforming amendments.
- RC #118; 3<sup>rd</sup> Rdg; 50-0

**HEA 1046 SALES OF BULLION OR CURRENCY**

**AUTHOR(S): BEUMER**

**SPONSOR(S):HERSHMAN, KRUSE, RAATZ, ROGERS, RANDOLPH, SCHNEIDER**

**CITATIONS AFFECTED: 6-2.5; 24-4**

HEA 1046 makes changes regarding sales of bullion or currency. The act:

- Provides a sales tax exemption for transactions involving the sale of:
  - Coins that are permitted investments by an individual retirement account under federal law;
  - Bullion that is a permitted investment by an individual retirement account under federal law; or
  - Legal tender.

- Authorizes the Secretary of State to issue a temporary registration to a foreign entity that wishes to sell precious metals bullion or currency at a trade fair or coin show in Indiana and is not otherwise lawfully authorized to conduct business in Indiana.
- Provides that a registration issued to a foreign entity expires after 28 days.
- Requires a foreign entity wishing to obtain a registration to submit an application to the Secretary of State and pay a fee.
- Requires that the fees be deposited in the Electronic and Enhanced Access Fund.
- Prohibits a foreign entity from selling precious metals bullion or currency at a trade fair or coin show in Indiana unless the foreign entity:
  - Registers with the Secretary of State; or
  - Is otherwise authorized to conduct business in Indiana.
- RC #250; 3<sup>rd</sup> Rdg; 46-4

Senator Jean Breaux, D-Indianapolis, offered two 2<sup>nd</sup> Reading amendments to HEA 1046. Both amendments were defeated. Amendment #1 would have exempted baby diapers and products worn by children and adults to manage incontinence from state gross retail tax. (RC #218; 2<sup>nd</sup> Rdg; 9-36) Amendment #2 would have exempted feminine hygiene products from state gross retail tax. (RC #217; 2<sup>nd</sup> Rdg; 9-36)

**HEA 1053 REGULATION OF PACKING MATERIALS**

**AUTHOR(S): BACON**

**SPONSOR(S): STEELE, BECKER, HOUCHIN, FORD, PERFECT**

**CITATIONS AFFECTED: 36-1**

HEA 1053 makes changes to the regulation of packaging material. The act:

- Amends the home rule statute to prohibit a local government unit from:
  - Regulating:
    - Certain activities with respect to reusable or disposable auxiliary containers designed for one time use or for transporting merchandise or food from food or retail facilities; or
    - A manufacturer of, a distributor of, or a food or retail facility that sells, provides, or otherwise makes use of, auxiliary containers, in connection with certain activities involving auxiliary containers; or
  - Imposing any prohibition, restriction, fee, or tax with respect to auxiliary containers or to a manufacturer of, a distributor of, or a food or retail facility that sells, provides, or otherwise makes use of, auxiliary containers, in connection with certain activities involving auxiliary containers.
- Specifies that the prohibitions do not apply to:
  - Curbside recycling programs or residential or commercial recycling locations in a unit; or
  - Certain activities involving auxiliary containers at any event that:
    - Is organized, sponsored, or permitted by a local government unit; and
    - Takes place on property owned by the unit.
- Makes cross-references to:
  - These prohibitions concerning the regulation of auxiliary containers; and

- An existing prohibition included in the home rule statute and concerning housing programs; in the section of the home rule statute that sets forth various limits on the powers of local government units.
- RC #202; 3<sup>rd</sup> Rdg; 38-12

The Senate failed to pass an amendment to HEA 1053 proposed by Senator Mark Stoops, D-Bloomington, which would have added language from SB 386 dealing with producer recycling of waste packaging and paper. The act had the following provisions:

- Required every producer of a product or material that results in waste packaging or waste printed paper to register with the Department of Environmental Management and, either singly or jointly with one or more other producers, to submit to the department for approval a producer recycling program plan under which the producer or group of producers will provide for or finance the recycling of packaging and printed paper.
- Provided that a proposed producer recycling program plan must include a description of the methods by which packaging and printed paper will be collected from households in a convenient manner in all parts of Indiana and recycled, an explanation of how the plan will be financed, and other contents.
- Required a producer or group of producers to solicit comments and input from stakeholders on its proposed producer recycling program plan.
- Provided that the department may require a producer or group of producers to revise a producer recycling program plan that does not meet the requirements of the law.
- Required that a producer recycling program plan, once accepted by the department, be updated every two years.
- Established goals of:
  - Recycling 50% of all household packaging and printed paper by July 1, 2022; and
  - Recycling 60% of all household packaging and printed paper by July 1, 2025.
- Exempted a producer of packaging or printed paper with gross sales in Indiana of less than \$250,000 per year from compliance with these requirements, and provides that a producer of packaging or printed paper with gross sales in Indiana of at least \$250,000 but less than \$500,000 is required to pay an annual fee to a producer recycling organization of not more than \$750 but is not otherwise required to comply with these requirements.
- RC #184; failed 9-38

**HEA 1156 DENTAL HYGIENISTS**  
**AUTHOR(S): FRIZZELL**  
**SPONSOR(S): LEISING, FORD, RANDOLPH**  
**CITATIONS AFFECTED: 25-13**

HEA 1156 makes changes to the duties and responsibilities of dental hygienists. The act:

- Increases from 45 days to 90 days the period during which a written order for specific dental care is valid under prescriptive supervision.
- Allows a dentist to consult with a dental hygienist or a dental assistant if the dental hygienist or dental assistant requests the consultation after determining that treatment of the patient by the dental hygienist or dental assistant would result in harm to the patient, dental hygienist, or dental assistant.

- Increases from 14 hours to 19 hours the continuing education that a dental hygienist must receive during a license period.
- Urges the Legislative Council to assign to an interim study committee the topic of loan forgiveness for dentists and dental hygienists who treat Medicaid patients.
- Makes technical corrections.
- RC #391; CCR #1; 49-1

## **HEA 1172 COSMETOLOGY**

**AUTHOR(S): SCHAIBLEY**

**SPONSOR(S):BOOTS, BUCK, KRUSE, BREAUX**

**CITATIONS AFFECTED: 25-8**

HEA 1172 changes current law regarding cosmetology. The act:

- Adds to the definition of "cosmetology":
  - Removing superfluous hair from the body by the use of depilatories, waxing, or tweezers;
  - Shaving or trimming beards and mustaches; and
  - Giving facials, applying makeup, and giving skin care.
- Requires the State Board of Cosmetology and Barber Examiners to adopt rules specifying whether the definition of "cosmetology" includes the use of a straight razor.
- Makes changes to the definition of "manicuring".
- Defines "pedicuring" as cleaning, dressing, polishing, sculpting, tipping, or wrapping the nails of a person's foot.
- Makes certain changes to the requirements to obtain a beauty culture school license.
- Requires the State Board of Cosmetology and Barber Examiners to adopt rules concerning the minimum amount of space, equipment, and supplies for specific courses of study a beauty culture school offers.
- Allows the State Board of Cosmetology and Barber Examiners to adopt rules allowing curriculum offered by a beauty culture school to be delivered within a distance learning environment.
- Allows an applicant for a cosmetologist license or an esthetician license to be at least 17 years of age.
- RC #269; 3<sup>rd</sup> Rdg; 41-9

## **HEA 1218 FRANCHISE EMPLOYMENT**

**AUTHOR(S): HARMAN**

**SPONSOR(S):PERFECT, MERRITT, HEAD, BROWN**

**CITATIONS AFFECTED: 23-2**

HEA 1218 provides that, for purposes of the Indiana franchise law, a franchisor (as defined under federal regulations) is not considered to be an employer or co-employer of:

- A franchisee (as defined under federal regulations); or
- An employee of a franchisee; unless the franchisor agrees in writing to assume the role of an employer or co-employer.
- RC #195; 3<sup>rd</sup> Rdg; 43-7

**HEA 1254 INTERIM STUDY COMMITTEE**

**AUTHOR(S): MAHAN**

**SPONSOR(S): KENLEY, BUCK, ARONLD, RANDOLPH**

**CITATIONS AFFECTED: NONCODE**

HEA 1254 urges the Legislative Council to assign to an appropriate interim study committee the topic of motor vehicle dealer and manufacturer licenses. (RC #280; 3<sup>rd</sup> Rdg; 49-1)

**HEA 1267 MEAT PREPARATION ESTABLISHMENTS**

**AUTHOR(S): LEHE**

**SPONSOR(S): MILLER, ALTING, BREAUX**

**CITATIONS AFFECTED: 15-17; 16-18; 16-42**

HEA 1267 makes changes for meat preparation establishments. The act:

- Provides that, if certain conditions are met, the State Board of Animal Health (BOAH) must issue a limited permit for the operations of an establishment that is used for slaughtering or preparing meat and that is exempt from antemortem inspection and postmortem inspection requirements.
- Authorizes BOAH to enter and inspect such an establishment.
- Provides that poultry products produced in an establishment operating under a limited permit must be labeled in accordance with rules adopted by the board and may only be distributed directly to a household consumer who:
  - Is the last person to purchase the poultry product; and
  - Does not resell the poultry.
- Requires BOAH, if certain other conditions are met, to issue a limited permit to an establishment operating to produce poultry products for distribution to retail stores, hotels, restaurants, and institutions that resell or serve the products to consumers.
- Authorizes BOAH to conduct microbial testing for food safety at such establishments.
- RC #284; 3<sup>rd</sup> Rdg; 48-2

**HEA 1272 PROFESSION LICENSING MATTERS**

**AUTHOR(S): ZENT**

**SPONSOR(S): BROWN, HEAD, RANDOLPH**

**CITATIONS AFFECTED: 25-1; 25-22.5; 25-27.5; 25-35.6; 35-31.5; 35-48**

HEA 1272 makes changes concerning professional licensing matters. The act:

- Requires a practitioner to provide the Indiana Professional Licensing Agency (PLA) and the practitioner's specific board with certain information concerning continuing education. (Current law requires a practitioner to provide the information to a specific board.)
- Allows an individual who holds a professional or occupational license and is called to active duty to fulfill all continuing education requirements through distance learning.
- Allows the practitioner's specific board, in consultation with the PLA, to conduct random audits of license renewals of practitioners required to take continuing education courses.
- Removes language that limited notification by a facility concerning mammography results only if the patient required follow up care or testing.

- Makes the small business member of the Jobs Creation Committee a voting member.
- Removes the requirement that the physician assistant's supervisory agreement specify each name or drug classification being delegated to the physician assistant.
- Makes changes to the Speech-Language Pathology and Audiology Board concerning the date a chairperson is selected.
- Provides that an employee of the PLA must keep information concerning a complaint regarding a regulated occupation confidential unless disclosure is required under law, required for the advancement of an investigation, or made to a law enforcement agency that has jurisdiction or is reasonably believed to have jurisdiction over a person or matter involved in the complaint.
- Requires an accounting firm to submit a copy of the results of its most recently accepted peer review to the Indiana Board of Accountancy either directly or through the administering entity.
- Removes obsolete references to quality review as a condition of renewal of a permit to practice accountancy for a certified public accountant or public accounting firm.
- Adds certain substances to the definition of "synthetic drugs".
- RC #394; CCR #1; 50-0

**HEA 1360 REALTOR CONTINUING EDUCATION**

**AUTHOR(S): MORRIS**

**SPONSOR(S): BROWN, MERRITT, RANDOLPH**

**CITATIONS AFFECTED: 25-1; 25-34.1**

HEA 1360 makes changes to realtor continuing education. The act:

- Provides that following every license renewal period, the Indiana Real Estate Commission (REC) in consultation with the Professional Licensing Agency may randomly audit for compliance more than 1% but less than 10% of the licensed real estate brokers required to take continuing education courses.
- Requires a real estate continuing education course sponsor to submit certain documentation to the REC.
- Adds to the conditions under which the REC may deny, suspend, or revoke approval of a course sponsor.
- Allows the REC to enter into an agreement with certain entities to provide an electronic continuing education tracking system.
- RC #300; 3<sup>rd</sup> Rdg; 49-1

**HEA 1365 DEALER SERVICES**

**AUTHOR(S): SULLIVAN**

**SPONSOR(S): CRIDER, CHARBONNEAU, RANDOLPH**

**CITATIONS AFFECTED: 4-5; 6-6; 9-13; 9-18; 9-22; 9-29; 9-31; 9-32; 35-52**

HEA 1365 makes changes regarding dealer services. The act:

- Transfers responsibility for dealer designee and interim manufacturer transporter license plates from the Bureau of Motor Vehicles to the Secretary of State after June 30, 2017.
- Relocates fees related to dealer services from IC~9-29-17 to IC~9-32.

- Changes the deadline for applying for a title for a motorboat to 45 days (instead of 30 days) after the date of purchase or transfer.
- Imposes requirements concerning the disclosure of personal information by the Dealer Services Division of the Office of the Secretary of State.
- Establishes procedures for the replacement of licenses and license plates issued to dealers.
- Requires the Secretary of State to make the determination whether a corporate officer, partner, or owner of a vehicle dealer must submit to an expanded criminal history check or a national criminal history background check.
- RC #301; 3<sup>rd</sup> Rdg; 50-0

**HEA 1378 DIVESTMENT FROM BOYCOTT ISRAEL BUSINESSES**

**AUTHOR(S): BOSMA**

**SPONSOR(S):HERSMAN, MERRITT, DELPH, HOUCHIN, MILLER, TOMES, BRODEN, BANKS, STEELE, SCHNIEDER, LONG, YOUNG, KRUSE, RAATZ**

**CITATIONS AFFECTED: 5-10.2; 34-30**

HEA 1378 concerns a divestment from boycott Israel businesses. The act:

- Requires the public retirement system to divest from businesses that engage in action or inaction to boycott, divest from, or sanction Israel.
- Provides for notice to businesses, reinvestment, and civil immunity.
- Requires certain reports to the Legislative Council.
- Makes a conforming amendment.
- RC #307; 3<sup>rd</sup> Rdg; 47-3

**CORRECTIONS AND CRIMINAL LAW**

**SEA 14 VARIOUS CRIMINAL LAW MATTERS**

**AUTHOR(S): HEAD, YOUNG, LEISING**

**SPONSOR(S):EBERHART, HALE, MAHAN, MCNAMARA**

**CITATIONS AFFECTED: 4-13; 7.1-3; 10-13; 11-8; 16-42; 20-28; 22-5; 31-14; 33-37; 33-39; 35-36; 35-38; 35-42; 35-44.1; 35-50**

SEA 14 has the following provisions:

- It makes the offense of child exploitation a Level 4 felony instead of a Level 5 felony if the offense involves, depicts, or describes a child less than 18 years of age who:
  - engages in bestiality;
  - is mentally disabled or deficient;
  - participates in the sexual conduct, matter, performance, or incident by use of force or the threat of force;
  - physically or verbally resists participating in the sexual conduct, matter, performance, or incident;

- receives a bodily injury while participating in the sexual conduct, matter, performance, or incident; or
- is less than 12 years of age.
- It makes the offense of possession of child pornography a Level 5 felony instead of a Level 6 felony if the offense involves, depicts, or describes sexual conduct by a child who the defendant knows is less than 18 years of age, or who appears to be less than 18 years of age, who:
  - engages in bestiality;
  - is mentally disabled or deficient;
  - participates in the sexual conduct by use of force or the threat of force;
  - physically or verbally resists participating in the sexual conduct;
  - receives a bodily injury while participating in the sexual conduct; or
  - is less than 12 years of age.
- It adds the crime of child exploitation to the definition of "crime of violence" for purposes of the law concerning a court's determination whether terms of imprisonment should be served concurrently or consecutively. (A person who commits a "crime of violence" may receive a longer sentence.)
- It requires that a performer who provides adult entertainment on a licensed premises to provide proof of age by at least one form of government-issued identification instead of two. It specifies that a photograph taken of an adult entertainer who auditions to provide adult entertainment must only show the adult entertainer's facial features.
- It amends the definition of "violent criminal" for purposes of the law concerning sentencing to include certain Class A felonies and Class B felonies committed before July 1, 2014.
- RC #399; CCR#1; 48-0

**SEA 80 EPHEDRINE AND PSEUDOEPHEDRINE**

**AUTHOR(S): HEAD, MERRITT**

**SPONSOR(S): SMALTZ, DAVISSON, REICKEN, BACON, BOSMA, OBER, BROWN, HEATON, KERSEY, ARNOLD, MORRISON, CULVER, MCNAMARA, MILLER, BEUMER, HARMON, HALE, STEMLER, LUCAS, SMITH, SOLIDAY, ZENT, MACER**

**CITATIONS AFFECTED: 25-26; 34-30; 35-48**

SEA 80 requires the Indiana Board of Pharmacy to adopt emergency rules that are effective July 1, 2016, concerning:

- Professional determinations made; and
- A relationship on record with the pharmacy; concerning the sale of ephedrine or pseudoephedrine.

The act requires the Pharmacy Board to:

- Review professional determinations made; and
- Discipline a pharmacist who violates a rule concerning a professional determination made; concerning the sale of ephedrine or pseudoephedrine.

The act allows the Pharmacy Board, in consultation with the Indiana State Police (ISP), to declare a product to be an extraction-resistant or a conversion-resistant form of ephedrine or pseudoephedrine.

The act specifies that a person who is denied the sale of a nonprescription product containing pseudoephedrine or ephedrine is not prohibited from obtaining pseudoephedrine or ephedrine pursuant to a prescription.

The act provides that a pharmacist or pharmacy technician may determine that the purchaser has a relationship on record with the pharmacy, in compliance with rules adopted by the Pharmacy Board. The act allows a pharmacist to deny the sale of ephedrine or pseudoephedrine on the basis of the pharmacist's professional judgment, and provides the pharmacist with civil immunity for making such a denial.

The act provides that a purchaser who has a relationship on record with the pharmacy may purchase pseudoephedrine or ephedrine. The act allows the pharmacist to provide certain pseudoephedrine or ephedrine products to a purchaser who does not have a relationship on record with the pharmacy or for whom the pharmacist has made a professional judgment that there is not a medical or pharmaceutical need.

The act adds ephedrine and pseudoephedrine to the definition of "controlled substance" for purposes of the Indiana Scheduled Prescription Electronic Collection and Tracking (INSPECT) program. (RC #398; Concurrence; 41-7)

**SEA 141 COUNTY BOARD HOSPITAL COMPENSATION**  
**AUTHOR(S): LEISING, MILLER**  
**SPONSOR(S): CLERE, LEHE, BROWN**  
**CITATIONS AFFECTED: 16-22**

SEA 141 has the following provisions:

- It changes the term "criminal gang" to "criminal organization." It provides that a criminal organization is a group organized to commit a felony or the crime of battery.
- It increases the penalty for assisting a criminal to a Level 6 felony if the person who commits the offense or the person assisted is a member of a criminal organization. It makes criminal organization activity a Level 6 felony, and increases the penalty to a Level 5 felony if the person commits an offense involving the unlawful use of a firearm.
- It specifies certain additional evidence that the trier-of-fact may consider in determining whether a person has committed specified offenses involving criminal organizations.
- RC # 37; 3<sup>rd</sup> Rdg; 44-4

**SEA 142 OPERATING WHILE INTOXICATED**  
**AUTHOR(S): YOUNG, MILLER**  
**SPONSOR(S): STEUERWALD, WESCO**  
**CITATIONS AFFECTED: 9-30; 35-38; 35-46**

SEA 142 has the following provisions:

- It provides that a person who commits the offense of causing the death of another person when operating a vehicle:
  - with an alcohol concentration equivalent to at least 0.08 gram of alcohol per 100 milliliters of the person's blood or 210 liters of the person's breath;
  - with a controlled substance listed in Schedule I or II or its metabolite in the person's blood; or
  - while intoxicated; commits a Level 4 felony instead of a Level 5 felony if the person has a previous conviction of operating while intoxicated within 10 years preceding the commission of the offense instead of within five years preceding the commission of the offense.
- It provides that a person convicted of a Level 6 felony maybe committed to the Department of Correction (DOC) if the person has received an enhanced sentence for being a habitual vehicular substance offender.
- It provides that a person who operates a motorboat while intoxicated (motorboat OWI) shall receive an enhanced penalty if the person has a previous conviction under a repealed version of the crime.
- RC #326; Concurrence; 37-7

**SEA 160 JUVENILE LAW**

**AUTHOR(S): YOUNG, BRAY, STEELE**

**SPONSOR(S): WASHBURN, MCNAMARA, MACER**

**CITATIONS AFFECTED: 31-30; 31-37**

SEA 160 has the following provisions:

- Allows an adult court having jurisdiction over a minor charged with an offense requiring the automatic transfer of jurisdiction to the adult court to withhold judgment and transfer jurisdiction to the juvenile court for adjudication and disposition if the minor is convicted of an offense, but not convicted of an offense requiring the automatic transfer of jurisdiction to the adult court.
- Allows an intake officer to impose conditions upon the release of a child who was not taken into custody under an order of the court.
- Requires the juvenile court to hold a detention hearing within 48 hours if an intake officer imposes conditions of release upon a child.
- RC #327; Concurrence; 42-0

**SEA 161 PHARMACISTS, EPHEDRINE, METHAMPHETAMINE**

**AUTHOR(S): RANDOLPH, STEELE, MILLER**

**SPONSOR(S): FRIZZELL**

**CITATIONS AFFECTED: 33-23; 33-24; 35-48**

SEA 161 requires the Division of State Court Administration (DSCA) to report certain methamphetamine-related felonies to the National Precursor Log Exchange (NPLEx) so that NPLEx can generate a stop-sale alert to prevent individuals convicted of those felonies from purchasing ephedrine or pseudoephedrine.

The act requires the Indiana Board of Pharmacy to adopt emergency rules that are effective July 1, 2016, concerning: (1) professional determinations made; and (2) a relationship on record with the pharmacy; concerning the sale of ephedrine or pseudoephedrine.

The act authorizes the board to: (1) review professional determinations made; and (2) discipline a pharmacist who violates a rule concerning a professional determination made; concerning the sale of ephedrine or pseudoephedrine.

The act allows the Board, in consultation with the State Police, to declare a product to be an extraction-resistant or a conversion-resistant form of ephedrine or pseudoephedrine.

The act specifies that a person who is denied the sale of a nonprescription product containing pseudoephedrine or ephedrine is not prohibited from obtaining pseudoephedrine or ephedrine pursuant to a prescription.

The act provides that a pharmacist or pharmacy technician may determine that the purchaser has a relationship on record with the pharmacy, in compliance with rules adopted by the board. The act allows a pharmacist to deny the sale of ephedrine or pseudoephedrine on the basis of the pharmacist's professional judgment, and provides the pharmacist with civil immunity for making such a denial.

The act provides that a purchaser who has a relationship on record with the pharmacy may purchase pseudoephedrine or ephedrine. The act allows the pharmacist to provide certain pseudoephedrine or ephedrine products to a purchaser who does not have a relationship on record with the pharmacy or for whom the pharmacist has made a professional judgment that there is not a medical or pharmaceutical need.

The act requires the Indiana Scheduled Prescription Electronic Collection and Tracking (INSPECT) program to track ephedrine and pseudoephedrine dispensed pursuant to a prescription. (RC #413; CCR#1; 50-0)

**SEA 174 CRIMINAL LAW MATTERS**

**AUTHOR(S): YOUNG, STEELE**

**SPONSOR(S):FRIZZELL, LAWSON**

**CITATIONS AFFECTED: 35-44.1; 35-48**

SEA 174 provides that a person who, with intent to: (1) deceive; or (2) induce compliance with the person's instructions, orders, or requests; falsely represents that the person is a public servant, commits impersonation of a public servant, a Class A misdemeanor.

It creates the offense of dealing in a controlled substance by a practitioner, and enhances the offense if the offense causes the death of another person. (RC #329; Concurrence; 42-0)

**SEA 183 REAL PROPERTY OFFENSES**

**AUTHOR(S): BRAY, STEELE, TOMES**

**SPONSOR(S):PRICE, GIAQUINTA, MOED**

**CITATIONS AFFECTED: 35-43**

SEA 183 has the following provisions:

- It amends the statute concerning criminal trespass to specify that a person commits criminal trespass if the person knowingly or intentionally enters or refuses to leave the real property of another person after having been prohibited from entering or asked to leave the real property by a law enforcement officer when the real property is:
  - vacant real property or a vacant structure (both as defined by the statute concerning the abatement of vacant structures and abandoned structures); or
  - designated by a municipality or county enforcement authority to be abandoned property or an abandoned structure. (The crime can be either Class A misdemeanor or a Level 6 felony).
- It provides that a person who knowingly or intentionally damages, defaces, or permanently removes an object from real property that is the subject of a mortgage foreclosure proceeding commits foreclosure mischief, a Class B misdemeanor. It increases the penalty to a Class A misdemeanor if the damage caused is between \$750 and \$50,000, and to a Level 6 felony if the damage caused is \$50,000 or more. It establishes a defense if the damage, removal, or defacement was the result of repair, renovation, replacement, or maintenance performed in good faith.
- RC #345; Concurrence; 48-0

**SEA 248 DRIVING PRIVILEGES SUSPENSIONS**

**AUTHOR(S): FORD, GROOMS**

**SPONSOR(S):MOSELY, SOLIDAY**

**CITATIONS AFFECTED: 9-21; 9-30**

SEA 248 provides that when judgment has been imposed for committing two worksite speed limit violations within one year, an additional penalty of the suspension of the person's driving privileges for 60 days may be imposed by the court imposing the sentence for the second violation. The act provides that specialized driving privileges may be granted to the person by the court for the purpose of operating a motor vehicle between the place of employment and residence of the person. (RC #332; Concurrence; 44-0)

**SEA 290 CRIMINAL LAW MATTERS**

**AUTHOR(S): YOUNG, HEAD**

**SPONSOR(S):STEUERWALD**

**CITATIONS AFFECTED: 16-41; 35-48; 35-50**

SEA 290 has the following provisions:

- It provides that a person may be convicted of possession with intent to manufacture or deliver a controlled substance without additional evidence of intent to manufacture or deliver if the person possesses more than 28 grams of the controlled substance other than marijuana or 10 or more pounds of marijuana.

- It specifies that the fact that an individual has attended a syringe exchange program may not form any part of a probable cause or reasonable suspicion determination.
- It permits a person placed on home detention as a condition of pretrial release to earn one day of good time credit for every four days served on pretrial home detention.
- RC #144; 3<sup>rd</sup> Rdg; 46-4

**HEA 1028 HUMAN TRAFFICKING AND COMMON NUISANCES**

**AUTHOR(S): TRUITT**

**SPONSOR(S): HEAD, MERRITT, BUCK, TAYLOR, RANDOLPH**

**CITATIONS AFFECTED: 7.1-5; 16-31; 16-42; 22-15; 25-1; 35-45; 35-48; 35-52**

HEA 1028 has the following provisions:

- It repeals certain provision in current law defining the crimes of visiting and maintaining a common nuisance in connection with the unlawful use of:
  - alcohol;
  - legend drugs; and
  - controlled substances.
- It creates a new statute defining the crimes of visiting and maintaining a common nuisance in connection with:
  - the unlawful use of alcohol;
  - the unlawful use of a legend drug;
  - the unlawful use of controlled substances; and
  - certain human trafficking crimes.
- It makes visiting a common nuisance where certain human trafficking crimes are being committed a Class A misdemeanor, and makes maintaining a common nuisance where certain human trafficking crimes are being committed a Level 6 felony.
- It repeals obsolete provisions and makes conforming amendments.
- RC #247; 3<sup>rd</sup> Rdg; 50-0

**HEA 1048 MOTOR VEHICLE ACCIDENTS**

**AUTHOR(S): SOLIDAY**

**SPONSOR(S): CHARBONNEAU, ARNOLD**

**CITATIONS AFFECTED: 9-26; 35-43; 35-44.1**

HEA 1048 has the following provisions:

- Makes it a Class C infraction if a motor vehicle involved in an accident comes to a stop in the traveled portion of a highway, and the operator fails (with certain exceptions) to move the motor vehicle off the traveled portion of the highway in a manner that does not obstruct traffic more than is necessary.
- Provides that, with certain exceptions, a person who knowingly or intentionally possesses a plate or label that contains an identification number not attached to the motor vehicle or motor vehicle part to which the plate or label was originally assigned by a manufacturer or governmental entity commits a Class A misdemeanor, increases the penalty to a Level

6 felony if the person possesses more than one unattached plate or if the value of the motor vehicle or motor vehicle part to which the plate is attached is between \$750 and \$50,000, and increases the penalty to a Level 5 felony if the value of the motor vehicle or motor vehicle part to which the plate is attached is at least \$50,000.

- Provides that a person that damages, removes, or alters an original or a special identification number commits a Level 6 felony.
- Increases the penalty for selling a motor vehicle with an altered identification number to a Level 6 felony if the value of the vehicle is between \$750 and \$50,000, and to a Level 5 felony if the value of the vehicle is at least \$50,000.
- Makes the penalty for counterfeiting a motor vehicle title a Class A misdemeanor (under current law, the offense is a Class B misdemeanor), and increases the penalty to a Level 6 felony if the value of the vehicle is between \$750 and \$50,000, and to a Level 5 felony if the value of the vehicle is at least \$50,000.
- Defines the term "emergency incident" and expands the definition of the term "emergency incident area".
- RC #251; 3<sup>rd</sup> Rdg; 49-1

## **HEA 1102 CRIMINAL JUSTICE MATTERS**

**AUTHOR(S): STEUERWALD**

**SPONSOR(S): STEELE, YOUNG, RANDOLPH**

**CITATIONS AFFECTED: 11-12; 12-23**

HEA 1102 has the following provisions:

- It allows the Department of Correction (DOC) to make grants to county jails to provide evidence-based mental health and addiction forensic treatment services and to counties for pretrial release and diversion programs from funds appropriated to DOC for DOC's operating expenses for the state fiscal year.
- It requires the Commissioner of the Department of Correction to coordinate with the Division of Mental Health and Addiction when issuing community corrections and court-supervised recidivism reduction program grants.
- It requires collaboration among:
  - the probation department;
  - the community corrections program; and
  - any other local criminal justice agency that receives funding from the department; when creating a community corrections plan. It encourages counties to include the courts, prosecuting attorneys, public defenders, and sheriffs when creating a community corrections plan.
- It provides that mental health and forensic addiction treatment services shall be made available to individuals who:
  - have been charged with a felony offense; or
  - have a prior felony conviction; if the individuals are eligible for placement with a pretrial services program, community corrections program, prosecuting attorney's diversion program, or jail.
- RC #191; 3<sup>rd</sup> Rdg; 49-1

**HEA 1105 PROSECUTIONS FOR RAPE AND CRIMINAL DEVIATE CONDUCT**

**AUTHOR(S): HALE**

**SPONSOR(S): CRIDER, BASSLER, CHARBONNEAU, MILLER, TALLIAN, ROGERS**

**CITATIONS AFFECTED: 34-60; 35-37; 35-41**

HEA 1105 has the following provisions:

- It specifies that certain exceptions to the statute of limitations for rape as a Level 3 felony also apply to rape as a Class B felony (for crimes committed before July 1, 2014).
- It provides that a prosecution for criminal deviate conduct as a Class B felony for an offense committed before the crime was repealed on July 1, 2014, that would otherwise be barred may be commenced not later than five years after the earliest of the date on which:
  - the state first discovers evidence sufficient to charge the offender with the offense through DNA analysis;
  - the state first becomes aware of the existence of a recording that provides evidence sufficient to charge the offender with the offense; or
  - a person confesses to the offense.
- It provides that state educational institution and approved postsecondary educational institution student advocate office employees and volunteers who provide services to certain victims have testimonial privilege regarding confidential victim information.
- RC #258; 3<sup>rd</sup> Rdg; 50-0

**HEA 1157 METHAMPHETAMINE MATTERS**

**AUTHOR(S): FRIZZELL**

**SPONSOR(S): YOUNG, YODER, RANDOLPH, KRUSE**

**CITATIONS AFFECTED: 33-23; 33-24; 35-48**

HEA 1157 requires the Division of State Court Administration (DSCA) to report certain methamphetamine-related felonies to the National Precursor Log Exchange (NPLEx) so that NPLEx can generate a stop-sale alert to prevent individuals with those felonies from purchasing ephedrine or pseudoephedrine. (RC #266; 3<sup>rd</sup> Rdg; 49-1)

**HEA 1187 STOLEN VALOR**

**AUTHOR(S): MOSLEY**

**SPONSOR(S): GLICK, TALLIAN, KENLEY, YOUNG, CHARBONNEAU, TOMES, STEELE, RANDOLPH, MILLER, BROWN**

**CITATIONS AFFECTED: 35-43**

HEA 1187 provides that a person who knowingly or intentionally, with the intent to obtain money, property, or another benefit:

- Fraudulently represents himself or herself to be an active member or veteran of the armed forces of the United States;
- Uses falsified military identification; or
- Fraudulently claims to be the recipient of certain military honors; commits stolen valor, a Class A misdemeanor.
- RC # 194; 3<sup>rd</sup> Rdg; 50-0

**HEA 1199 HUMAN TRAFFICKING**  
**AUTHOR(S): MCNAMARA**  
**SPONSOR(S):HEAD, ECKERTY, TALLIAN**  
**CITATIONS AFFECTED: 11-8**

HEA 1199 adds the crime of promotion of human trafficking of a minor to the definitions of "sex offender" and "sex or violent offender". (RC #272; 3<sup>rd</sup> Rdg; 50-0)

**HEA 1211 METHAMPHETAMINE AND CRIMINAL MISCHIEF**  
**AUTHOR(S): CARBAUGH**  
**SPONSOR(S):BROWN, GLICK, BUCK, MILLER, TAYLOR, KRUSE**  
**CITATIONS AFFECTED: 5-2; 35-43; 35-48**

HEA 1211 has the following provisions:

- Includes the attempted manufacture of methamphetamine in the statutory definition of "methamphetamine abuse".
- Requires law enforcement agencies to report fires related to methamphetamine abuse to the Indiana Criminal Justice Institute.
- Makes it institutional criminal mischief, a Class A misdemeanor, for a person to recklessly, knowingly, or intentionally damage property:
  - that is vacant real property or a vacant structure; or
  - after the person has been denied entry to the property by a court order that was issued to the person or to the general public by conspicuous posting on or around the property in areas where a person could observe the order when the property has been designated by a municipality or county enforcement authority to be a vacant property, an abandoned property, or an abandoned structure.
- Makes the offense:
  - a Level 6 felony if the pecuniary loss is at least \$750 but less than \$50,000; and
  - a Level 5 felony if the pecuniary loss is at least \$50,000.
- Provides that, if the offense involved the use of graffiti, the court may order that the person's operator's license be suspended or invalidated by the Bureau of Motor Vehicles (BMV) for not more than one year.
- Makes it controlled substances criminal mischief, a Level 6 felony, for a person to recklessly, knowingly, or intentionally damage property:
  - during the dealing or manufacture of or attempted dealing or manufacture of cocaine or a narcotic drug or the dealing or attempted dealing of methamphetamine; and
  - by means of a fire or an explosion.
- Makes the offense a Level 5 felony if the offense results in moderate bodily injury to any person other than a defendant.
- Defines "pecuniary loss" for purposes of criminal mischief offenses.
- RC #411; CCR#1; 50-0

**HEA 1235 DRUG OFFENSES**  
**AUTHOR(S): STEUERWALD**  
**SPONSOR(S): YOUNG, STEELE, ARNOLD, BUCK**  
**CITATIONS AFFECTED: 35-5-**

HEA 1235 specifies that Level 2 controlled substance offenses are non-suspendible if:

- The offense involves methamphetamine or heroin; and
- The person has a prior felony conviction for dealing in certain controlled substances.
- RC #277; 3<sup>rd</sup> Rdg; 40-10

**EDUCATION & CAREER DEVELOPMENT**

**SEA 3 EDUCATION TECHNICAL CORRECTIONS TRAILER BILL**  
**AUTHOR(S): MILLER, KRUSE**  
**SPONSOR(S): COOK, ZENT, FINE**  
**CITATIONS AFFECTED: 20-20; 20-24; 20-25; 20-25.7; 20-26; 20-27; 20-28; 20-32; 20-40; 20-41; 20-43; 20-49; 21-13**

SEA 3 makes technical corrections throughout IC 20 (education law). The act:

- Resolves conflicts between SEA 500-2015 and other legislation enacted during the 2015 session of the General Assembly.
- Moves a chapter relating to the science, technology, engineering, and mathematics teacher recruitment fund from an article in IC 20 relating to transportation to an article relating to scholarships and grants in IC 21.
- RC #49; 3<sup>rd</sup> Rdg; 48-0

**SEA 9 CHARTER SCHOOL DATA COLLECTION**  
**AUTHOR(S): RAATZ, KRUSE, MILLER**  
**SPONSOR(S): COOK, ZENT, FINE**  
**CITATIONS AFFECTED: 20-24**

SEA 9 removes the requirement that charter schools report certain data to the Department of Education (DOE):

- Under this provision, the DOE would no longer have to allocate the resources it currently allocates to verify the accuracy of the data in question as required by the current statute.
- For example, under the current statute, the DOE could potentially have to twice verify the data on approximately 26,000 students attending 71 charter schools in the 2015-2016 school year.
- RC #27; 3<sup>rd</sup> Rdg; 48-0

**SEA 93 VARIOUS EDUCATION MATTERS**  
**AUTHOR(S): KRUSE, ROGERS**  
**SPONSOR(S): BEHNING, RHODES, SMITH, THOMPSON**  
**CITATIONS AFFECTED: 6-1.1; 16-41; 20-18; 20-20; 20-23; 20-24; 20-26; 20-27; 20-28;**

## 20-34; 21-18; NONCODE

SEA 93 makes various changes to current law regarding education matters. The act:

- Provides that every public school building shall be supplied with safe, potable water from a public water system approved by the commissioner of the Department of Environmental Management.
- Provides that the financial specialist appointed for the Gary Community School Corporation may perform the duties authorized under the statute for not more than 24 consecutive months (rather than 12 consecutive months, under current law).
- Amends the definition of "secondary school" to include certain elementary grades for purposes of a federal student loan forgiveness program for highly qualified teachers in high needs areas.
- Provides that, beginning January 1, 2017, a nonprofit college or university board of trustees shall assign authorization authority and authorization responsibilities to a separate legal entity that functions under the direction of the university's board.
- Provides that, before an entity may authorize a charter school, the entity must conduct a public meeting with public notice in the county where the charter school will be located.
- Provides that a charter school is considered a school corporation for purposes of any state or federal funding opportunities administered by the Department of Education (DOE) or any other state agency that are otherwise available to a school corporation.
- Makes changes to the "school report card."
- Provides that an authorizer must conduct a public hearing in the school corporation in which a proposed charter school will be located.
- Provides if the location of the proposed charter school has not been determined, the public hearing must be held within the county where the proposed charter school would be located.
- Provides for staggered terms for the members of the East Chicago School Board.
- Provides that a charter school organizer must establish certain requirements for the distribution of funds or assets of a charter school that ceases operation. (Current law provides that a charter school organizer must establish certain requirements for the distribution of funds or assets upon dissolution of a charter school.)
- Provides that if a school corporation or a charter school does not pay taxes due under the Federal Insurance Contributions Act within 30 days after the due date (and any known accrued penalties and interest on those taxes) or does not pay withheld state income taxes (and any known accrued penalties and interest on those taxes) within 30 days after the due date:
  - The school business official or financial officer shall report the failure to pay the taxes and the penalties and interest to the governing body of the school corporation or charter school; and
  - The governing body shall report at a public meeting on the failure to pay the taxes and the penalties and interest.
- Specifies that if during the following 365 days the school corporation or charter school has a subsequent failure to pay the taxes and known accrued penalties and interest within 30 days after the due date, the school corporation or charter school shall provide notice of

its subsequent delinquency to the DOE, the State Budget Agency, and the Distressed Unit Appeals Board (DUAB).

- Provides that a school corporation may accept a student who does not have legal settlement in the school corporation into an alternative education program even if the school corporation does not otherwise accept transfer students.
- Removes an intramural athletic contest or competition that is sponsored by or associated with a school from the definition of "athletic activity" for purposes of the requirements concerning sudden cardiac arrest to student athletes.
- Adds an additional measure by which the depth perception of a school bus driver may be determined.
- Provides for the revocation of a school bus driver's certificate of completion of school bus driver safety education under certain circumstances.
- Provides that an individual may enroll in a transition to teaching program and receive a transition to teaching license without passing a content area examination before admission to the program.
- Voids administrative rules that require passing a content area examination before being admitted to a transition to teaching program.
- Requests the Legislative Council to assign the following topics to an appropriate study committee:
  - The extent the school's calendar influences certain school functions.
  - Graduation rates, including the feasibility of amending the definition of "cohort" for purposes of determining graduation rates to exclude students who are pursuing a certificate of completion under an individualized education program.
  - Methods to ensure opportunities for secondary school students to earn college credits while enrolled in high school and to provide incentives for a teacher to obtain a master's degree or at least 18 hours of graduate coursework in the subject matter the teacher is teaching or wishes to teach as part of a dual credit course.
  - The feasibility of allowing a school corporation and an individual teacher to voluntarily enter into an employment contract that contains terms that differ from the terms set forth in a collective bargaining agreement, and issues related to the topic.
  - Issues related to the establishment of special education scholarship accounts and a special education scholarship account fund.
- RC #383; CCR #1; 50-0

**SEA 96 CURRICULAR MATERIALS**  
**AUTHOR(S): ALTING, KENLEY**  
**SPONSOR(S): TRUITT, BEHNING, KLINKER**  
**CITATIONS AFFECTED: 20-26**

SEA 96 extends from three years to four years the timeline for serial maturation of notes issued by a school corporation to buy curricular materials.

- The act could reduce a school corporation's annual bond payment requirements to retire school bonds used to buy curricular materials. The school could have some additional interest payments due to making the length of the bond longer.

- Prior to this year the maximum length of a bond to purchase curricular materials was six years. However, P.L. 233-2015 reduced the maximum length of curricular materials' bonds from six years to three years.
- RC #54; 3<sup>rd</sup> Rdg; 49-0

**SEA 189 IDENTIFIER FOR MILITARY FAMILIES**

**AUTHOR(S): KRUSE, BANKS**

**SPONSOR(S): FRYE, ZENT, JUDY, GIAQUINTA**

**CITATIONS AFFECTED: 20-19**

SEA 189 amends current statute regarding attendance records maintained by the Department of Education (DOE). The act:

- Provides that information concerning attendance records and academic progress for a student attending an adult high school who is a member of the military or children in military families must be submitted to the DOE by each school corporation and charter school.
- Provides that the information collected by a school corporation or charter school is considered confidential and shall be collected by the school corporation or charter school under guidelines for maintaining confidentiality established by the DOE.

The state currently collects a list of the children in military families and assigns a unique identifier for each child attending a public school. (RC #56; 3<sup>rd</sup> Rdg; 49-0)

**SEA 200 MEASURING SCHOOL AND SCHOOL CORPORATION**

**PREFORMANCE**

**AUTHOR(S): KRUSE, KENLEY, MISHLER**

**SPONSOR(S): BEHNING, SMITH**

**CITATIONS AFFECTED: NONCODE**

SEA 200 makes changes to measuring school and school corporation performance. The act:

- Provides that a school's or school corporation's category or designation of performance for the 2014-2015 school year may not be lower than the grade assigned to the school or school corporation by the State Board of Education for the 2013-2014 school year.
- Provides that for purposes of determining whether a choice scholarship school has become newly eligible for consequences based on the school's category or designation of performance, the Department of Education may not apply the consequences unless the school is placed in the lowest category or designation for the 2014-2015 school year.
- RC #9; 3<sup>rd</sup> Rdg; 48-0

**SEA 251 INDIANA OUT OF SCHOOL TIME LEARNING ADVISORY BOARD**

**AUTHOR(S): KRUSE, GROOMS**

**SPONSOR(S): BEHNING, SMITH, BURTON**

**CITATIONS AFFECTED: 20-20; NONCODE**

SEA 251 establishes the Out of School Time Learning Advisory Board for a three year period. The act:

- Provides for ex officio members and members appointed by the Secretary of the Family and Social Services Administration and the State Superintendent of Public Instruction.
- Provides that the Advisory Board considers and reports on existing out of school time programs and recommends to the Department of Education (DOE) and General Assembly policies, procedures, funding levels, and eligibility criteria.
- Requires the advisory board to make an initial report to the General Assembly before November 1, 2016.
- In making recommendations to the DOE and the General Assembly, the Advisory Board is required to consider at least:
  - Existing data and research concerning best practices for out-of-school programs.
  - Current and proposed future access to, quality of, and affordability of out-of-school programs.
  - Collaboration between agencies and coordination of existing resources.
  - The need for out-of-school programs to address college and career readiness and academic standards
  - Existing statutory and regulatory provisions and the possibility of recommending amendments to statutes and rules.
  - RC #230; Concurrence; 41-4

**SEA 279 REFERENDUM AND PETITION AND REMONSTRANCE PROCESS**

**AUTHOR(S): STOOPS, KRUSE**

**SPONSOR(S): TRUITT, PIERCE, COOK, RICHARDSON**

**CITATIONS AFFECTED: 6-1.1; 20-46**

SEA 279 makes changes to the referendum and petition and remonstrance process. The act:

- Provides that at least 500 or 5% of the property owners or registered voters of a political subdivision are necessary to initiate either a debt service remonstrance or debt service referendum. (Current law provides that at least 100 or 5% of the property owners or registered voters of a political subdivision are necessary to initiate either a debt service remonstrance or debt service referendum).
- Specifies that a resolution to extend a referendum levy must be adopted by the governing body of a school corporation and approved by the voters before December 31 of the final calendar year in which the school corporation's previously approved referendum levy is imposed.
- Specifies the ballot language for a referendum to extend a referendum levy.
- Provides that the number of years for which a referendum levy may be extended if the referendum is approved may not exceed the number of years for which the expiring referendum levy was imposed.
- RC #387; CCR #1; 50-0

**HEA 1003 TEACHER EVALUATIONS**

**AUTHOR(S): BEHNING**

**SPONSOR(S): MISHLER, KRUSE, KENLEY, ROGERS, LEISING, STOOPS, RANDOLPH, CHARBONNEAU, GLICK**

**CITATIONS AFFECTED: 20-43; NONCODE**

HEA 1003 makes changes to teacher evaluation procedures. The act:

- Provides that, for a state fiscal year beginning July 1, 2015, and ending June 30, 2016, the amount that a school corporation may receive as part of a performance grant relating to test results shall be calculated using the higher of:
  - The percentage of passing scores on ISTEP program tests for the school for the 2013-2014 school year; or
  - The percentage of passing scores on ISTEP program tests for the school for the 2014-2015 school year.
- Specifies that if a school's performance grant is calculated using the percentage of passing ISTEP scores from the 2013-2014 school year, the grant amount may not exceed (with certain exceptions) the grant amount that the school received for the state fiscal year beginning July 1, 2014, and ending June 30, 2015.
- Provides that the school corporation shall distribute all stipends from a performance grant to individual teachers within 20 business days of the date the department distributes the performance grant to the school corporation.
- Provides that ISTEP program test scores or a school's category or designation of school improvement for the 2014-2015 school year may not be used by a school corporation as part of an annual performance evaluation of a particular certificated employee unless the use of the ISTEP program test scores or a school's category or designation of school improvement would improve the particular teacher's annual performance rating.
- RC #26; 3<sup>rd</sup> Rdg; 48-0

## **HEA 1005 VARIOUS EDUCATION MATTERS**

**AUTHOR(S): DEVON**

**SPONSOR(S): KRUSE, YODER, SCHNEIDER**

**CITATIONS AFFECTED: 20-20; 20-29**

HEA 1005 makes various changes to current law regarding education matters. The act:

- Provides that the Department of Education (DOE) shall make random visits to at least 5% of schools that are eligible to receive choice scholarships during a particular school year. (Current law provides that the department shall make random visits to at least 5% of eligible schools and charter schools).
- Specifies that if a choice scholarship student changes schools during the school year after the December 1 count of special education pupils, any choice scholarship amounts paid to the choice scholarship student for the remainder of the school year after the choice scholarship student enrolls in a different eligible school shall not include amounts that a school corporation would receive as a special education grant for the choice scholarship student.
- Removes a provision that provides that if the eligible choice scholarship student leaves the eligible school for which the eligible choice scholarship student was awarded a choice scholarship and enrolls in another eligible school, the eligible choice scholarship student is responsible for the payment of any tuition required for the remainder of that school year.
- Provides that the DOE shall accept applications for choice scholarship students from September 2 through January 15 for the spring semester of the current school year.

- Provides that, for the distribution to be valid, the eligible choice scholarship student (or the parent of the eligible choice scholarship student) and the eligible school providing educational services to the eligible choice scholarship student must annually sign a form, prescribed by the DOE to endorse distributions for the particular school year.
- Provides that if a choice scholarship student who is receiving a choice scholarship for a school year changes schools after signing the form to endorse distributions for that school year, the choice scholarship student (or the parent of the choice scholarship student) and the eligible school in which the choice scholarship student enrolls must sign the form to endorse distributions for the particular school year.
- Removes references to charter schools and public schools from the provisions relating to the choice scholarship program.
- Provides that, beginning with the state fiscal year beginning July 1, 2016, the State Board of Education (SBOE) shall fix a second count date in the spring semester to count eligible pupils enrolled in special education programs.
- Provides that the count is used for informational purposes.
- Establishes a dual credit teacher stipend matching grant program.
- Provides that, notwithstanding a confidentiality agreement, a school that receives a request for an employment reference for a current or former employee, from another school, shall disclose to the requesting school any incident, known by the school, in which the employee has committed an act resulting in a substantiated report of abuse or neglect.
- Provides that a school shall not disclose any identifying information concerning a student.
- Provides that a confidentiality agreement entered into by a school and an employee is not enforceable against the school if the employee committed an act resulting in a substantiated report of abuse or neglect.
- Provides that the individual in charge of an institution, school, facility, or agency that receives a report of child abuse or neglect shall immediately report the allegation to the Department of Child Services (DCS) or local law enforcement.
- Provides that a judge shall provide notification to the State Superintendent of Public Instruction and certain school administrators if a person is convicted of certain crimes and is a teacher.
- Requires schools to conduct checks whether applicants have been the subject of reports of committing child abuse or neglect or had a teacher's license suspended or revoked in another state.
- Provides that a nonpublic school with one or more employees is required to adopt and implement a policy for applicants to obtain a background check.
- Urges the Legislative Council to assign to the appropriate study committee the following topics:
  - Ways to reduce school sexual misconduct violations and methods of improving the reporting requirements of sexual misconduct violations in schools.
  - The effect of the time at which students start the school day.
- Establishes the career pathways and mentorship program to provide supplemental pay for classroom teachers who demonstrate effectiveness in their work and take on additional responsibilities in advanced roles.

- Establishes the system for teacher and student advancement grant fund and program to assist school corporation transition to the System for Teacher and Student Advancement (TAP) teacher performance model program or a similar program.
- Provides that the program is administered by SBOE in consultation with the DOE.
- Provides that, for the first two full school years that a teacher provides instruction to students in elementary school or high school, the teacher is not prohibited from receiving a raise or increment for the following year if the teacher receives a rating of ineffective or improvement necessary.
- Provides that, if a teacher provides instruction to students in elementary school or high school in another state, any full school year, or its equivalent in the other state, that the teacher provides instruction counts toward the two full school years.
- Requires the DOE to grant a license to an individual who:
  - Holds a valid teaching license issued by another state in the same content area or areas for which the individual is applying for a license in Indiana; and
  - Was required to pass a content licensure test to obtain the license.
- Provides that if the individual has less than three years of full-time teaching experience, the individual is granted an initial practitioner's license.
- Provides that if the individual has at least three years of full-time teaching experience, the individual is granted a practitioner's license.
- Requires the individual to complete training:
  - In CPR and certain additional emergency skills; and
  - On the prevention of child suicide; not later than 12 months after the date the individual's license is issued.
- Provides that a school corporation may make a supplemental payment to a teacher who teaches an advanced placement course.
- RC #402; CCR #1; 33-17

**HEA 1034 TEACHER SCHOLARSHIPS AND STIPENDS**

**AUTHOR(S): PRYOR**

**SPONSOR(S): KRUSE, ROGERS, BREAUX, KENLEY, STOOPS, RANDOLPH**

**CITATIONS AFFECTED: 21-13**

HEA 1034 makes changes to teacher scholarships and stipends. The act:

- Changes the name of the minority teacher scholarship to the William A. Crawford minority teacher scholarship.
- Provides that if the total of all scholarships awarded exceeds the amount available for distribution in a state fiscal year, the amount to be distributed to each applicant shall be proportionately reduced.
- Repeals:
  - A provision providing that if a student demonstrates financial need to the commission for higher education, the student may qualify for a \$4,000 annual scholarship;
  - A provision providing that the amount of a scholarship may not be reduced because the student receives other scholarships or forms of financial aid;

- A provision that requires the commission to determine scholarship recipients based upon certain criteria and rules;
- An obsolete provision.
- Makes changes to the application requirements for the student teaching stipend for high-need fields
- Provides that the student teaching stipend for high-need fields may not exceed \$4,000.
- Makes changes to the application requirements for the student teaching stipend for minorities
- Provides that the student teaching stipend for minorities may not exceed \$4,000. Makes conforming amendments and technical corrections.
- RC #248; 3<sup>rd</sup> Rdg; 50-0

**HEA 1170 MINORITY STUDENT TEACHING STIPEND AND SCHOOL CAPITAL IMPROVEMENTS**

**AUTHOR(S): HARRIS**

**SPONSOR(S): KRUSE, YODER, ROGERS, RANDOLPH, BREAUX, LANANE, MRVAN, STOOPS, TALLIAN, TAYLOR, ARNOLD, BRODEN**

**CITATIONS AFFECTED: 21-12; 21-13; NONCODE**

HEA 1179 makes changes to the minority teaching stipend and school capital improvements.

The act:

- Provides that a minority student who participates in a school administration internship as part of the student's graduate degree program is eligible to receive a stipend from, currently, the student teaching stipend for minorities.
- Names the student teaching stipend for minority students after Senator Earline Rogers.
- Provides that with the approval of the governor and the budget agency, the amount appropriated in the 2015 budget bill for the Distressed Unit Appeals Board (DUAB) for the 2015-2017 biennium, may be augmented from unexpended appropriations to the Department of Education (DOE) in an amount specified by the budget agency, but not to exceed \$500,000.
  - Under this provision, up to \$500,000 of the appropriation designated for use by the DOE in the 2015-2017 biennium that the DOE did not spend would be made available to the Gary Community School Corporation.
- Specifies that a financial specialist selected for a school corporation may submit a request to the DUAB for a grant to the school corporation to be used for capital improvements that are necessary to ensure that one or more of the school corporation's school buildings remain open for educational instruction.
- Provides that upon such a request, the DUAB may, after review by the Budget Committee, provide a grant to the school corporation for such capital improvements.
- Specifies that such a grant shall be paid from the amounts appropriated for the DUAB for the 2015-2017 biennium, and that the amount of the grant may not exceed the amount by which the appropriation for the DUAB is augmented.
- RC #392; CCR #1; 50-0

## **HEA 1209 WORKPLACE SPANISH TRANSCRIPT DESIGNATION**

**AUTHOR(S): COOK**

**SPONSOR(S): MILLER, KRUSE, RAATZ, ROGERS, RANDOLPH**

**CITATIONS AFFECTED: 20-32**

HEA 1209 provides that, beginning with the 2017-2018 school year, a student who successfully completes Spanish language courses that include certain elements is eligible to receive a functional and practicable workplace Spanish designation on the student's transcript.

- There are currently eight Spanish language courses in the Indiana High School Course Titles and Descriptions for 2016-2017. Six of the courses are for students in Grades 9-12; the remaining two courses are Advanced Placement courses for students in Grades 11 and 12.
- Each course is two credit hours. The Department of Education can develop a new course or modify an existing course to meet the requirements of this act.
- RC #208; 3<sup>rd</sup> Rdg; 40-10

## **HEA 1219 HIGH SCHOOL DIPLOMAS**

**AUTHOR(S): CLERE**

**SPONSOR(S): MILLER, STOOPS, KRUSE, RANDOLPH**

**CITATIONS AFFECTED: 20-26; 20-51**

HEA 1219 makes changes to current law regarding high school diplomas. The act:

- Requires a high school operated by a school corporation to offer the high school's students the opportunity to earn any type of state diploma approved by the State Board of Education.
- Provides that a student with a disability shall not be required to complete local requirements that exceed state requirements to receive a diploma unless otherwise required as part of the student's individualized education program
- Makes technical corrections to certain provisions relating to choice scholarships.
- RC #209; 3<sup>rd</sup> Rdg; 50-0

## **HEA 1248 HIGHER EDUCATION MATTERS**

**AUTHOR(S): TRUITT**

**SPONSOR(S): MILLER, CHARBONNEAU, KRUSE, STOOPS**

**CITATIONS AFFECTED: 21-12; 21-16; 21-35**

HEA 1248 changes current law regarding higher education matters. The act:

- Amends, applying in an academic year beginning after August 31, 2017, the definition of "accelerated progress" for purposes of additional awards for state financial aid for higher education.
  - Students that have earned at least 39 credit hours after one year in college can currently qualify for a \$1,300 award for their second year, and they can earn \$1,300 for the third year if they have earned at least 78 credit hours after their second year.

- Currently, about 885 students have qualified for the accelerated bonus, but most of the credit hours were earned by taking dual credit or advanced placement courses in high school.
- The act would require the credit hours to qualify for the accelerated progress bonus to be earned at the educational institution.
- Removes a provision that provides that the Commission for Higher Education may offer certain performance incentive awards only to students who initially enroll in an eligible institution for an academic year beginning after August 31, 2013.
- Amends, beginning in an academic year beginning after August 31, 2017, eligibility requirements for:
  - Larger award amounts under the Frank O'Bannon Grant;
  - Renewal of Frank O'Bannon Grant awards; and
- Renewal of scholarships under the Twenty-first Century Scholars Program.
- Removes a provision that allows the commission for higher education to increase, but not decrease, amounts of Frank O'Bannon Grant awards.
- Amends an eligibility requirement for the Frank O'Bannon Grant.
- Provides that a student who participates in a technical certificate or associate degree program at Vincennes University is eligible to receive a Frank O'Bannon Grant.
- Restates and amends the eligibility requirements for the Twenty-first Century Scholars Program and scholarship.
- Requires that the expense of administering the adult student grant fund be paid from money in the fund.
- Amends eligibility requirements for the Mitch Daniels Early Graduation Scholarship.
- Amends the definition of "eligible student" for purposes of the EARN Indiana program.
- Amends provisions regarding satisfactory academic progress requirements for higher education awards, the Twenty-first Century Scholars Program, and the Adult Student Grant Program.
- Provides that, for purposes of the Higher Education Award Fund and the Freedom of Choice Grant Fund, the expense of administering each fund may be paid from money in each fund.
- Adds buildings used for academic instruction and student dormitories and other residence facilities to types of buildings and equipment that may be developed and managed through an agreement between a state educational institution and a private entity.
- RC #279; 3<sup>rd</sup> Rdg; 50-0

**HEA 1330 EDUCATION MATTERS**

**AUTHOR(S): BEHNING**

**SPONSOR(S): KRUSE, ROGERS, RANDOLPH**

**CITATIONS AFFECTED: 12-17.2; 20-19; 20-29; 20-31; 20-33; 20-43; NONCODE**

HEA 1330 makes various changes to current law regarding education matters. The act:

- Makes changes to the definition of "eligible provider" for purposes of the early education grant pilot program.
  - The expansion of the definition of eligible provider to include a school that is accredited to provide early education service by an accrediting agency approved

by the Office of the Secretary of Family and Social Services Administration (FSSA) could increase the number of providers.

- Provides that the Department of Education (DOE) shall make timely application for any federal funds made available for schools and school corporations, and shall direct the allocation and apportionment of the federal funds received fairly, equitably, and in a timely manner.
- Requires the DOE to ensure that sufficient personnel are assigned to its federal grants program to distribute federal funds fairly, equitably, and in a timely manner.
- Changes the composition of the Indiana Education Employment Relations Board (IEERB) and provides that the IEERB shall appoint an Executive Director.
  - The act would add 2 members to the IEERB and create the position of Executive Director.
  - Currently, the chairperson of the IEERB performs the duties of an executive director. One of the new members would be appointed by the Speaker of the House and one would be appointed by the President Pro Tempore of the Senate.
  - The board members are not allowed to hold another public office.
- Provides that certain performance based accreditation provisions do not apply to charter schools.
- Provides that a charter school is considered a public school for purposes of calculating a school's full-time equivalency basis for determining a school's average daily membership (ADM).
- RC #292; 3<sup>rd</sup> Rdg; 26-24

## **HEA 1370 DUAL CREDIT TEACHERS**

**AUTHOR(S): MCNAMARA**

**SPONSOR(S): KRUSE, YODER, STOOPS, RANDOLPH, RAATZ**

**CITATIONS AFFECTED: NONCODE**

HEA 1370 makes changes to current law regarding Dual Credit Teachers. The act:

- Requires the Commission for Higher Education (ICHE), or the Dual Credit Advisory Council, if directed to do so by the Commission for Higher Education, to study methods to ensure opportunities for secondary school students to earn college credits while enrolled in high school and to provide incentives for a high school teacher to obtain a master's degree with at least eighteen (18) hours of graduate course work in the subject matter the teacher is teaching or wishes to teach as part of a dual credit course.
- The study would include:
  - Requiring a state educational institution to develop a teacher education plan to ensure that teachers who currently teach high school dual credit courses on behalf of or under an agreement with the institution meets accreditation requirements.
  - A way to facilitate agreements between a state educational institution and a school corporation or between state educational institutions that may provide for a waiver of tuition in whole or in part as part of a dual credit plan.
  - Providing graduate programs that combine summer, evening, online, and weekend classes.
  - Having a teacher complete a supervised practicum while teaching.

- Encouraging primary and secondary schools to establish programs to mentor new teachers.
- Offering scholarships for returning dual credit teachers.
- Providing flexibility to school corporations to establish pay scales that reflect the value of teachers with master's degrees.
- Determining the potential fiscal impact to the state of programs established under 6 and 7.
- RC #303; 3<sup>rd</sup> Rdg; 49-1

**HEA 1382 PROPRIETARY EDUCATIONAL INSTITUTIONS; TRAINING REPORT**

**AUTHOR(S): SMALTZ**

**SPONSOR(S): YOUNG, KRUSE, STOOPS, TAYLOR**

**CITATIONS AFFECTED: 21-18.5; 22-4.1; 22-4.5**

HEA 1382 transfers from the State Workforce Innovation Council to the Department of Workforce Development the accreditation of postsecondary proprietary educational institutions. It also changes, from November 1 to December 1, the submission date for the Indiana Career Council's annual training report. (RC #308; 3<sup>rd</sup> Rdg; 50-0)

**HEA 1394 VARIOUS EDUCATION MATTERS**

**AUTHOR(S): BEHNING**

**SPONSOR(S): MILLER, TAYLOR, KRUSE**

**CITATIONS AFFECTED: 20-24; 20-25.7; 20-28; 20-40**

HEA 1394 makes changes to current law regarding various education matters. The act:

- Establishes enrollment requirements and limitations to enroll in an innovation network charter school.
- Authorizes a governing body to enter into an agreement with a charter school to reconstitute a traditional school as an innovation network charter school.
- Provides that an innovation network school may use student growth to determine its category or designation of school improvement for a period of three years.
- Provides that, if a teacher's contract is canceled, the teacher may request a conference with the superintendent or the assistant superintendent. (Current law provides that the teacher may request a conference with the superintendent)
- Provides that a teacher who takes a job with another school corporation after the school year has started is required to give 30 days' notice.
- Requires a charter school to establish and disseminate written discipline rules.
- Prohibits a charter school from expelling or suspending a student or requesting that a student transfer to another school based on certain characteristics.
- Provides that a person, organization, or other entity that enters into a contract or an agreement with a school corporation to conduct a feasibility or cost study to assist the school corporation in determining the cost of a controlled project may not enter into a contract or agreement as the design professional on the controlled project with the school corporation to complete any part of the controlled project design unless the person, entity, or organization is awarded a contract as the design professional for the completion of the controlled project.

- Makes changes to a school's annual performance report publication requirements regarding certain information that must be disaggregated for schools located in a consolidated city.
- RC #419; CCR #1; 49-1

**HEA 1395 ISTEP MATTERS**

**AUTHOR(S): BEHNING**

**SPONSOR(S): KRUSE, KENLEY, ROGERS, GLICK, HOUCHIN, MILLER**

**CITATIONS AFFECTED: 20-24.2; 20-32; NONCODE**

HEA 1395 makes changes to current law regarding standardized testing. The act:

- Provides that provisions relating to high ability students apply to performance qualified school districts.
- Requires that scores of student responses under an ISTEP program test must be reported to the State Board of Education (SBOE) not later than July 1 of the year in which the ISTEP program test is administered.
- Provides that ISTEP gridded items and tech enhanced items may not be released after the ISTEP assessment.
- Provides that after essay questions from ISTEP program examinations have been released to the public, the SBOE and Department of Education (DOE) shall post the questions and exemplary student answers on their Internet web sites and publicize the posting.
- Provides that the identities of students who provided the exemplary answers may not be disclosed, and that parental permission must be obtained before posting.
- Provides that the ISTEP program expires July 1, 2017.
- Establishes a panel to study school accountability metrics, teacher evaluations, and alternatives to the ISTEP program tests and to make recommendations of its findings.
- RC #412; CCR #1; 50-0

Senator Earline Rogers, D-Gary, offered a 2<sup>nd</sup> Reading amendment to HEA 1395 which would have made the Superintendent of Public Instruction a co-chairperson of the ISTEP Panel. The amendment was defeated. (RC #189; Amendment #1; failed 11-39)

**ELECTIONS**

**SEA 57 PRESCRIBES BALLOT LANGUAGE**

**AUTHOR(S): STEELE, TOMES**

**SPONSOR(S): EBERHART, MAYFIELD, LUCAS, SMITH**

**CITATIONS AFFECTED: NONCODE**

SEA 57 prescribes the ballot language for the proposed constitutional amendment concerning the right to hunt, fish, and harvest wildlife. The act includes the written language to be included on the 2016 general election ballot concerning the right to hunt, fish, and harvest wildlife. Indiana voters will decide the fate of the proposed constitutional amendment in November. (RC#78; 3<sup>rd</sup> Rdg; 43-7)

**SEA 61 VOTING MATTERS**  
**AUTHOR(S): WALKER, HEAD**  
**SPONSOR(S): RICHARDSON, SMITH, OBER**  
**CITATIONS AFFECTED: 3-10; 3-11; 3-12**

SEA 61 provides that when a voter casts a straight party ticket in a general or municipal election, the voter is casting a ballot for all candidates of that party whose names appear on the ballot, except candidates for offices in a county or municipality for which more than one individual can be elected (county council member at large; city common council member at large; town council member at large; township board member at large). The act groups such offices together on the general election ballot, and requires a voter to cast an individual vote for each candidate for such offices for whom the voter wishes to vote. It also revises ballot instructions to reflect the change in voting procedures. The act provides that a county election board may require general instructions to voters that are required to be printed at the front of a ballot may instead be posted in each voting booth. It repeals superseded language related to split-ticket votes for declared write-in candidates. The act specifies how voting systems required to make alterations to system firmware or software as a result of this amended procedure are to be tested and certified by the Indiana Election Commission for use in elections conducted after July 1, 2016. The act also updates references to incorporate amendments to the Voluntary Voting System Guidelines. Lastly, the act permits counties to continue to use certain voting systems whose certifications have expired if the voting system: w

- Was approved by the Indiana Election Commission before October 1, 2017;
- Was acquired by the county before October 1, 2017; and
- Otherwise complies with Indiana election law and the federal Help America Vote Act. It also makes technical corrections.
- RC#325; CCR; 28-16

Senator Karen Tallian (D-Ogden Dunes) offered Amendments #2, #3, and #4 to SEA 61 on second reading; all three failed on a voice vote. Amendment #2 would have added automatic voter registration when obtaining or renewing a driver's license. Amendment #3 would have allowed a county to establish satellite voting offices by a majority vote of the county election board. Amendment #4 would have urged the Legislative Council to assign the topic of offsite electronic voting.

Senator Greg Taylor (D-Indianapolis) called Amendment #5, which would have made changes recommended by the Democratic staff of the Indiana Election Division; it failed on a voice vote.

**HEA 1288 POLL TAKERS**  
**AUTHOR(S): RICHARDSON**  
**SPONSOR(S): WALKER, HEAD, MILLER, BUCK**  
**CITATIONS AFFECTED: 3-6; 3-14**

HEA 1288 repeals a statute requiring an individual to respond to a poll taker visiting the individual's place of lodging. The act removes provisions requiring the proprietor or manager of a place of lodging to maintain lists of residents of the place of lodging for certain periods relating to an election. (RC#197; 3<sup>rd</sup> Rdg; 46-4)

## ENVIRONMENTAL AFFAIRS

### **SEA 255 UNDERGROUND PETROLEUM STORAGE TANKS**

**AUTHOR(S): CHARBONNEAU, KENLEY**

**SPONSOR(S): WOLKINS, BEUMER**

**CITATIONS AFFECTED: 13-11; 13-23; 35-52**

SEA 255 concerns underground storage tanks and contains the following provisions:

- Provides for the Underground Petroleum Storage Tank Excess Liability Trust Fund to be referred to as the "ELTF", and eliminates a provision stating that fees and penalties paid in connection with underground petroleum storage tanks are a source of funds for the ELTF. (Under IC 13-23-6-2 and IC 13-23-12-4, those fees and penalties are deposited in the Underground Petroleum Storage Tank Trust Fund, not in the ELTF.)
- Repeals IC 13-23-7-9, a provision under which knowingly or intentionally making a material misstatement in connection with an application for financial assistance from the ELTF is a Level 6 felony. (IC 13-23-9-6, a nearly identical provision, is not repealed.)
- Eliminates the authority of the Department of Revenue to impose a lien on the property of an underground storage tank owner for failure to pay annual registration fees.
- Revises provisions concerning the procedure for submitting and paying claims for payment from the ELTF. It eliminates certain conditions for the payment of claims from the ELTF and limits on the amounts that can be paid from the ELTF under certain circumstances, and provides instead that the administrator of the ELTF shall pay claims that are:
  - for costs related to "eligible releases";
  - submitted by an "eligible party"; and
  - submitted in accordance with certain requirements.
- Provides that the administrator of the ELTF:
  - must pay claims according to a certain priority payment system if the balance in the ELTF drops below \$25 million; and
  - must stop paying claims if the balance in the ELTF becomes insufficient to pay ELTF claims and necessary personnel and administrative expenses.
- Prohibits the administrator of the ELTF from paying:
  - more than \$2.5 million from the ELTF per eligible release; or
  - more than \$10 million from the ELTF per fiscal year.
- Provides that the total amount otherwise available from the ELTF in connection with an eligible release shall be reduced by a "deductible amount" of \$15,000 and, if applicable, the sum of:
  - all annual registration fees for underground storage tanks (USTs) located at the site of the eligible release that were due in 1991 or later and not paid in the year they were due; and
  - an additional \$1,000 for each UST annual registration fee not paid in the year it was due.
- Requires the Department of Environmental Management, using money from the ELTF, to arrange for an independent actuarial study examining the future obligations and fiscal sustainability of the ELTF once every five years.

- RC #346; Concurrence; 47-0

**SEA 256 LEGITIMATE USE OF SOLID WASTE AND WASTE TIRES**  
**AUTHOR(S): CHARBONNEAU, NIEMEYER**  
**SPONSOR(S): WOLKINS, BEUMER, AUSTIN**  
**CITATIONS AFFECTED: 13-11; 13-19; 13-20**

SEA 256 defines "legitimate use" of a material as the use or reuse of a material, otherwise defined as a solid or hazardous waste, under which: the material is used or reused in a manufacturing process or as a substitute for natural or commercial materials; and the material is commercially valuable for an established or emerging market and is used or reused in a manner that does not pose an unreasonable threat to human health or the environment. The act requires the Indiana Department of Environmental Management (IDEM) to develop proposed rules that: provide for the legitimate use of solid and hazardous waste instead of its disposal, and provide that a material being legitimately used is not considered a solid or hazardous waste. The act requires the Indiana Environmental Rules Board to consult with the IDEM concerning the regulation of solid waste and hazardous waste, and authorizes the board to adopt rules establishing standards and procedures for the legitimate use, instead of disposal, of material otherwise defined as a solid or hazardous waste. The act provides that any such rules adopted by the Indiana Environmental Rules Board shall provide that a material being legitimately used is not considered a solid or hazardous waste. The act authorizes the Indiana Environmental Rules Board to adopt rules establishing standards and procedures for the legitimate use, instead of disposal, of waste tires. (RC# 333; Concurrence; 43-1)

**SEA 257 DISTRESSED WATER AND WASTEWATER UTILITIES**  
**AUTHOR(S): CHARBONNEAU, MERRITT**  
**SPONSOR(S): KOCH, BUEMER, HALE**  
**CITATIONS AFFECTED: 8-1; 8-1.5**

SEA 257 specifies that for purposes of the statute governing the acquisition of distressed water or wastewater utilities, a "utility company" includes, in addition to a regional sewer or water district, a: public utility; municipally owned utility; or not-for-profit utility that provides water or wastewater service. The act eliminates a provision under which the Indiana Utility Regulatory Commission (IURC) was not required to approve a petition by an acquiring utility company under the statute to recover the cost differentials associated with the purchase of a distressed utility unless the IURC found that the distressed utility being acquired: served not more than 3,000 customers, or was nonviable in the absence of the acquisition. The act provides that the distressed utility being acquired is not furnishing or maintaining adequate, efficient, safe, and reasonable service and facilities for purposes of the statute if the IURC finds that the distressed utility: is the property of a municipally owned utility serving fewer than 5,000 customers, and is being sold by an agreement between the parties that is subject to IURC approval. The act provides that in a proceeding under the statute, the IURC shall issue its final order not later than 210 days after the filing of the petitioner's case in chief. SEA 257 provides that for purposes of the statute and for sales of non-surplus municipally owned utility property reached by an agreement between the parties, the IURC's order approving the petition or agreement shall

authorize the acquiring utility company or purchaser to record: the full purchase price; incidental expenses; and other costs of acquisition.

Under the act, for purposes of the statute governing the sale of non-surplus municipally owned utility property: provides that the municipal executive, in addition to the municipal legislative body (as provided under current law), may make the determination to sell or otherwise dispose of the property; and replaces the requirement that the legislative body adopt an ordinance to appoint appraisers to appraise the property with the requirement that the legislative body or the municipal executive provide for the appointment of the appraisers in a written document that is subject to public inspection.

The act does the following in the case of an ordinance adopted after March 28, 2016, for the sale or disposition of non-surplus municipally owned property:

- Provides that the sale or disposition must be approved by the IURC;
- Requires the IURC to approve the sale or disposition according to the terms and conditions proposed by the parties if the IURC finds that the terms and conditions are in the public interest;
- Sets forth a process that applies to the IURC's determination of whether the proposed sale or disposition is in the public interest;
- Provides that the purchase price of the non-surplus municipally owned utility property shall be considered reasonable if it does not exceed the appraised value set forth in the required appraisal;
- Requires the IURC to issue its final order not later than 210 days after the filing of the parties' case in chief; eliminates the referendum process with respect to the proposed sale or disposition if the IURC determines that certain factors are satisfied.
- RC# 231; Concurrence; 45-0

**SEA 347 WATER RESOURCES**

**AUTHOR(S): CHARBONNEAU, ECKERTY, STOOPS**

**SPONSOR(S): WOLKINS, BUEMER, STEMLER, HALE**

**CITATIONS AFFECTED: 8-1; 14-25; NONCODE**

SB 347 repeals the law requiring all water utilities to annually report to the Indiana Utility Regulatory Commission on the utilities' operations and maintenance costs in providing water service to their customers. The act requires the Indiana Finance Authority, before November 1, 2017, to prepare and submit in an electronic format to the executive director of the Legislative Services Agency a report on non-revenue water and water loss in Indiana. The act requires the Indiana Finance Authority to perform a quality assurance review of the water resources data compiled from the reports submitted annually by owners of significant water withdrawal facilities for all calendar years since 1985, and to present the results of its quality assurance review as those results become available to the water rights and use section of the Division of Water of the Indiana Department of Natural Resources. Lastly, the act requires the Indiana Finance Authority to study, analyze, and report to the executive director of the Legislative Services Agency by November 1, 2016, on the infrastructure needs of Indiana's water utilities. (RC# 113; 3<sup>rd</sup> Rdg; 50-0)

## **SEA 366 SOLID WASTE MANAGEMENT DISTRICTS**

**AUTHOR(S): BROWN, NIEMEYER**

**SPONSOR(S): LEHMAN, SLAGER, GIAQUINTA**

**CITATIONS AFFECTED: 3-21; 36-1**

SEA 366 provides that the requirement for each county to have a single-county solid waste management district or to be a member of a joint solid waste management district expires July 1, 2017. After June 30, 2017, a county may dissolve its single county solid waste management district if:

- The county executive and county fiscal body adopt ordinances in favor of the dissolution of the district; and if the county legislative body follows the procedure by which a political subdivision that established another political subdivision may dissolve that other political subdivision; or
- If a county, by action of the county executive, may withdraw from a joint solid waste management district and adopt an ordinance exercising the county's right not to be designated as a county solid waste management district and not to join another joint solid waste management district.

Further, the act:

- Provides that the expiration of the provision requiring all counties to have solid waste management districts does not affect a solid waste management district established before the expiration of the provision.
- Prohibits a member of the county executive, legislative body, or fiscal body from voting on the dissolution of the county's solid waste management district if the member is an employee of the district.
- Provides that, if a district is being dissolved, any assets of the district that are not needed to satisfy the district's legal obligations shall be used by the county to provide the services previously provided by the district, and that the county may continue collecting fees collected by the district, but is required to use the fee proceeds exclusively to provide services previously provided by the district. Additionally, if the district imposed a property tax levy, the authority of the district to impose the levy is transferred to the county, but the county may use the taxes collected under the district's levy authority only for the purposes for which the district was authorized to use its levy.
- Provides that a county, city, town, or township does not have the power to dissolve another political subdivision, except as expressly granted by statute, but establishes a procedure by which a political subdivision that established another political subdivision may dissolve that other political subdivision.
- Requires a political subdivision using this procedure to give public notice, hold a public meeting, provide opportunity for public comment, and create a plan concerning the dissolution, including an explanation of how the services provided by the entity to be dissolved will be provided after the entity is dissolved.
- RC# 350; Concurrence; 34-16

**SEA 383 SYSTEM INTEGRITY ADJUSTMENTS**  
**AUTHOR(S): CHARBONNEAU, ECKERTY, MERRITT**  
**SPONSOR(S):VANATTER, KOCH, STEMLER, HALE**  
**CITATIONS AFFECTED: 8-1**

SEA 383 provides that an eligible water or wastewater utility may petition the Indiana Utility Regulatory Commission to charge a system integrity adjustment to recover or credit an adjustment amount based on the eligible utility's revenues. The act:

- Provides that the commission, after a hearing, shall approve a properly calculated system integrity adjustment.
- Provides that a utility may collect a system integrity adjustment until the earlier of 48 months after the date on which the utility is allowed to begin collecting the system integrity adjustment, or the date on which the commission issues an order in the utility's next general rate case proceeding.
- Requires the Indiana Utility Regulatory Commission to adopt rules concerning system integrity adjustment proceedings.
- RC# 342; Concurrence; 43-1

**HEA 1075 SEWAGE FEES AND MUNICIPAL SANITARY SEWER**  
**AUTHOR(S): BEUMER**  
**SPONSOR(S):BECKER, BASSLER, NIEMEYER, BOOTS, BROWN, STOOPS**  
**CITATIONS AFFECTED: 8-1; 13-11; 13-18; 35-44.1; 36-9**

HEA 1075 includes the following provisions:

- Provides that if a wastewater utility charges different rates for different classes of property based at least partially on consumption, the utility must charge a rental unit community a rate based at least partially on consumption.
- Provides that, despite a contrary administrative rule, a person who uses a wastewater management vehicle to remove wastewater from a customer's sewage disposal system need not show on the invoice provided to the customer the date on which the wastewater was removed or the amount of wastewater removed if the sewage disposal system is a chemical toilet.
- Exempts a property owner from being required to connect to a municipality's sewer system and discontinue the use of the property owner's own sewage disposal system if:
  - the property is located outside the boundaries of the municipality;
  - the property owner's sewage disposal system is a septic tank soil absorption system or a constructed wetland septic system that was new at the time of installation and was approved in writing by the local health department; and
  - the property owner obtains a written determination from the local health department that the owner's sewage disposal system is not failing.
- Establishes a procedure and deadlines for applying for the exemption.
- Provides that the exemption is for 10 years beginning on the date on which the property owner's sewage disposal system was installed.
- Provides that an initial 10 year exemption may be renewed for not more than two additional five year periods as long as the conditions for the exemption continue to be met.

- Specifies that the total exemption period may not exceed 20 years, and provides that if ownership of the property is transferred during an exemption period, the exemption continues to apply to the property for the remainder of the exemption period and the transferee may apply for any exemption renewals for which the previous property owner would have been entitled to apply.
- Limits the amount that a property owner may be required to pay for connecting to the municipality's sewer system if the property owner, during an exemption period, consents to the connection.
- Provides that a person who gives a false report concerning a septic tank soil absorption system or constructed wetland septic system in order to qualify for the exemption, knowing the report to be false, commits false informing, a Class B misdemeanor.
- RC# 254; 3<sup>rd</sup> Rdg; 50-0

## **HEA 1082 ENVIRONMENTAL RULES AND POLICIES**

**AUTHOR(S): WOLKINS**

**SPONSOR(S): CHARBONNEAU, RAATZ, PERFECT, BROWN, SCHNEIDER, FORD, BANKS, RANDOLPH, TALLIAN**

**ACT VETOED BY THE GOVERNOR**

HEA 1082 requires the Indiana Department of Environmental Management (IDEM) to report annually to the Legislative Council: any administrative rule adopted by the Indiana Environmental Rules Board or proposed by IDEM; any operating policy or procedure instituted or altered by IDEM; and any non-rule policy or statement put into effect by IDEM during the previous year that constitutes a change in the policy previously followed by IDEM.

The act provides that, if notice given by IDEM concerning a proposed rule identifies an element of the rule that imposes a restriction or requirement more stringent than a restriction or requirement imposed under federal law, the proposed rule does not become effective until the adjournment sine die of the regular session of the Indiana General Assembly that begins after IDEM provides the notice. In addition, the act provides an exception for the adoption of emergency rules in response to emergency situations. (RC# 255; 3<sup>rd</sup> Rdg; 48-2) *(This act was vetoed by the Governor. For more information on the veto, refer to the section on Vetoes.)*

## **HEA 1300 ENVIRONMENTAL MANAGEMENT MATTERS**

**AUTHOR(S): WOLKINS**

**SPONSOR(S): BASSLER, ECKERTY**

**CITATIONS AFFECTED: 13-11; 13-14; 13-18; 13-20; 13-20.5; 13-26; 13-30**

HEA 1300 eliminates references to certain administrative rules that have been repealed, and revises the definition of the term "land application". The act provides that the terms "land application operation" and "solid waste" apply to the chapter of the law on wastewater management. The act also changes the conditions under which the commissioner of the Indiana Department of Environmental Management may revoke a temporary variance from an environmental administrative rule. The act will revise a provision concerning the type of NPDES permit applications, and applications to renew or modify NPDES permits for which an anti-degradation review is required. The act requires the Indiana Environmental Rules Board to

adopt rules concerning land application of solid waste and industrial waste products and a section providing for the expiration of the law on mercury switches in end of life vehicles. The commissioner of the Indiana Department of Environmental Management is required to submit a report summarizing the information obtained from recycling activity reports concerning the previous calendar year by May 1, 2016. The act also amends the law concerning the Indiana Department of Environmental Management's annual report on the implementation of the electronic waste law in order to provide that the report must discuss the total weight of covered electronic devices recycled during the previous program year (rather than fiscal year). The act provides that the statute concerning environmental legal actions does not apply to an action brought by the state arising from a site considered a high priority site or the site of a release considered a high priority release under the rules of the board concerning priorities in the selection of hazardous substance response sites. Lastly, the act specifies that, under the law concerning rates and charges established by regional water, sewage, and solid waste districts, just and equitable rates and charges are those that give due consideration to the interests of the ratepayers. (RC# 288; 3<sup>rd</sup> Rdg; 50-0)

## **FAMILY & CHILDREN SERVICES**

### **SEA 131 DEPARTMENT OF CHILD SERVICES REPORTING**

**AUTHOR(S): BRODEN, GROOMS**

**SPONSOR(S): DEVON, NIEZGODSKI, MAHAN, HALE**

**CITATIONS AFFECTED: 31-33; NONCODE**

SEA 131 changes to Department of Child Services (DCS) reporting. The act:

- Defines "life threatening."
  - Under the current definition of a near fatality, an act qualifies if it places a child in serious or critical condition, as certified by a physician.
  - Under the act, a severe injury to a child or condition that results in a child receiving at least 24 hours of critical care following the admission to a critical care unit would constitute a near fatality.
- Changes the definition of "near fatality", for purposes of the law concerning records relating to a child's death or near fatality, to a severe childhood injury or condition that is certified by a physician as being life threatening.
- Specifies that documents related to a near fatality are confidential while a police investigation is ongoing.
- Urges the Legislative Council to assign to the interim study committee on public health, behavioral health, and human services or another appropriate interim study committee the topics of medical records confidentiality and medical records disclosure in instances of child abuse or neglect.
- RC #55; 3<sup>rd</sup> Rdg; 49-0

### **SEA 234 EDUCATION OF COACHES AND STUDENT ATHLETES**

**AUTHOR(S): LANANE, GROOMS**

**SPONSOR(S): BEHNING, ERRINGTON, SMITH**

**CITATIONS AFFECTED: 20-34; 34-30**

SEA 234 establishes education requirements for coaches of student athletes. The act:

- Provides that, beginning July 1, 2017, the completion of a certified player safety education course:
  - Is required for a head coach or assistant coach of an interscholastic sport; and
  - Is optional for a head coach or assistant coach of an intramural sport.
- Provides that the course must be approved by the department of education, in consultation with a physician who has expertise in the area of concussions and brain injuries.
- Provides civil immunity for coaches of student athletes who:
  - Comply with the training and other applicable player safety provisions regarding concussions and head injuries; and
  - Provide coaching services in good faith; from damages as a result of a concussion or head injury incurred by a student athlete.
- RC #386; CCR #1; 39-11)

**SEA 305 DEPARTMENT OF CHILD SERVICES MATTERS**

**AUTHOR(S): HEAD, MILLER**

**SPONSOR(S):FRIZZELL, MCNAMARA, HALE, MACER**

**CITATIONS AFFECTED: 20-26; 20-50; 31-9; 31-33; 31-34; 31-37; 35-46**

SEA 305 contains the following changes regarding Department of Child Services (DCS) matters:

- Adds a definition of foster care.
- Amends the deadline for the DCS to notify a school corporation that a child in foster care will attend a school to September 1.
- Adds to the list of offenses under which a child victim may be designated as a child in need of services (CHINS):
  - Human or sexual trafficking offenses;
  - Sexual battery against a child;
  - Vicarious sexual gratification offenses;
  - Child solicitation;
  - Patronizing a prostitute; and
  - Promoting prostitution.
- Expands the statutory definition of "human trafficking" and "sex trafficking" to include:
  - Federal definitions of the offenses; and
  - Definitions of the offenses from other jurisdictions.
- Adds a CHINS designation for a child who:
  - Lives in the same household as an adult who committed or is charged with human or sexual trafficking; and
  - Needs care, treatment, or rehabilitation that the child is not receiving or is unlikely to be provided without intervention.
- Creates a rebuttable presumption that a child is a CHINS if the state establishes that the child lives in the same household as an adult that has committed or been charged with certain offenses.
- Permits a finding by a juvenile court that reasonable efforts for reunification are not necessary if a child is a CHINS:

- As a result of being a victim of a human or sexual trafficking offense that was committed by a parent, guardian, or custodian and resulted in a conviction; or
- As a result of the parent, guardian, or custodian being charged with a human or sexual trafficking offense.
- Removes the requirement that a delinquent child must be removed from the home in order to enter an informal adjustment.
- Allows any court with jurisdiction over a child in an adoption matter to approve excess payments for costs incurred by the birth mother.
- Repeals language regarding foster care review boards.
- Adds missing Interstate Compact on the Placement of Children language.
- Adds the National Center for Missing and Exploited Children to the entities with which the DCS may share assessment reports.
- RC #358; Concurrence; 49-0

**SEA 325 INDIVIDUAL DEVELOPMENT ACCOUNTS**

**AUTHOR(S): MESSMER, KRUSE**

**SPONSOR(S): TRUITT, CLERE, WRIGHT, BACON**

**CITATIONS AFFECTED: 4-4; 6-3.1; NONCODE**

SEA 325 changes current law regarding individual development accounts. The act:

- Requires that a primary residence or business for which money is withdrawn from an individual development account must be located or based in Indiana.
- Provides for use of money from an account for purchase of a motor vehicle.
- Increases from 175% to 200% of the federal income poverty level the maximum annual income that an individual may have to qualify for an account.
- Requires a qualifying individual to be an Indiana resident. Removes the deadline for deposits to accounts.
- Provides that a community development corporation may apply to the housing and community development authority for an allocation of tax credits for contributors to an individual development account fund.
- Prohibits application of fees to an account.
- Allows a community development corporation to approve a business plan before receiving the plan with a request for a withdrawal for use in connection with a business.
- Codifies current practices for allocation and claims of individual development account tax credits.
- RC #107; 3<sup>rd</sup> Reading; 50-0

**HEA 1012 DEVELOPMENTAL DISABILITY BRACELET AND IDENTIFICATION CARD**

**AUTHOR(S): KOCH**

**SPONSOR(S): BECKER, MILLER, ROGERS, RANDOLPH**

**CITATIONS AFFECTED: 16-18; 16-32**

HEA 1012 requires the State Department of Health (ISDH) upon request, to issue a bracelet, an identification card, or both indicating that an individual has been medically diagnosed with a

developmental disability. The act allows the ISDH to charge a fee for the bracelet and identification card. It also provides that the information collected by the ISDH is confidential and establishes requirements before information may be released under a court order.

- The U.S. Center for Disease Control estimates perhaps 13.8% of Americans have a developmental disability.
  - Extrapolated for Indiana, the number of persons with a developmental disability may be as many as 900,000.
  - Based on various statistical sources, an estimated 116,000 Indiana residents may be diagnosed with cerebral palsy or epilepsy, and approximately 100,000 children and adults may have been diagnosed with Autism.
- RC #371; CCR #1; 50-0

**HEA 1183 GUARDIANSHIP; DEPARTMENT OF CHILD SERVICES**

**AUTHOR(S): FRIZZELL**

**SPONSOR(S):BUCK, ROGERS, HOLDMAN, KRUSE, FORD, BECKER, MILLER, RANDOLPH, SCHNEIDER**

**CITATIONS AFFECTED: 29-3; 31-33; 34-30**

HEA 1183 changes current law regarding guardianship. The act:

- Provides that a delegation of power by a properly executed power of attorney does not subject the parties to any laws, rules, or regulations concerning the licensing or regulation of foster family homes, child placing agencies, or child caring institutions.
- Prohibits a licensed foster family home from providing supervision to a child who is the subject of a power of attorney while providing overnight or regular and continuous care to a child placed in the foster family home unless the Department of Child Services (DCS) grants an exception.
- Allows a parent to delegate the powers for a period longer than 12 months if the parent is on active duty service, except that the term of delegation may not exceed the term of active duty service plus 30 days.
- Provides that the DCS may provide information about community service programs that provide respite care, voluntary guardianship, or other support services for families in crisis to the parent or guardian of a child who is the subject of an assessment if the department classifies the assessment as unsubstantiated.
- Provides that:
  - If the department provides the information to a parent or guardian, the department may not initiate an investigation or assessment or substantiate an assessment of child abuse or neglect based solely on the provision of the information; and
  - The department is not liable for any action arising out of having furnished the information.
- RC #206; 3<sup>rd</sup> Rdg; 50-0

**HEA 1271 CHILD ABUSE MATTERS**

**AUTHOR(S): ZENT**

**SPONSOR(S):BANKS, YODER, RANDOLPH, ROGERS**

**CITATIONS AFFECTED: 10-13; 31-9; 31-33**

HEA 1271 changes establish new Department of Child Services (DCS) requirements for child abuse matters. The act:

- Requires the DCS to notify the United States Department of Defense Family Advocacy Program if a child of an active duty member of the military is the subject of a substantiated investigation of abuse or neglect.
- Requires the department to make the assessment report available to the program upon request.
- Allows the department to seek assistance of the program in providing services.
- RC #393; CCR #1; 50-0

## **HEALTH & PROVIDER SERVICES**

### **SEA 30 ACCIDENT AND SICKNESS INSURANCE CLAIMS**

**AUTHOR(S): MILLER, LEISING**

**SPONSOR(S): BROWN, BROWN, KOCH**

**CITATIONS AFFECTED: 27-1; 27-8; 27-13**

SEA 30 changes current law regarding accident and sickness insurance claims. The act:

- Requires the Department of Insurance to develop, post, and maintain on the department's Internet web site information concerning internal and external grievances for accident and sickness insurance policies and health maintenance organization contracts.
- Provides for certain grievance related notice to be provided upon request.
- Requires the Commissioner of Insurance to analyze certain complaints received by the department and report a pattern of complaints to the Legislative Council.
- RC #365; Concurrence; 49-0

### **SEA 41 PHARMACY BENEFITS**

**AUTHOR(S): CRIDER, BROWN**

**SPONSOR(S): CARBAUGH, KIRCHOFER, BROWN, HEATON**

**CITATIONS AFFECTED: 5-10; 27-8; 27-13**

SEA 41 changes current law regarding pharmacy benefits. The act:

- Requires a state employee health plan, an accident and sickness insurer, and a health maintenance organization to make available a procedure for a covered individual's use in requesting an exception to a step therapy protocol used by the state employee health plan, accident and sickness insurer, or health maintenance organization with respect to coverage for certain prescription drugs, including time frames for a determination concerning an exception and reasons for granting an exception.
  - Domestic health insurers have the option to pay taxes on insurance premiums written in the state or to pay the AGI tax.
  - Foreign insurers are required to pay taxes on premiums written in the state, and some foreign insurers are assessed additional retaliatory taxes.

- In these cases, the minimum tax rate would be 1.3% of written premiums. Revenue received from the AGI and insurance premium tax is deposited in the General Fund
- RC #324; Concurrence; 46-0

**SEA 140 COUNTY HOSPITAL BOARD COMPENSATION**  
**AUTHOR(S): LEISING, MILLER**  
**SPONSOR(S): CLERE, LEHE, BROWN**  
**CITATIONS AFFECTED: 16-22**

SEA 140 changes current law regarding county hospital board compensation. The act:

- Increases from \$3,600 to \$6,000 the maximum compensation for county hospital board members.
  - A county hospital board may borrow money from a state authority for its operating expenses and request that the county levy a tax to repay the loan.
  - The statute does not require the county to comply with the request for a tax levy. However, if the loan agreement were to require a portion of the repayment to come from tax revenues, the county may be responsible for the debt.
- Allows for additional compensation for the board chair.
- RC #36; 3<sup>rd</sup> Rdg; 47-1

**SEA 163 DEPARTMENT OF HEALTH MATTERS**  
**AUTHOR(S): MILLER, BECKER**  
**SPONSOR(S): KIRCHHOFER, BROWN, SAUNDERS**  
**CITATIONS AFFECTED: 16-36; 16-38; 16-41; 16-49**

SEA 163 makes changes to current law regarding the Indiana State Department of Health (ISDH). The act:

- Allows the ISDH to use information from the cancer registry to conduct an investigation into the incidence of cancer diagnosis in a geographic region and to share the information with a local health department if certain conditions are met.
- Allows a local child fatality team to investigate the death of a child whose death occurred in the area served by the local child fatality review team.
- Requires that a report must be submitted to the state child fatality review coordinator before July 1 each year.
- Requires the ISDH to study the costs and benefits of implementing a data base for maintaining health care consents and specifies requirements of the study.
- Requires the ISDH to report its findings from the study to the Legislative Council before October 1, 2016.
- RC #82; 3<sup>rd</sup> Rdg; 50-0

**SEA 165 HEALTHY INDIANA PLAN**  
**AUTHOR(S): MILLER, CHARBONNEAU, BECKER**  
**SPONSOR(S): BROWN, BROWN, LEHMAN**  
**CITATIONS AFFECTED: 11-10; 12-7; 12-15; 16-18; 16-21; 27-8; 27-19; 36-2;**  
**NONCODE**

SEA 165 repeals the prior Healthy Indiana Plan statutes and makes revisions to the currently operating Healthy Indiana Plan (HIP 2.0). The act also repeals statutes governing the high risk Indiana check-up plan.

- The act would require the Secretary of the Family and Social Services Administration (FSSA) to annually submit an actuarial analysis of HIP to the State Budget Committee
- The analysis is to demonstrate that sufficient funding is available to operate the HIP program. Currently, the State Budget Committee reviews an analysis of state Medicaid expenditures and the budget each year.
- RC #400; CCR #1; 34-16

**SEA 186 RELEASE OF MEDICAL TESTS OF PREGNANT WOMEN**

**AUTHOR(S): MERRITT, MILLER**

**SPONSOR(S): KIRCHHOFER, BROWN, BROWN, SHACKELFORD**

**CITATIONS AFFECTED: 25-1**

SEA 186 prohibits certain practitioners from releasing to law enforcement the results of certain screenings and test results of a pregnant woman. If a practitioner, under the act, were to violate this provision, it is possible their respective professional board could take administrative disciplinary action against the practitioner. (RC #133; 3<sup>rd</sup> Reading; 48-2)

**SEA 187 OVERDOSE INTERVENTION DRUGS**

**AUTHOR(S): MERRITT, MILLER, CHARBONNEAU**

**SPONSOR(S): MCNAMARA, ZIEMKE, GOODIN, KIRCHHOFER**

**CITATIONS AFFECTED: 16-18; 16-19; 16-31; 16-42**

SEA 187 changes current law regarding overdose intervention drugs. The act:

- Requires an entity acting under a standing order issued by a prescriber for an overdose intervention drug to report annually certain information to the State Department of Health (ISDH).
  - Currently, entities dispensing naloxone under a standing order are required to annually register with the ISDH or the local health department.
  - The act would also require these entities to report annually to the ISDH the number and date of sales of naloxone that are dispensed by the entities.
  - The act does not require any analysis or reporting of the data by the ISDH.
- Requires the ISDH to ensure that a statewide standing order for the dispensing of an overdose intervention drug is issued for Indiana.
- Allows the state health commissioner or a public health authority to issue a statewide standing order for the dispensing of an overdose intervention drug.
- Requires certain emergency ambulance services responsible for submitting the report to report the number of times an overdose intervention drug has been administered.
- Requires the ambulance service to include the information in the emergency ambulance service's report to the Emergency Medical Services Commission under the emergency medical services system review.
- Provides that, if certain conditions are met, an individual who aided an individual in need of medical assistance due to an opioid related overdose is immune from certain criminal prosecutions.

- RC #368; CCR #1; 47-3

**SEA 206 FSSA MATTERS**

**AUTHOR(S): MILLER, BECKER, CHARBONNEAU**

**SPONSOR(S): KIRCHHOFER, BROWN**

**CITATIONS AFFECTED: 4-21.5; 4-24; 7.1-3; 12-7; 12-8; 12-9; 12-9.1; 12-10; 12-11; 12-12.5; 12-13; 12-15; 12-17.2; 12-17.6; 12-21; 12-24; 12-25; 12-26; 16-18; 16-29; 25-23**

SEA 206 changes current law regarding the Family and Social Services Administration (FSSA). The act:

- Allows the secretary of FSSA to delegate appointment authorities, the issuance of certain orders, and other acts to carry out the functions of the divisions to an individual.
- Authorizes the secretary to adopt rules concerning the implementation and administration of the early education grant pilot program.
- Changes references from intermediate care facility for the mentally retarded to intermediate care facility for individuals with intellectual disabilities.
- Removes the expiration of the law concerning the waiver to set an emergency placement priority for individuals in certain situations.
- Allows the Office of Medicaid Policy and Planning to use:
  - A fingerprint-based criminal history check for certain high-risk providers under the Medicaid program; and
  - A contractor to obtain the criminal history checks.
- Adds a representative of the Indiana Academy of Physician Assistants to the Medicaid Advisory Committee.
- Creates an exception for state institutions concerning advanced practice nurses acting under a collaborative agreement with a practitioner, requiring that the nurse act under privileges granted by the governing body of the institution.
- RC #384; CCR #1; 50-0

**SEA 214 CONTROLLED SUBSTANCES**

**AUTHOR(S): HERSHMAN, MILLER**

**SPONSOR(S): KIRCHHOFER, BACON, DAVISSON**

**CITATIONS AFFECTED: 12-15; 12-23**

SEA 214 makes changes to Medicaid reimbursement for certain medications. The act:

- Prohibits Medicaid reimbursement for Subutex, Suboxone, or a similar trade name or generic of the drug if the drug was prescribed for the treatment of pain or pain management and the drug is only indicated for addiction treatment.
- Requires the Office of the Secretary and the Division of Mental Health and Addiction to develop a treatment protocol containing best practice guidelines for the treatment of opiate dependent patients to be used by certain office based opioid treatment providers.
- Requires the Office of the Secretary to recommend certain best practice guidelines to:
  - The Professional Licensing Agency;
  - The Office of Medicaid Policy and Planning (OMPP).
  - A managed care organization that has contracted with the OMPP.

- RC #357; Concurrence; 49-0

**SEA 272 PALLIATIVE CARE AND QUALITY OF LIFE ADVISORY COUNCIL, AND SETS FORTH MEMBER REQUIREMENTS**

**AUTHOR(S): LANANE, MILLER**

**SPONSOR(S): KIRCHHOFER, HARRIS, BROWN, TRUITT**

**CITATIONS AFFECTED: 16-18; 16-19**

SEA 272 establishes the palliative care and quality of life advisory council, and sets forth member requirements. The act specifies the purpose and duties of the advisory council.

- The act establishes the advisory council within the State Department of Health (ISDH).
- A minimum of eight members are specified to be appointed by the State Commissioner of Health; the Commissioner may appoint additional members as appropriate.
- Members serve three-year terms without compensation or reimbursement for expenses. The ISDH is to provide staff for the advisory council.
- Expenses associated with the advisory council would depend on the education and advocacy activities to be developed by the committee and the extent to which other entities would partner with the ISDH to present any forums, programs, or initiatives.
- RC #143; 3<sup>rd</sup> Reading; 50-0

**SEA 297 OPIOID DEPENDENCE TREATMENT**

**AUTHOR(S): MILLER, BECKER**

**SPONSOR(S): KIRCHHOFER, DAVISSON, ZIEMKE, BROWN**

**CITATIONS AFFECTED: 12-15; 12-23; NONCODE**

SEA 297 makes changes to Medicaid coverage for opioid dependence treatment. The act:

- Requires Medicaid coverage for inpatient detoxification for the treatment of opioid or alcohol dependence.
- Adds requirements for an opioid treatment program to meet in order to operate in Indiana. Requires the Division of Mental Health and Addiction (DMHA) to adopt specified administrative rules concerning opioid treatment by an opioid treatment provider.
- Requires the Office of the Secretary and the DMHA to develop a treatment protocol containing best practice guidelines for the treatment of opiate dependent patients to be used by certain office based opioid treatment providers.
- Requires an opioid treatment program to provide specified information upon request by the DMHA.
- Urges the Legislative Council to assign a study committee the topic of patient access to and provider reimbursement for federally approved medication assisted treatment in the Medicaid program.
- RC# 347; Concurrence; 44-4

**SEA 315 DISTRIBUTION OF CORD BLOOD DONATION INFORMATION**

**AUTHOR(S): BROWN, HOUCHIN**

**SPONSOR(S): ZENT, BAUER, MAYFIELD, MORRIS**

**CITATIONS AFFECTED: 16-21**

SEA 315 directs persons that provide birthing services and prenatal care to distribute information about postnatal fluid and postnatal tissue donation, including cord blood donation, to pregnant patients as part of the postnatal donation initiative. (RC #159; 3<sup>rd</sup> Rdg; 49-0)

**SEA 350 CRIMINAL HISTORY BACKGROUND CHECKS FOR HOME HEALTH WORKERS**

**AUTHOR(S): RAATZ, BROWN**

**SPONSOR(S): BEUMER, THOMPSON, PORTER, BROWN**

**CITATIONS AFFECTED: 10-13; 16-18; 16-27**

SEA 350 sets forth new requirements for background checks for home health workers. The act requires a home health agency or personal services agency to obtain a national criminal history background check or an expanded criminal history check on employees. Current law requires a limited criminal history record unless certain circumstances exist that would require a national criminal history background check or an expanded criminal history check. (RC #339; Concurrence; 44-0)

**SEA 364 MEDICAID PROVIDER AUDIT WORK GROUP**

**AUTHOR(S): BASSLER, MILLER**

**SPONSOR(S): BACON, ZENT, KIRCHHOFER, BAUER**

**CITATIONS AFFECTED: NONCODE**

SEA 364 requires the Office of Medicaid Policy and Planning (OMPP) to establish a work group to discuss the policies and procedures used in Medicaid provider audits. The act requires the office to submit the work group's findings and any statutory recommendations to the Legislative Council before December 1, 2016. (RC #389; CCR #1; 50-0)

**HEA 1088 DEATH CERTIFICATES**

**AUTHOR(S): BACON**

**SPONSOR(S): BECKER, MILLER, MRVAN**

**CITATIONS AFFECTED: 16-37**

HEA 1088 changes current law regarding death certificates and duties of a coroner. The act:

- Provides that in circumstances where a person dies or is declared dead in the emergency department and the emergency department physician is the physician last in attendance and is uncertain as to the cause and manner of death, the case may be referred to a coroner for investigation.
- Specifies the person who is responsible for referring the cases that are caused by other than natural causes and the emergency department cases that are uncertain as to the cause and manner of death to the coroner.
- RC #227; 3<sup>rd</sup> Rdg; 45-0

**HEA 1263 HEALTH INFORMATION; TELEMEDICINE**

**AUTHOR(S): KIRCHHOFER**

**SPONSOR(S): CRIDER, MILLER, TALLIAN, RANDOLPH**

**CITATIONS AFFECTED: 12-15; 25-1; 25-22.5**

HEA 1263 changes current law regarding the use of telemedicine. The act:

- Requires the Secretary of the Family and Social Services Administration (FSSA) to provide information concerning the Medicaid program, the Healthy Indiana Plan, and the Children's Health Insurance Program to the Legislative Services Agency upon request for the purposes of doing analysis related to those programs.
- Sets forth requirements that must be met before:
  - A physician;
  - A physician assistant;
  - An advanced practice nurse; or
  - An optometrist; with prescriptive authority may issue a prescription to a patient receiving telemedicine services.
- Provides that certain drugs and devices may not be prescribed through the use of telemedicine.
- Specifies jurisdiction for out-of-state providers providing health care services to patients located in Indiana through the use of telemedicine and requires these providers and entities that employ or contract with these providers to certify certain information with the Indiana Professional Licensing Agency (PLA).
- Authorizes the PLA to adopt policies and rules concerning the required certification.
- Authorizes the Medical Licensing Board to adopt rules establishing guidelines for the practice of telemedicine.
- RC #361; CCR #1; 48-1

**HEA 1264 PROVIDER ORGANIZATIONS, AUDITS, AND PEER REVIEWS**

**AUTHOR(S): KIRCHHOFER**

**SPONSOR(S): MILLER, CRIDER, RANDOLPH**

**CITATIONS AFFECTED: 16-31; 34-6; 34-30**

HEA 1264 changes current law regarding provider organizations. The act:

- Requires a provider organization to conduct audits at least quarterly to assess, monitor, and evaluate the quality of patient care.
- Sets forth requirements of the audits and specifies that the audits are confidential. Adds the following to the definition of "professional health care provider" for purposes of inclusion in the Peer Review Committee statute:
  - A provider organization;
  - An emergency medical technician;
  - An emergency medical responder; and
  - An advanced emergency medical technician
- RC #283; 3<sup>rd</sup> Rdg; 50-0

## **HEA 1278 INSPECT PROGRAM**

**AUTHOR(S): DAVISSON**

**SPONSOR(S): MILLER, GROOMS, RANDOLPH**

**CITATIONS AFFECTED: 25-14; 25-22.5; 25-23; 25-26; 25-27.5; 25-29; 35-48**

HEA 1278 changes rules and regulations of the INSPECT program. The act:

- Allows a dentist, physician, advanced practice nurse, physician assistant, and podiatrist to include an INSPECT program report in a patient's file.
- Establishes requirements to obtain reciprocity for an out-of-state person seeking to provide home medical equipment services in Indiana.
- Removes a provision that allows the Board of Pharmacy to adopt rules for an out-of-state person seeking to provide home medical equipment services in Indiana.
- Allows an individual who holds a temporary fellowship permit to access the INSPECT program.
- Allows a county coroner conducting a medical investigation of the cause of death to access the INSPECT program.
- Makes certain changes to the immunity granted to practitioners who use the INSPECT program. Current law extends immunity to both practitioners who use and do not use the INSPECT program.
- Allows a practitioner's agent to check INSPECT program reports on behalf of the practitioner.
- Allows a patient to access an INSPECT program report that is in the patient's medical file.
- Requires the boards that regulate health care providers that prescribe or dispense prescription drugs to establish prescribing norms and dispensing guidelines that, if exceeded, justify the unsolicited dissemination of exception reports.
- Specifies the exception reports that a board's designee may forward to a law enforcement agency or the attorney general for purposes of an investigation.
- RC #211; 3<sup>rd</sup> Rdg; 49-0

## **HEA 1337 ABORTION**

**AUTHOR(S): COX**

**SPONSOR(S): YOUNG, HOLDMAN, BROWN, BANKS, TOMES, KRUSE, MILLER, SCHNEIDER, WALTZ, STEELE**

**CITATIONS AFFECTED: 16-18; 16-21; 16-25; 16-34; 16-41; 22-9; 23-14; 35-46; 35-52**

HEA 1337 changes current law regarding abortion. The act:

- Requires the State Department of Health (ISDH) to develop certain information concerning perinatal hospice care.
  - The ISDH would also be required to develop a perinatal hospice brochure containing specified information and a specified list of providers.
  - The brochure and list of perinatal hospice providers are to be posted on the ISDH Internet web site.

- Requires physicians to provide information about perinatal hospice care to a pregnant woman who is considering an abortion because the unborn child has been diagnosed with a lethal fetal anomaly.
- Requires documentation as a matter of informed consent to an abortion that the pregnant woman received the required information about perinatal hospice care.
- Provides that the gender of the fetus and the medical indication by diagnosis code for the fetus and the mother must be reported on the pregnancy termination form for an early pre-viability termination.
- Prohibits a person from performing an abortion if the person knows that the pregnant woman is seeking the abortion solely because of:
  - The race, color, national origin, ancestry, or sex of the fetus; or
  - A diagnosis or potential diagnosis of the fetus having Down syndrome or any other disability.
- Provides for disciplinary sanctions and civil liability for wrongful death if a person knowingly or intentionally performs a sex selective abortion or an abortion conducted because of a diagnosis or potential diagnosis of Down syndrome or any other disability.
- Provides that informed consent for an abortion must be obtained in a private setting.
- Provides that a pregnant woman considering an abortion must be given the opportunity to view the fetal ultrasound imaging and hear the auscultation of the fetal heart tone at least 18 hours before the abortion is performed and at the same time that informed consent is obtained.
- Provides that a written agreement between a physician performing an abortion and a physician who has written admitting privileges at a hospital in the county or contiguous county concerning the management of possible complications of the services must be renewed annually.
- Requires the ISDH to submit copies of admitting privileges and written agreements between physicians to other hospitals in the county and contiguous counties where abortions are performed.
- Requires that certain forms must include lines for the signature of the physician or other provider and the professional credentials of the physician or other provider.
- Provides that a person who knowingly transports an aborted fetus into, or out of, Indiana commits a Class A misdemeanor, unless the aborted fetus is transported for the sole purpose of final disposition.
- Provides that a miscarried or aborted fetus must be interred or cremated by a facility having possession of the remains.
- Requires a person or facility having possession of a miscarried or aborted fetus to ensure that the miscarried fetus or aborted fetus is preserved until final disposition occurs.
- Specifies that:
  - A person is not required to designate a name for the miscarried or aborted fetus; and
  - Information submitted with respect to the disposition of a miscarried or aborted fetus that may be used to identify the parent or parents of a miscarried fetus or a pregnant woman who had an abortion is confidential and must be redacted from any public records maintained under the burial permit law.

- Specifies that miscarried and aborted fetuses may be cremated by simultaneous cremation.
- Excludes the final disposition of a miscarried or aborted fetus from the law governing the treatment of infectious or pathological waste.
- Provides that the performance of an abortion solely because of the race, color, sex, disability, national origin, or ancestry of the fetus or a violation of certain statutes protecting the right of conscience regarding abortion is a discriminatory practice for purposes of the civil rights law.
- Defines fetal tissue.
- Prohibits an individual from acquiring, receiving, selling, or transferring fetal tissue.
- Makes it a Level 5 felony to unlawfully:
  - Transfer; and
  - Collect fetal tissue.
- Establishes an exemption for the criminal penalty of unlawful use of an embryo if the transfer or receipt of a fetus was requested in writing by a biological parent for purposes of an autopsy.
- RC #295; 3<sup>rd</sup> Reading; 37-13

Senator Stoops, D-Bloomington, offered the following amendments to HEA 1337 on 2<sup>nd</sup> Reading:

- Amendment #3 would have deleted admitting privileges' requirements for doctors performing abortions under current law. The amendment failed. (RC #237; 2<sup>nd</sup> Rdg; failed 11-39)
- Amendment #4 would have removed references to a "potential diagnosis" of Down syndrome or other disabilities. The amendment failed by voice vote.
- Amendment #6 would have deleted the new language regarding admitting privileges. It would have also deleted the new requirement that a copy of the admitting privileges must be sent to every hospital in the county and contiguous counties. The amendment failed by voice vote.
- Amendment #7 would have added that the burial transit permit for a miscarried fetus may not contain any identifying information concerning the parent. The amendment failed by voice vote.

Senator Breaux, D-Indianapolis, offered the following amendments to HEA 1337 on 2<sup>nd</sup> Reading:

- Amendment #8 would have required a non-profit organization with the primary purpose of promoting respect and the dignity of the unborn to provide for the final disposition of a miscarried fetus. The amendment failed by voice vote.
- Amendment #9 would have only required burial or cremation of a miscarried fetus or aborted fetus with a gestational age of at least 20 weeks. The amendment failed by voice vote.
- Amendment #10 would have required the State Department of Health to develop a certificate of fetal remains for an aborted fetus or miscarried fetus who has a gestational age of less than 20 weeks. It would have also provided that the certificate may not

contain any identifying information of the pregnant woman. The amendment failed by voice vote.

- Amendment #11 would have added a new chapter to the Indiana Code on Health Care Services for Individuals with Disabilities. The amendment would have required the FSSA to establish a program to provide health insurance coverage to individuals with Down Syndrome or any other disability that are not eligible for third party health insurance coverage. The amendment failed by voice vote.

**HEA 1347 MENTAL HEALTH ISSUES**

**AUTHOR(S): KIRCHHOFER**

**SPONSOR(S): MILLER, CRIDER, MRVAN, STOOPS, RANDOLPH**

**CITATIONS AFFECTED: 12-7; 12-15; 27-19**

HEA 1347 changes current law regarding mental health matters. The act:

- Requires the office of Medicaid Policy and Planning to reimburse under the Medicaid program:
  - Certain advanced practice nurses for specified Medicaid services;
  - Certain graduate and post-graduate degree level students in specified fields who are interning or in a practicum at a community mental health center under the direct supervision of a licensed professional; and
  - Licensed clinical addiction counselors who under the clinical supervision of a physician or health service provider in psychology.
- Requires the Department of Insurance (IDOI), in consultation with the office of the secretary of family and social services, to review, study, and make recommendations concerning the capacity, training, and barriers to health navigators in assisting individuals in obtaining health insurance program coverage.
- Requires the department to report their findings to the Interim Study Committee on Public Health, Behavioral Health, and Human Services before September 30, 2016.
- RC #298; 3<sup>rd</sup> Rdg; 49-1

**HOMELAND SECURITY & TRANSPORTATION**

**SEA 147 SCHOOL EMERGENCY RESPONSE SYSTEMS**

**AUTHOR(S): BOOTS, ROGERS, MERRITT**

**SPONSOR(S): MAHAN, TRUITT, PRICE, MACER, ZENT, KLINKER, GOODIN,**

**KOCH, SAUNDERS, SMITH, PELATH, BEUMER, HEATON, MCNAMARA,**

**KIRCHHOFER, MORRIS, LEHMAN, AUSTIN, WRIGHT, ERRINGTON, MOSELEY,**

**STEMLER, BROWN, LAWSON, FRYE, ZIMKE, KARICKHOFF, CLERE,**

**EBERHART, DERMODY, JUDY, BORDERS, ARNOLD, CARBAUGH, GUTWEIN,**

**SOLIDAY, FORESTAL**

**CITATIONS AFFECTED: 10-21**

SEA 147 requires the Department of Homeland Security to establish minimum standards and approve best practices not later than July 1, 2017, for a school emergency response system. The act requires the department to establish emergency response system guidelines with input from

the Division of School Building Safety. "Emergency response system" means systems designed to improve technology and infrastructure on school property that may be used to prevent, prepare for, respond to, and recover from a manmade or natural disaster or emergency occurring on school property. "School property" means any property owned, rented, leased, or operated by: a nonpublic school, a public school, or an approved postsecondary educational institution. (RC #344; Concurrence; 49-0)

## **HEA 1013 GEOLOCATION INFORMATION AND UNMANNED VEHICLES**

**AUTHOR(S): KOCH**

**SPONSOR(S): HEAD, STEELE, ARNOLD, RANDOLPH, ZAKAS, KRUSE**

**CITATIONS AFFECTED: 34-30; 35-33**

HEA 1013 provides that, upon the request of a law enforcement agency, a provider of electronic communications services used by an electronic device is required to provide geolocation information concerning the electronic device to the law enforcement agency:

- To allow the law enforcement agency to respond to a call for emergency services; or
- In an emergency situation that involves the risk of death or serious bodily injury to an individual.

In addition, HEA 1013:

- Specifies that a law enforcement agency may make a request for geolocation information without first obtaining a search warrant or another judicial order that would otherwise be required to obtain the geolocation information if obtaining the search warrant or other judicial order would cause an unreasonable delay in responding to a call for emergency services or an emergency situation.
- Provides that, if a law enforcement agency makes a request for geolocation information without first obtaining a search warrant or another judicial order, the law enforcement agency shall seek to obtain the search warrant or other judicial order issued by a court based upon a finding of probable cause that would otherwise be required to obtain the geolocation information not later than 72 hours after making the request for the geolocation information.
- Requires a provider of electronic communications services used by electronic devices to submit the provider's emergency contact information to the State Police Department.
- Requires the State Police Department to:
  - maintain the emergency contact information submitted to the state police department by providers of electronic communication services; and
  - make the information immediately available to a state or local law enforcement agency.
- Allows the use of an unmanned aerial vehicle by a law enforcement officer or governmental entity without obtaining a search warrant if the law enforcement officer determines that the use of the unmanned aerial vehicle is required to obtain aerial photographs or video images of a motor vehicle accident site on a public street or public highway.
- Act effective upon passage.
- RC #243; 3<sup>rd</sup> Rdg; 50-0

**HEA 1038 BLUE LED LIGHTS ON VOLUNTEER FIREFIGHTER VEHICLES**

**AUTHOR(S): LYNESS**

**SPONSOR(S): CRIDER, PERFECT, ARNOLD**

**CITATIONS AFFECTED: 36-8**

HEA 1038 authorizes a blue light on a vehicle privately owned by a volunteer firefighter to be a blue light emitting diode (LED). (RC #201; 3<sup>rd</sup> Rdg; 49-0)

**HEA 1087 BUREAU OF MOTOR VEHICLES OMNIBUS BILL**

**AUTHOR(S): SOLIDAY**

**SPONSOR(S): YODER, ARNOLD, RANDOLPH**

**CITATIONS AFFECTED: NUMEROUS PROVISIONS THROUGHOUT THE INDIANA CODE**

HEA 1087 relocates and modifies the following after expiration or repeal:

- IC 9-14 (Bureau of Motor Vehicles).
- IC 9-15 (Bureau of Motor Vehicles Commission).
- IC 9-16 (License Branches).
- IC 9-18 (Registration).
- IC 9-24-6 (Commercial Driver's License).
- IC 9-29 (Fees) (other than IC 9-29-17 (Fees under IC 9-32)).

In addition, the act:

- Establishes limits for convenience fees charged by full service and partial services providers.
- Changes distributions of various fees imposed by the bureau of motor vehicles.
- Replaces chauffeur's and public passenger chauffeur's licenses with for-hire endorsements and establishes refund procedures for fees imposed by the bureau of motor vehicles which will take effect July 1<sup>st</sup>, 2016.
- Amends provisions related to the closing of public railroad crossings.
- Codifies proposed rules of the Indiana Department of Transportation concerning unobstructed views at public rail-highway grade crossings.
- Excludes certain vehicles from inspections required for a certificate of title if certain conditions are satisfied and provides for proof of ownership of a salvage vehicle by electronic signature on certain documents.
- Changes in law regarding the identification of ownership will be in effect after January 1<sup>st</sup>, 2017.
- Imposes conditions on the recovery of a vehicle license cost recovery fee by a rental company.
- Amends provisions related to the movement and sale of manufactured and mobile homes.
- Makes conforming amendments and technical corrections.
- RC #404; CCR; 49-1)

Senator Lanane (D-Anderson) proposed Amendment #1 that would have extended mental health services at no cost to an employee who was involved in an accident outlined in the legislation. The amendment failed upon a voice vote.

**HEA 1090 LOCAL EMERGENCY PLANNING COMMITTEES**

**AUTHOR(S): FRYE**

**SPONSOR(S): CRIDER, PERFECT, ARNOLD**

**CITATIONS AFFECTED: 13-25**

HEA 1090 provides that membership on the Emergency Response Commission is not a lucrative office for purposes of the constitutional prohibition against holding more than one lucrative office at the same time. The act specifies that the commission appoints the members of the local emergency planning committee of each emergency planning district, and it provides that the commission may decide how many members a local emergency planning committee is to have, and that a local emergency planning committee's members must include representatives of five particular categories. These categories are as follows:

- State and local officials.
- Law enforcement, emergency management, firefighting, emergency medical services, health, local environmental, hospital, and transportation personnel.
- Broadcast and print media.
- Community groups.
- Owners and operators of facilities subject to IC 13-25-2-10.

The act also outlines that membership on a local emergency planning committee is not a lucrative office. It allows any member of a local emergency planning committee to appoint a designee to act on the committee member's behalf. (Under current law, only a local emergency planning committee member who is an employee of a county, municipality, or township can appoint a designee.) The act authorizes the commission to revise its appointments to a local emergency planning committee and provides that a local emergency planning committee is a county board and that if an emergency planning district consists of multiple counties, the county of which the local emergency planning committee is a county board must be decided by agreement of the counties. (RC# 250; 3<sup>rd</sup>; 50-0)

**HEA 1112 INTERIM STUDY COMMITTEES**

**AUTHOR(S): MILLER**

**SPONSOR(S): ZAKAS, YODER, STOOPS, RANDOLPH**

**CITATIONS AFFECTED: NONCODE**

HEA 1112 urges the Legislative Council to assign topics to an interim study committee. If a committee were to hold additional meetings to address the topics, there would be additional expenditures for legislator per diem and travel reimbursement for the committee members. Any additional expenditure, however, must be within the committee's budget, which is established by the Legislative Council based on committee size. Legislative Council resolutions in the past have established budgets for interim study committees in the amount of \$9,500 per interim for committees with fewer than 16 members and \$16,500 for committee's with 16 members or more. (RC #261; 3<sup>rd</sup> Rdg; 50-0)

**HEA 1154 LOCAL AIRPORT AUTHORITIES**  
**AUTHOR(S): BRAUN**  
**SPONSOR(S):MISHLER, ARNOLD, RANDOLPH, BUCK**  
**CITATIONS AFFECTED: 5-14; 8-22**

HEA 1154 provides that a member of a governing body of an airport authority or a department of aviation may participate in a board meeting by electronic communication. It defines "commercial aeronautics" for purposes of serving on a governing body as an entity is engaged in a for-profit business activity on a publicly owned, public use airport. It also provides that a member may not have a pecuniary (rather than a personal) interest in a contract with or claim against the governing body. (RC#264; 3<sup>rd</sup> Rdg; 50-0)

## **INSURANCE & FINANCIAL INSTITUTIONS**

**SEA 40 MOTOR VEHICLE FINANCIAL RESPONSIBILITY**  
**AUTHOR(S): MILLER, MILLER**  
**SPONSOR(S):TORR, CARBAUGH, BROWN**  
**CITATIONS AFFECTED: 9-25; NONCODE**

SEA 40 increases the financial responsibility requirements that apply to a motor vehicle registration for property damage liability arising out of the ownership, maintenance, or use of the motor vehicle. (RC #75; 3<sup>rd</sup> Rdg; 47-3)

**SEA 242 LOANS TO CREDIT UNION OFFICERS**  
**AUTHOR(S): WALKER, RAATZ**  
**SPONSOR(S):BURTON, BEUMER**  
**CITATIONS AFFECTED: 28-7**

SEA 242 makes the lending limit consistent with federal law that applies to loans to officers of a bank for purposes of the statute authorizing a state chartered credit union to make a loan to an officer of the credit union. (Current law provides that the total of all such outstanding loans may not exceed \$100,000.) (RC #95; 3<sup>rd</sup> Rdg; 49-0)

**SEA 335 SCHOOL CORPORATION HEALTH INSURANCE**  
**AUTHOR(S): BECKER, TOMES**  
**SPONSOR(S):BACON, TORR, RIECKEN, MCNAMARA**  
**CITATIONS AFFECTED: 20-26**

SEA 335 specifies that a school corporation may assign wages and pay premiums for collectively bargained health insurance and is not required to make the collectively bargained health insurance available to all school corporation employees. (RC #349; Concurrence; 49-0)

**HEA 1136 INSURANCE MATTERS**  
**AUTHOR(S): LEHMAN**  
**SPONSOR(S):HOLDMAN, WALKER, ARNOLD**

**CITATIONS AFFECTED: 4-33; 4-35; 5-4; 5-20; 27-1; 27-7; 27-8; 27-9; 27-13; 27-15; 35-52; NONCODE**

HEA 1136 makes various changes to insurance matters. The act:

- Requires gaming facilities to pay to the state a special worker's compensation fee and removes a requirement for gaming facilities to reimburse the state for certain worker's compensation expenses.
- Amends the application of the annual audited financial report law to domestic insurers.
- Specifies that an insurer is not prevented from making available a named driver exclusion in a commercial motor vehicle policy.
- Provides for suspension of a nonresident insurance producer license and a nonresident public adjuster license if the home state license is not effective in good standing.
- Specifies certain requirements for a domestic insurer that is part of an insurance holding company system, including requirements related to financial disclosures and activities.
- Defines and specifies requirements for supervision of an internationally active insurance group, including determination of a supervising regulatory official.
- Specifies penalties for violations of the insurance holding company system law.
- Requires certain information to be provided to and submitted to a data base by a closing agent within a certain period following a real estate or mortgage transaction.
- Amends the definition of "good funds" for purposes of the law concerning escrow disbursements by closing agents in real estate transactions.
- Defines "small employer" for purposes of health insurance plans that are not grandfathered under federal law.
- Requires health coverage independent review organizations to provide notice of an expedited determination within 72 hours after the grievance or review is filed, rather than 24 hours after the determination is made.
- Provides for the Property and Casualty Insurance Guaranty Association to obtain reimbursement for certain payments in connection with large deductible worker's compensation policies.
- Allows the Department of Insurance Commissioner, in insurer supervision proceedings, to pursue insurance proceeds for certain acts or omissions of officers and directors of the supervised insurer.
- Urges the Legislative Council to assign to an interim study committee a subject concerning bond related to public private agreements.
- Makes conforming amendments.
- RC #373; CCR #1; 50-0

**HEA 1181 DEPARTMENT OF FINANCIAL INSTITUTIONS**

**AUTHOR(S): BURTON**

**SPONSOR(S): HOLDMAN, WALKER, ARNOLD**

**CITATIONS AFFECTED: 24-4.4; 24-4.5; 28-1; 28-5; 28-7; 28-10; 28-13; 32-29**

HEA 1181 makes various changes to the laws concerning:

- First lien mortgage lenders;
- Persons licensed under the Uniform Consumer Credit Code;

- Financial institutions; and
- Debt management companies.
- RC #271; 3<sup>rd</sup> Rdg; 50-0

**HEA 1331 MANAGEMENT OF INSTITUTIONAL FUNDS**

**AUTHOR(S): SMITH**

**SPONSOR(S): HEAD, FORD, MRVAN, RANDOLPH**

**CITATIONS AFFECTED: 30-2**

HEA 1331 makes changes to the management of institutional funds. The act:

- Provides that a chapter in the Indiana Code may be cited as the Uniform Prudent Management of Institutional Funds Act (UPMIFA).
- Makes the following changes to the UPMIFA:
  - Allows a donor to give an institution prior consent for release or modification of a restriction or charitable purpose in a gift instrument.
  - Allows an institution to release or modify a restriction in a fund established more than 20 years ago without court approval, if the value of an institutional fund is less than \$250,000. (Under current law, the institutional fund must be less than \$25,000.)
- Specifies a procedure for notice to and response from the Attorney General concerning a release or modification.
- RC #293; 3<sup>rd</sup> Rdg; 48-2

**HEA 1331 MANAGEMENT OF INSTITUTIONAL FUNDS**

**AUTHOR(S): SMITH**

**SPONSOR(S): HEAD, FORD, MRVAN, RANDOLPH**

**CITATIONS AFFECTED: 30-2**

HEA 1340 urges the Legislative Council to assign to an appropriate study committee during the 2016 legislative interim the topic of granting lenders that are licensed to make small loans under the Indiana Uniform Consumer Credit Code the authority to make long term small installment loans. The act also provides that if the topic is assigned to a study committee, the study committee:

- May consider specified matters concerning long term small installment loans;
- May consult with appropriate interested parties; and
- Shall issue a final report to the Legislative Council not later than November 1, 2016.
- RC #296; 3<sup>rd</sup> Rdg; 49-1

## JUDICIARY

### **SEA 1 ADMINISTRATIVE LAW STUDY COMMISSION**

**AUTHOR(S): STEELE, HEAD**

**SPONSOR(S):STEUERWALD, KOCH**

**CITATIONS AFFECTED: 2-5**

SEA 1 establishes the 12-member Administrative Law Study Commission to study issues concerning whether administrative law judges and environmental law judges should be replaced by an administrative court that conducts administrative hearings and other duties currently conducted by administrative law judges and environmental law judges.

The act requires the commission to submit a final report to the Legislative Council concerning the commission's findings and recommendations before November 1, 2016. (RC #70; 3<sup>rd</sup> Rdg; 50-0)

### **SEA 17 CHILD ABUSE PREVENTION FEE AND DOMESTIC VIOLENCE PREVENTION AND TREATMENT FEE**

**AUTHOR(S): HEAD, STEELE**

**SPONSOR(S):MCNAMARA, OLTHOFF**

**CITATIONS AFFECTED: 33-37**

SEA 17 adds the offense of strangulation to the list of offenses requiring payment of the Child Abuse Prevention Fee and the Domestic Violence Prevention and Treatment Fee. (RC #52; 3<sup>rd</sup> Rdg; 49-0)

### **SEA 26 CHILDREN IN NEED OF SERVICES**

**AUTHOR(S): STEELE, HEAD**

**SPONSOR(S):STEUERWALD, KOCH, SUMMERS, NIEZGODSKI**

**CITATIONS AFFECTED: 31-34**

SEA 26 provides that a child is a child in need of services if the child needs care, treatment or rehabilitation and lives in the same household as an adult who: (1) committed certain offenses; or (2) has been charged with certain offenses and is awaiting trial. The act also makes conforming amendments. (RC #214; Concurrence; 48-0)

### **SEA 27 MAGISTRATES**

**AUTHOR(S): STEELE, YOUNG, TAYLOR**

**SPONSOR(S):SPEEDY, PRYOR, DELANEY**

**CITATIONS AFFECTED: 33-33**

SEA 27 allows the judge of the Marion Circuit Court to appoint one full-time magistrate to serve the circuit court. The act extends the term of the magistrate jointly appointed by the judge of the Sullivan Circuit Court and the judge of the Sullivan Superior Court from July 1, 2016, to January 1, 2017. (RC #228; Concurrence; 33-12)

**SEA 81 SENIOR JUDGES, JUDGES PRO TEMPORE, AND OATHS**

**AUTHOR(S): YOUNG, STEELE, RANDOLPH**

**SPONSOR(S):STEUERWALD, DELANEY, ZENT**

**CITATIONS AFFECTED: 33-23; 33-38; 33-42**

SEA 81 allows: (1) a senior judge; or (2) a judge pro tempore; serving in a county that has a probate court, a circuit court, or a superior court judge to, with the consent of the judge of the probate court, circuit court, or a superior court in the county, sit as the judge of the consenting judge's court in any matter as if the senior judge or judge pro tempore were the elected judge or appointed judge of the court.

The act provides that a judge pro tempore may serve as a judge of a court regardless of whether the appointed or elected judge of the court is present and available in the building that contains the court.

The act provides that justices and judges of courts may administer oaths anywhere in Indiana. (RC #215; Concurrence; 49-0)

**SEA 91 RELEASE OF IDENTIFYING ADOPTION INFORMATION**

**AUTHOR(S): STEELE, DELPH, HEAD**

**SPONSOR(S):STEUERWALD, GUTWEIN, MCNAMARA, BAUER**

**CITATIONS AFFECTED: 31-9; 31-19; 34-30**

SEA 91 has the following provisions:

- Repeals, effective July 1, 2018, provisions applicable to adoptions finalized before January 1, 1994, that prohibit the release of identifying adoption information unless a consent to release the information is on file.
- Provides that, beginning July 1, 2018, identifying adoption information may be released unless a non-release form is on file, regardless of when the adoption was filed. (Under current law, this provision applies only to adoptions filed after December 31, 1993.)
- Replaces a non-release form with a contact preference form.
- Provides that a non-release form submitted before July 1, 2018, remains in effect unless the form lapses.

The introduced version of this act was prepared by the Interim Study Committee on Courts and the Judiciary. (RC #33; 3<sup>rd</sup> Rdg; 43-5)

**SEA 192 GUARDIANSHIP AND ADULT PROTECTIVE SERVICES REPORT**

**AUTHOR(S): CRIDER, KENLEY, MILLER**

**SPONSOR(S):DEVON, OLTHOFF, BROWN, MACER**

**CITATIONS AFFECTED: 12-7; 12-8; NONCODE**

SEA 192 urges the Legislative Council to assign to the appropriate committee a study of the visitation, communication, and interaction with a protected person.

The act requires the Family and Social Services Administration (FSSA), in cooperation with the Indiana Prosecuting Attorneys Council (IPAC), to prepare and submit a report to the Legislative Council before December 1, 2016, concerning adult protective services. The act specifies that the report must include:

- An estimation of appropriate staffing levels necessary to efficiently and effectively manage the investigations of reports of matters related to the abuse, neglect, or exploitation of endangered adults;
- Identification of:
  - the circumstances that should result in emergency placement in the case of an adult protective services investigation;
  - the appropriate types of emergency placements based on those circumstances; and
  - strategies for improving emergency placement capabilities;
- Consideration of the benefits and cost of establishing a centralized intake system for reports of matters related to the abuse, neglect, or exploitation of endangered adults;
- A statement of consistent standards of care for endangered adults;
- A determination of the appropriate levels of training for employees who are involved in providing adult protective services;
- A draft of a cooperative agreement between the FSSA and IPAC that sets forth the duties and responsibilities of the agencies and county prosecuting attorney offices with regard to adult protective services; and
- Performance goals and accountability metrics for adult protective services to be incorporated in contracts and grant agreements. It provides that the FSSA shall present the report to the State Budget Committee.

The act provides that the State Budget Committee shall consider the report in formulating the committee's budget recommendations. (RC #229; Concurrence; 44-1)

## **SEA 216 TRAFFIC ENFORCEMENT IN RESIDENTIAL COMPLEXES**

**AUTHOR(S): HERSHMAN, ALTING**

**SPONSOR(S): TRUITT, STEUERWALD, KLINKER**

**CITATIONS AFFECTED: 9-21; 33-24; 34-30**

SEA 216 has the following provisions:

- Allows a unit to enforce traffic and parking ordinances on the property of a residential apartment complex if:
  - the owner of the complex makes a request to the legislative body of the unit;
  - the unit adopts traffic and parking ordinances that meet certain requirements;
  - the owner enters into an enforcement contract with the unit; and
  - the legislative body of the unit approves the contract.
- Requires a unit's law enforcement agency to issue e-tickets for moving violations in a residential complex if the law enforcement agency already issues e-tickets for other traffic violations.
- Provides certain immunities to the owner of a residential complex that enters into an enforcement contract with a unit.
- Provides that the statute expires December 31, 2020.

- Requires the Division of State Court Administration to submit reports to the Legislative Council relating to the enforcement of moving traffic ordinances on the property of residential complexes. (RC #330; Concurrence; 42-0)

**SEA 271 DRUG ENFORCEMENT, TREATMENT, AND PREVENTION**

**AUTHOR(S): MERRITT, ARNOLD, DELPH**

**SPONSOR(S):MCNAMARA, GOODIN, ZIEMKE, STEUERWALD, ELLINGTON, RIECKEN, BACON, ZENT, ARNOLD, KIRCHHOFER**

**CITATIONS AFFECTED: 4-3; 5-2**

SEA 271 establishes the Indiana Commission to Combat Drug Abuse (ICCD). The act repeals the Commission for a Drug Free Indiana. It requires the Indiana Criminal Justice Institute (ICJI) to assume certain duties of the repealed Commission for a Drug Free Indiana concerning the approval of comprehensive drug free community plans and grants. The act also makes conforming changes. It also provides that the Executive Director of the ICJI has certain responsibilities concerning the ICCDA and local coordinating councils. (RC #142; 3<sup>rd</sup> Rdg; 50-0)

**SEA 357 REGISTRY OF CONVICTED CHILD ABUSERS**

**AUTHOR(S): YODER, HEAD, STEELE**

**SPONSOR(S):MORRIS, OBER, STEUERWALD, RIECKEN**

**CITATIONS AFFECTED: 5-2**

SEA 357 defines "crime of child abuse" and requires the Division of State Court Administration to establish an electronic child abuse registry containing information relating to persons convicted of a crime of child abuse. (RC #370; CCR#1; 50-0)

**HEA 1019 ESTABLISHES A PROCEDURE FOR THE RELEASE OF LAW ENFORCEMENT RECORDINGS UNDER THE PUBLIC RECORDS LAW**

**AUTHOR(S): MAHAN**

**SPONSOR(S):BRAY, CRIDER, HOLDMAN, TAYLOR, RANDOLPH**

**CITATIONS AFFECTED: 5-14; 35-31.5; 35-46**

HEA 1019 exempts custodial interrogations described in Indiana Evidence Rule 617 from provisions applicable to other law enforcement recordings.

The act requires a public agency to permit the following persons (defined as a "requestor" in the statute) to view a recording at least twice:

- A person depicted in a recording, or if the person is deceased or incapacitated, the person's relative or representative.
- An owner or occupant of real property depicted in a recording.
- A crime victim, if the depicted events are relevant to the crime.
- A person who suffers a loss due to personal injury or property damage, if the depicted events are relevant to the person's loss.

The act allows a "requestor" to be awarded attorney's fees, court costs, and other reasonable expenses if the "requestor" prevails in an action against a public agency to view a recording.

The act requires a public agency to permit all persons to inspect and copy a recording unless the public agency can demonstrate that release of the recording would:

- Pose a significant risk of harm to a person or the public;
- Interfere with a person's ability to get a fair trial;
- Affect an ongoing investigation; or
- Not serve the public interest.

The act provides that a recording that captures information relating to airport security may not be released for public inspection without the approval of the airport operator.

The act specifies the procedure to obtain a court order for the release of a law enforcement recording, and requires a court to expedite the proceedings. Fees: The act caps the fee for copying a law enforcement recording at \$150, and specifies that the agency collecting the fee may spend the fee for certain purposes. The act specifies information that a public agency may or must obscure from a law enforcement recording before disclosing it.

The act establishes the length of time that a public agency must retain a law enforcement recording. The act exempts a law enforcement recording from a criminal statute prohibiting placement of a camera on the private property of another person. The act resolves technical conflicts with SEA 378-2016 and HEA 1022-2016. (RC #390; CCR#1; 50-0)

#### **HEA 1035 CODE REVISION CORRECTIONS**

**AUTHOR(S): WASHBURNE**

**SPONSOR(S): YOUNG, RANDOLPH**

**CITATIONS AFFECTED: 5-4; 7.1-1; 7.1-3; 24-4.5; 35-52; NONCODE**

HEA 1035 resolves substantive problems in the Indiana Code. It resolves various nontechnical conflicts and problems not suitable for resolution in the annual technical corrections bill, including:

- A statute that has been both added and repealed;
  - Ambiguous language;
  - Incorrect references; and
  - Results that must not have been intended.
- RC #181; 3<sup>rd</sup> Rdg; 50-0

#### **HEA 1047 COURT MOTION CLERK PILOT PROGRAM**

**AUTHOR(S): WASHBURNE**

**SPONSOR(S): BRAY, GLICK, RANDOLPH**

**CITATIONS AFFECTED: 2-5; 33-38**

HEA 1047 permits the Indiana Judicial Center to establish a Circuit and Superior Court Motion Clerk Pilot Program to provide assistance to courts with preparing orders for complex motions. It provides that the Judicial Center shall administer the pilot program.

The act requires the Judicial Center to report to the Interim Study Committee on Courts and the Judiciary concerning the pilot program. It requires the committee to receive reports concerning the pilot program, and allows the committee to make recommendations and to propose legislation concerning the pilot program. (RC #182; 3<sup>rd</sup> Rdg; 50-0)

**HEA 1064 TERMINATING THE PARENT-CHILD RELATIONSHIP**

**AUTHOR(S): SLAGER**

**SPONSOR(S): CHARBONNEAU, STEELE, ZAKAS, HEAD, CRIDER, YOUNG, BRAY, DELPH, GLICK, BRODEN, TAYLOR, HOLDMAN, MILLER**

**CITATIONS AFFECTED: 31-9; 31-17; 31-35**

HEA 1064 has the following provisions:

- Allows a parent who is the victim of an act of rape from which a child was conceived to file a petition to terminate the parent-child relationship between the child and the alleged perpetrator of the act of rape.
- Requires a court to terminate the parent-child relationship if the court finds:
  - by clear and convincing evidence that the alleged perpetrator committed an act of rape against the parent who filed the petition to terminate the parent-child relationship and that the child was conceived as a result of the act of rape; and
  - that terminating the parent-child relationship would be in the best interests of the child.
- Prohibits a parent who is at least 18 years of age at the time the act of rape occurred from filing a petition more than 180 days after the birth of the child.
- Prohibits a parent who is less than 18 years of age at the time the act of rape occurred from filing a petition more than 2 years after reaching the age of 18.
- Requires a court to stay the termination of the parent-child relationship proceedings if the court receives a notice from the Department of Child Services that the child is the subject of a pending Child in Need of Services Petition (CHINS).
- RC #252; 3<sup>rd</sup> Rdg; 50-0

**HEA 1069 NO CONTACT AND PROTECTIVE ORDERS AND BATTERY**

**AUTHOR(S): ZENT**

**SPONSOR(S): GLICK, CRIDER, HOLDMAN, BRODEN**

**CITATIONS AFFECTED: 5-2; 8-1; 11-12; 12-7; 12-10; 16-41; 20-19; 20-26; 20-33; 31-19; 31-34; 31-37; 33-37; 35-31.5; 35-36; 35-37; 35-38; 35-42; 35-45; 35-46; 35-47; 35-50;**

**NONCODE**

HEA 1069 has the following provisions:

- It allows a petition to be filed with the juvenile court to order a person to refrain from contact with a member of a foster family home.
- It makes battery a Class A misdemeanor instead of a Class B misdemeanor if the offense is committed against a member of a foster family home by a person who is not a resident of the foster family home if the person who committed the offense is a relative of a person who lived in the foster family home at the time of the offense. It makes the offense a Level 6 felony if it results in bodily injury to a member of the foster family.

- It removes the sentencing enhancement for battery committed against a family or household member in the presence of a child from the battery statute and places it in the domestic battery statute. It specifies that numerous provisions in the battery statute constitute domestic battery if they are committed against a family or household member.
- It makes certain other changes to penalties concerning the offense of battery.
- It provides that a person who knowingly or intentionally violates a no-contact order in a child in need of services (CHINS) proceeding or in a juvenile delinquency proceeding commits a Level 6 felony.
- The act also makes conforming amendments.
- RC #416; CCR#2; 49-1

## **HEA 1085 FIREARMS AND CERTIFICATION**

**AUTHOR(S): EBERHART**

**SPONSOR(S): STEELE, DELPH, TOMES**

**CITATIONS AFFECTED: 34-30; 35-31.5; 35-47**

HEA 1085 defines "chief law enforcement officer" as an official whose certification is required under federal law for a person to manufacture or transfer certain firearms, and requires a chief law enforcement officer to issue a requested certification unless the person requesting the certification is:

- Prohibited by law from receiving or possessing a firearm; or
- The subject of a proceeding that could result in the person being prohibited by law from receiving or possessing a firearm.

The act also requires a chief law enforcement officer who denies a request for certification to explain the reasons for the denial in writing.

The act permits a person whose certification is denied the right to challenge the denial by filing an action in a circuit or superior court, specifies that the chief law enforcement officer bears the burden of proving that the denial was lawful, and permits the award of reasonable attorney's fees and other costs to the person if there was no substantial basis for the denial. It provides civil immunity to a chief law enforcement officer for acts or omissions made in good faith. (RC #204; 3<sup>rd</sup> Rdg; 45-5)

## **HEA 1130 IGNITION INTERLOCK DEVICES**

**AUTHOR(S): WESCO**

**SPONSOR(S): KRUSE, STEELE, RANDOLPH, BRODEN**

**CITATIONS AFFECTED: 5-2; 9-30**

HEA 1130 has the following provisions:

- Requires the Criminal Justice Institute (CJI) to establish standards for:
  - service centers;
  - inspections; and
  - ignition interlock device technicians.

- Specifies that certain fees relating to ignition interlock devices shall be paid by the service center, provider, or vendor, deposited in an account administered by the CJI, and used to defray the expense of testing and inspecting ignition interlock devices.
- Requires the CJI and the Bureau of Motor Vehicles to enter into a memorandum of understanding regarding ignition interlock devices.
- RC #372; CCR#1; 50-0

**HEA 1233 SEXUAL ASSAULT VICTIMS ASSISTANCE FUND**

**AUTHOR(S): OLTHOFF**

**SPONSOR(S): CRIDER, HEAD, RANDOLPH, BRODEN**

**CITATIONS AFFECTED: 5-2; 33-37**

HEA 1233 defines the term "trauma informed sexual assault services". The act requires the Governor to appoint a member recommended by a sexual assault coalition recognized by the federal Centers for Disease Control and Prevention (CDC) to the sexual assault victim advocate standards and certification board. It renames the "Sexual Assault Victims Assistance Account" as the "Sexual Assault Victims Fund".

The act requires the Victim Services Division of the Indiana Criminal Justice Institute to administer the fund. The act also requires the Victim Services Division to provide funding to:

- Establish and maintain rape crisis centers;
- Enhance services provided by existing rape crisis centers; and
- Develop, implement, and expand trauma informed sexual assault services.

The act allows the division to designate funds for program administration. It also requires the division to seek direction from a statewide nonprofit sexual assault coalition designated by the CDC, if any exists, before making a distribution from the fund. (RC #375; CCR#1; 50-0)

**HEA 1322 TRAIL COURT JURISDICTION**

**AUTHOR(S): KOCH**

**SPONSOR(S): STEELE, HEAD, BRODEN, RANDOLPH**

**CITATIONS AFFECTED: NUMEROUS PROVISIONS THROUGHOUT THE INDIANA CODE**

HEA 1322 specifies that circuit courts, superior courts, and probate courts have original and concurrent jurisdiction under certain provisions of the Indiana Code. The act requires the Public Defender Commission (rather than the Division of State Court Administration) to hire staff to support the Public Defender Commission. (RC #291; 3<sup>rd</sup> Rdg; 50-0)

**HEA 1369 JUVENILE JUSTICE**

**AUTHOR(S): MCNAMARA**

**SPONSOR(S): HOLDMAN, HEAD, BRODEN, RANDOLPH, MILLER, BUCK, ZAKAS**

**CITATIONS AFFECTED: 2-5; 33-38**

HEA 1369 requires the Commission on Improving the Status of Children to:

- Study and evaluate innovative juvenile justice programs, including juvenile community corrections; and
- Consult with the Justice Reinvestment Advisory Council concerning how funds should be distributed for innovative juvenile justice programs and juvenile community corrections.
- RC #302; 3<sup>rd</sup> Rdg; 49-1

## LOCAL GOVERNMENT

**SEA 87     MULTIPLE COUNTY PTABOA'S**  
**AUTHOR(S): KENLEY, HOUCHIN**  
**SPONSOR(S): PRICE, BAIRD, SMALTZ, BAUER**  
**CITATIONS AFFECTED: 6-1.1; 36-2**

SEA 87 provides that the legislative bodies of two or more counties may adopt substantially similar ordinances to establish a multiple county property tax assessment board of appeals (PTABOA). The act provides that a multiple county PTABOA must consist of either of the following number of members:

- Three members, not more than two of whom may be from the same political party.
- Five members, not more than three of whom may be from the same political party.

The act provides that the fiscal bodies of the counties that establish a multiple county PTABOA must adopt substantially similar ordinances to appoint the members of the multiple county PTABOA. The act provides that the compensation of members of a multiple county PTABOA shall be determined jointly by the fiscal bodies of the participating counties. It also requires the assessor's office for the county with the greatest population in a multiple county PTABOA to provide administrative support to the board. The act makes conforming amendments. (RC #32; 3<sup>rd</sup> Rdg; 48-0)

**SEA 126     POLITICAL SUBDIVISION INFORMATION ON THE INTERNET**  
**AUTHOR(S): MILLER, WALKER**  
**SPONSOR(S): ZENT, OBER, RIECKEN, MOED**  
**CITATIONS AFFECTED: 5-11; 5-14; 16-22; 16-23; NONCODE**

SEA 126 requires local governments and school corporations to provide information for posting on the Indiana Transparency Internet web site as follows:

- Expenditures categorized by personal services, other operating expenses or total operating expenses, and debt service, including lease payments, related to debt.
- A listing of fund balances, specifically identifying balances in funds that are being used for accumulation of money for future capital needs. It requires a political subdivision that has a public Internet web site to publish a link to the transparency website.

The act requires the Department of Local Government Finance (DLGF) after July 31, 2017, to publish an annual financial and operational summary of each political subdivision on the

transparency web site after July 31, 2017. It also requires the DLGF to determine the summary's form, content, and publishing dates.

The act provides that the Department of Education determines the educational performance information to be included in the summary published by a school corporation.

The act allows a county or city hospital to withhold from disclosure the individual salaries of hospital employees.

The act urges the Legislative Council to assign to the Interim Committee on Energy, Utilities, and Telecommunications, during the 2016 legislative interim, the topic of expanding the availability of open data in Indiana. (RC #313; Concurrence; 49-0)

**SEA 151 EXCLUDED CITY MILITARY BASE REUSE AUTHORITY**  
**AUTHOR(S): MERRITT, HEAD**  
**SPONSOR(S): PRICE, BOSMA**  
**CITATIONS AFFECTED: 36-7**

SEA 151 provides that absent an agreement in effect, the Fort Harrison Reuse Authority shall pay the city of Lawrence for:

- Police and fire protection at the same tax rate; and
- Utility services at the same rates and charges; imposed upon taxpayers in the excluded city.

The act provides that payments for city services are subordinate to debt service payments for bonds of the Authority issued before January 1, 2016. (RC #155; 3<sup>rd</sup> Reading; 49-0)

**SEA 217 TOWNSHIP ASSISTANCE PAYMENT OF ELECTRIC BILLS**  
**AUTHOR(S): HERSHMAN, HOUCHIN**  
**SPONSOR(S): VANNATTER, MAYFIELD, MOED**  
**CITATIONS AFFECTED: 12-20**

SEA 217 allows the township trustee to deposit township assistance funds in an account of a township assistance recipient with an electric service provider for prepaid electric service. The act excludes investor owned utilities from the definition of "electric service provider". It provides that the provider holds the township assistance funds as a fiduciary for the township trustee. It also establishes deadlines for the provider to remit township assistance funds to the township trustee if:

- The township trustee demands remittance of any township assistance funds remaining in the recipient's account; or
- The recipient's account with the provider is terminated.

The act requires the provider to provide a monthly accounting statement to the township trustee of any remaining balances of township assistance funds that are held by, expended by, or deposited with the provider. (RC #89; 3<sup>rd</sup> Reading; 50-0)

**SEA 232 LAND BANKS**

**AUTHOR(S): LANANE, ECKERTY**

**SPONSOR(S): PRICE, WRIGHT, AUSTIN, CLERE**

**CITATIONS AFFECTED: 34-30; 36-7**

SEA 232 authorizes a county, consolidated city, or second class city to which the unsafe building law applies to establish a municipal corporation known as a land bank to manage and improve the marketability of distressed real property in the county or city that establishes the land bank. The act requires a land bank's bylaws to require the land bank board to approve any conveyance of real property in an open meeting and consider any pertinent information regarding the property's value or the financial ability of a person before approving a conveyance. This act allows the land bank to enter into an agreement that conditions the purchase, transfer, or lease of property upon the person fulfilling conditions related to the mission of the land bank. It provides that the material failure of a person to fulfill the agreement may void the purchase, transfer, or lease, unless the land bank grants the person additional time to comply with the agreement. The act also specifies that the procedures for disposal of real or personal property by a local government do not apply to the land bank. (RC #92; 3<sup>rd</sup> Reading; 50-0)

**SEA 300 APPRAISMENT AND REAL ESTATE BROKERS**

**AUTHOR(S): BOOTS, ARNOLD, MERRITT**

**SPONSOR(S): MAHAN, TRUITT, RIECKEN, KLINKER**

**CITATIONS AFFECTED: 25-34.1; 32-17; 32-26; 32-28; 32-29; 32-30; 32-33; 34-54; 34-55**

SEA 300 removes the requirement that property sold at sheriff's sale be appraised. The act also adds to the existing list of acts that are exempt from the statute governing the licensure of real estate brokers for the performance of an evaluation of real property by a financial institution in connection with a transaction for which the financial institution would not be required to use the services of a state licensed appraiser under regulations adopted under Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989. (RC #147; 3<sup>rd</sup> Rdg; 50-0)

**SEA 306 BOND BANK COMMUNITY FUNDING**

**AUTHOR(S): BRAY, HEAD**

**SPONSOR(S): MAHAN, BROWN, DELANEY, PORTER**

**CITATIONS AFFECTED: 5-1.5; 5-13**

SEA 306 amends the Indiana Bond Bank law to require the county where a qualified entity is located to pay to the bond bank, from any assets of the qualified entity that are in the custody of the county, the amount of certain securities payments that the qualified entity has failed to make. It increases from five years to 10 years the maximum maturity period applicable to municipal securities purchased by the Treasurer of State (RC #348; 3<sup>rd</sup> Reading; 48-0)

**SEA 324 CONSTRUCTION PERMITS AND REGULATION**

**AUTHOR(S): MESSMER, YODER, ARNOLD**

**SPONSOR(S): VANNATTER, CLERE, STEMLER**

**CITATIONS AFFECTED: 16-19; 16-41; 22-13; 22-15; NONCODE**

SEA 324 provides the following:

- Deadlines for the Indiana State Department of Health (ISDH) to issue construction permits and conduct plan reviews for certain projects,
- Requires the ISDH to issue a construction permit without further review, if the ISDH fails to provide notice or a complete plan review within the time required by statute,
- Allows a person to apply for a construction permit from the ISDH and a design release from the Division of Fire and Building Safety (Division) by submitting a single application to the Division,
- Limits subsequent reviews to revisions and required corrections, and
- Requires the Fire Protection and Building Safety Commission to adopt policies and rules to promote preservation and use of downtown commercial buildings located within designated historic districts.
- RC #360; CCR#1; 49-0

**SEA 327 TRANSPARENCY PORTAL**

**AUTHOR(S): BASSLER, SCHNEIDER**

**SPONSOR(S): PRICE, HAMM**

**CITATIONS AFFECTED: 5-14**

SEA 327 requires a political subdivision to upload certain contracts to the Indiana transparency Internet web site during each year that the contract amount payable by the political subdivision for the year exceeds:

- 10% of the political subdivision's property tax levy; or
- \$50,000, whichever is less.
- RC #232; Concurrence; 45-0

**SEA 355 TAX SALES AND TAX SALE PROPERTIES**

**AUTHOR(S): NIEMEYER, MERRITT**

**SPONSOR(S): SLAGER, FINE, PRICE, PRYOR**

**CITATIONS AFFECTED: 6-1.1; 32-21**

SEA 355 provides that certain notices of tax sales may omit the descriptions of the properties to be offered for sale if:

- The notice includes a statement indicating that descriptions of the properties and minimum bids are available on the Internet web site of the county government or the county government's contractor and in printed form upon request; and
- The descriptions of the properties are made available on the county's Internet web site and in an electronic format, on a digital storage medium, or in printed form upon request.

The act provides that if a county auditor or county executive has published information concerning properties to be sold in a tax sale on the Internet web site of the county government or the county government's contractor, a person who requests information concerning descriptions of those properties in an alternative form may specify that the person prefers to receive the information in an electronic format, on a digital storage medium, or in printed form.

The act provides that if an owner of property that has been sold at a tax sale sells the property during the redemption period:

- The amount the buyer must pay to redeem the property includes any excess amount that was paid by the winner bidder at the tax sale and that is being held in the tax sale surplus fund;
- A county recorder may not record the conveyance document unless the buyer has redeemed the property; and
- If the buyer does not redeem the property before the end of the redemption period, the conveyance is inoperable and void.

The act also gives the Attorney General the power to enforce current law pertaining to agreements for compensation to locate, deliver, recover, or assist in the recovery of money deposited in a tax sale surplus fund with respect to real property as a result of a tax sale. The act provides that when a governmental entity or the state becomes the owner of real property with unpaid property taxes, delinquencies, fees, special assessments, and penalties assessed against the real property, the Department of Local Government Finance may release the lien against the real property and cancel these assessments with respect to the governmental entity, the state, or a subsequent purchaser, regardless of whether the property taxes were assessed before or after the governmental entity or the state became the owner of the real property. It specifies that the cancellation of the assessments and the release of the corresponding lien do not affect the liability of any person that is personally liable for the assessments. (RC #359; Concurrence; 48-1)

## **SEA 375 PREQUALIFICATION FOR PUBLIC WORKS PROJECTS**

**AUTHOR(S): HERSHMAN, YODER**

**SPONSOR(S): TORR, OBER**

**CITATIONS AFFECTED: 4-13.6; 8-23; 22-2**

SEA 375 has the following provisions:

- Delays from June 30, 2016, to December 31, 2016, the date after which public works projects that are awarded must comply with the requirement that a contractor be qualified under IC 4-13.6-4 or IC 8-23-10 before doing any work on the project.
- Requires that a contractor working on a project that is a public work be qualified by the Indiana Department of Administration's Certification Board.
- Requires that a contractor working on a project that is the construction, improvement, alteration, repair, or maintenance of a road, highway, street, or alley be qualified by the Indiana Department of Transportation.
- Exempts from the qualification requirement:
  - a materials supplier; and
  - a contractor doing any work on a public works project awarded by a local unit whenever:
    - the total amount of the contract awarded to the contractor for work on the public works project is less than \$300,000; and
    - the local unit complies with IC 36-1-12 in awarding the contract for the project.

- Requires that a list of contractors holding a valid certificate of qualification under IC 4-13.6-4 or IC 8-23-10 be available for public inspection during regular office hours and on the Internet.
- Excludes from the authority of the a county, city, town, or township to establish wage rates in a contract to which the unit is a party to a public works contract awarded by the unit unless federal or state law requires a wage scale or wage schedule.
- RC #340; Concurrence; 44-0

**SEA 380 REDEVELOPMENT COMMISSIONS**  
**AUTHOR(S): MISHLER, CHARBONNEAU, BRODEN**  
**SPONSOR(S):DEVON**  
**CITATIONS AFFECTED: 36-7**

SEA 380 allows members of the following boards and commissions to vote at electronic meetings:

- A redevelopment commission (in the case of Marion County, the metropolitan development commission acting as the redevelopment commission).
- A board of directors of a redevelopment authority (in the case of Marion County, the board of directors of the county convention and recreational facilities authority).
- A military base reuse authority.

The act requires the redevelopment commission or military base reuse authority to adopt policies governing member participation in electronic meetings of both the commission or authority and the redevelopment authority board of directors. The act provides that a non-voting adviser appointed to a redevelopment commission may be an individual recommended by the school board to the appointing authority (instead of a member of the school board). (RC #341; Concurrence; 44-0)

**HEA 1017 PUBLICATION OF NOTICE BY POLITICAL SUBDIVISIONS**  
**AUTHOR(S): TORR**  
**SPONSOR(S):MERRITT, RAATZ, KRUSE, RANDOLPH**  
**CITATIONS AFFECTED: 5-3; 9-22; 16-18; 20-48; 36-12**

HEA 1017 provides that in certain circumstances, a political subdivision (other than a county) may publish notice in a locality newspaper that circulates in the political subdivision instead of in a newspaper that is published in the county and circulates in the political subdivision. It establishes requirements for locality newspapers that may publish notice. (RC #244; 3<sup>rd</sup> Rdg; 46-4)

**HEA 1025 ALTERNATE REZONING PROCEDURE**  
**AUTHOR(S): MILLER**  
**SPONSOR(S):YODER, BANKS, BUCK, BRODEN**  
**CITATIONS AFFECTED: 36-7; NONCODE**

HEA 1025 creates an optional alternate procedure to apply to rezoning proposals that provides the following:

- If the plan commission makes a favorable recommendation, the rezoning proposal becomes effective unless an aggrieved person or the legislative body notifies the plan commission by a specified date.
- If the plan commission makes an unfavorable recommendation or no recommendation, the rezoning proposal is defeated unless an aggrieved person or the legislative body notifies the plan commission by a specified date.
- If the plan commission is notified by an aggrieved person or the legislative body by a specified date, the legislative body shall consider and make the final determination on the rezoning proposal. It reconciles a conflict in a statute concerning rezonings within an excluded city. (RC #220; 3<sup>rd</sup> Reading; 41-4)

**HEA 1294 LOCAL GOVERNMENT MATTERS**

**AUTHOR(S): JUDY**

**SPONSOR(S): HEAD, BUCK, RANDOLPH**

**CITATIONS AFFECTED: 6-1.1; 36-10**

HEA 1294 provides that in the case of the construction, remodeling, redevelopment, rehabilitation, or repair of real property that is:

- Paid for by a private person using public funds; and
- Owned by a private person after completion of the project; the county assessor must reassess the property by carrying out a physical inspection.

The act also provides that in the case of a city park board, the appointee by the school board maybe either a member of the school board or a resident of the school corporation. (Under current law, such an appointee must be a member of the school board.) (RC #287; 3<sup>rd</sup> Rdg; 50-0)

**HEA 1298 ANNEXATION**

**AUTHOR(S): NEGELE**

**SPONSOR(S): BRAY, BUCK**

**CITATIONS AFFECTED: 13-18; 36-4; 36-9**

HEA 1298 has the following provisions:

- Changes contiguity requirements so that property adjacent to only one side of the public highway (instead of both sides) must be:
  - within the annexing municipality's boundaries; or
  - annexed by the same ordinance that annexes the public highway.
- Reduces the number of required public information meetings from six meetings to three meetings if the annexation is initiated by the landowners.
- Specifies that a landowner whose property is subject to a valid waiver of remonstrance may not file a remonstrance to the annexation.
- Requires a fiscal plan prepared after June 30, 2016, to include in the information provided for each parcel in the annexation territory, the existence of a known waiver of the right to remonstrate on the parcel.
- Establishes deadlines for:
  - the county auditor to forward remonstrance petitions to the annexing municipality; and

- the annexing municipality to forward documentation regarding valid waivers of the right of remonstrance to the county auditor.
- Allows municipalities in Kosciusko County to annex noncontiguous territory that is to be used as an industrial park.
- Makes a technical amendment and it resolves a conflict with a provision in ESB 310-2016
- RC #395; CCR#1; 49-1

## **NATURAL RESOURCES**

### **SEA 45 MUSEUMS**

**AUTHOR(S): GLICK, MERRITT**

**SPONSOR(S): TORR, CLERE**

**CITATIONS AFFECTED: 4-37; 32-34**

SEA 45 allows a majority of the current members serving on the Board of Trustees of the Indiana State Museum and Historic Sites Corporation to constitute a quorum. Current law specifies that 13 voting members must be present to constitute a quorum. The act changes procedures concerning property loaned to a museum, including the acquisition of ownership of property loaned to a museum by the museum. (RC# 77; 3<sup>rd</sup> Rdg; 50-0)

### **SEA 109 REGULATION OF WILD ANIMALS AND HUNTING PRESERVES**

**AUTHOR(S): MESSMER, STEELE, TOMES**

**SPONSOR(S): EBERHART, LEHE, GOODIN, NIEZGODSKI**

**CITATIONS AFFECTED: 14-8; 14-11; 14-22; 15-17; 35-52; NONCODE**

SEA 109 includes the following provisions:

- Excludes the Wild Animal Permit from the law requiring notice and hearing on an application for certain permits.
- Exempts licensed hunting preserves and cervidae livestock operations from the licensing requirements for game breeders.
- Provides that certain fish and wildlife laws do not apply to certain legally owned captive bred cervidae and members of the bovidae family that may be hunted as permitted animals on hunting preserves.
- Provides for the initial licensing by the State Board of Animal Health (BOAH) of hunting preserves on which permitted animals are hunted.
- Establishes licensing requirements, inspection requirements, and fees for hunting preserves and exempts licensed hunting preserves from the licensing requirements for shooting preserves.
- Provides that hunters on hunting preserves are required to have a special hunting permit.
- Specifies the fees for special hunting permits.
- Provides that hunters on hunting preserves are not subject to bag limits and requires that a transportation or cull tag be affixed to each animal taken on a hunting preserve.
- Establishes the Captive Cervidae Programs Fund.

- Prohibits computer assisted remote hunting on hunting preserves and establishes penalties for certain violations.
- Establishes 4 Level 6 felonies for knowingly or intentionally violating certain provisions as follows:
  - failure to report an escape within 24 hours after the escape is discovered;
  - release of a privately owned cervid into the wild or the release of a nonpermitted cervid on a hunting preserve;
  - computer assisted remote hunting on a hunting preserve; and
  - allowing a cervid to be hunted within 24 hours of previous sedation
- RC #34; 3<sup>rd</sup> Rdg; 29-19

**SEA 238 SOIL AND WATER CONSERVATION FUNDING**

**AUTHOR(S): GLICK, MESSMER**

**SPONSOR(S):MORRISON, EBERHART, ERRINGTON**

**CITATIONS AFFECTED: 6-6; 6-7; 14-32; 15-11**

SEA 238 includes the following provisions:

- Specifies that a certain part of the Cigarette Tax Fund money annually appropriated to the Indiana Department of Natural Resources under current law shall be appropriated to and used by the Division of Soil Conservation of the Indiana Department of Agriculture for soil conservation.
- Provides that the limit on the amount of local government funds received by a soil and water conservation districts that the state may be obligated to match must be adjusted if, because of a merger or a change in boundaries, the territory of the soil and water conservation district:
  - is larger than the entire area of one county; or
  - is smaller than the entire area of one county.
- Provides that a soil and water conservation district that does not receive funding from a political subdivision may receive funding from another funding source, and that the funding from the other funding source qualifies for the dollar-for-dollar matching funding from the Division of Soil Conservation.
- Removes the administration of the Lake and River Enhancement Program from the statutory duties of the Division of Soil Conservation of the Indiana Department of Agriculture to conform to current practice.
- Provides that the current maximum amount of state matching funds of \$920,000 from the Clean Water Indiana Fund will still be available for distribution to soil and water conservation districts in the event that a district's territory is reconfigured. If districts are consolidated under current law, they will only be eligible for matching funds of up to \$10,000 per district resulting in a decrease in the total amount of matching funds available from the Clean Water Indiana Fund.
- The provision allowing districts to source matching dollars for the state grants from any funding source rather than only funds from a political subdivision may allow more districts to qualify for the state matching grants if alternate funding sources are available. This provision potentially could result in an additional annual expenditure of \$10,000 assuming the one district that did not meet the match would have an alternate source for the required match.

- RC #314; Concurrence; 49-0

**SEA 336 MINE SUBSIDENCE**

**AUTHOR(S): BECKER, MESSMER**

**SPONSOR(S): BACON, HEATON, SULLIVAN, KERSEY, BAIRD, MORRISON, ARNOLD, BRAUN, NEGELE, WASHBURN, BORDERS, ELLINGTON, KOCH, DAVISSON, MCNAMARA, RIECKEN**

**CITATIONS AFFECTED: 14-34; 27-7**

SEA 336 allows the Post-1977 Abandoned Mine Reclamation Fund to be used for the restoration of land that has been affected by surface coal mining operations. The act:

- Removes the requirement that mine subsidence be caused by the collapse of inactive coal mines abandoned before August 3, 1977, and will take effect on January 1, 2017.
- Removes the exclusion of public buildings from the definition of structure and provides that mine subsidence coverage must include coverage of up to \$15,000 for additional living expenses reasonably and necessarily incurred by an insured who is temporarily displaced as a direct result of damage caused by mine subsidence.
- Creates a trust fund of the Post-1977 Abandoned Mine Reclamation Fund by expanding and specifying what the money can be spent on, with oversight from the Indiana General Assembly.
- Specifies that an insured who elects to purchase coverage for the loss in actual cash value of a covered structure due to mine subsidence may waive coverage for living expenses incurred while temporarily displaced from a damaged residence.
- Expands the types of properties that may be covered by mine subsidence insurance to include dwelling, building or fixture that is owned by a public or governmental entity. Current law excludes these properties from the definition. This provision would allow cities and towns, airports, utilities, schools, etc., to purchase mine subsidence insurance. However, the maximum coverage level would not change and insurance premiums would have to be paid.
- Specifies that the circumstances that apply to an insured mine subsidence event include the collapse of any underground coal mine - not those that were abandoned prior to August 1977. The Department of Insurance reported that this provision could potentially increase legal fees related to actions for recovery of claims from the known owners of the collapsed mine.
- RC #112; 3<sup>rd</sup> Rdg; 50-0

**HEA 1231 DEER HUNTING**

**AUTHOR(S): ARNOLD**

**SPONSOR(S): TOMES, MESSMER, STEELE**

**CITATIONS AFFECTED: 14-22; 35-43**

HEA 1231 provides that certain rifles may be used to hunt deer on privately owned land during the firearms seasons beginning after June 30, 2016, and ending before January 1, 2020. The act requires the Indiana Department of Natural Resources to report on the impact of the use of rifles to hunt deer. The act authorizes the use of a handgun that fires a commercially available bullet of

10 millimeters in diameter to hunt deer. This act takes effect immediately upon passage. (RC #374; CCR #1; 38-12)

**HEA 1246 VARIOUS NATURAL RESOURCES MATTERS**

**AUTHOR(S): EBERHART**

**SPONSOR(S): GLICK, LEISING**

**CITATIONS AFFECTED: 4-4; 6-1.1; 14-8; 14-9; 14-15; 14-16; 14-22; 14-28; 14-31; 14-34; 25-36.5; NONCODE**

HEA 1246 removes from the Natural Resources Commission's duties to administer parts of the flood control program and the flood control revolving fund. Current law provides that the Indiana Finance Authority administers the program and fund. The act:

- Provides that an application to have land classified as native forest land, a forest plantation, or wild lands must be handled by the county assessor. Current law requires the county auditor to handle the applications.
- Provides that a person who operates certain boats that do not have an aft light commits a Class C infraction.
- Prohibits the use of unmanned aerial vehicles to scout game during the period beginning 14 days before the beginning of the hunting season and ending upon the expiration of legal hunting hours on the last day of the hunting season.
- Changes the name of the Public Information and Education Division of the Department of Natural Resources to the Communications Division.
- Specifies the type of flotation device that a person on a boat or personal watercraft must have.
- Amends the list of law enforcement offices that may be notified of a boating accident, and provides that the violation of certain boating rules is a Class C infraction.
- Allows the operator of a nonregistered off-road vehicle or a snowmobile from another state or country to purchase a trail use tag to operate on designated trails and properties.
- Allows the director of Department of Natural Resources to authorize the taking of wild animals on historic site property if certain conditions are met, where take is defined as "to kill, shoot, spear, gig, catch, trap, harm, harass, or pursue a wild animal." This "take" provision is the only portion of the act that goes into effect upon passage.
- Removes the Department of Natural Resources' authority to issue commemorative migratory waterfowl and game bird habitat restoration stamps.
- Allows the manager of a public use airport, or the manager's designee, to trap coyotes and migratory birds without a license if the coyotes or birds pose a threat to aircraft.
- Repeals the dog training ground permit statute and removes a provision concerning the application of hunter orange requirements during certain hunting seasons.
- Provides that a ginseng dealer who purchases or sells ginseng for resale or exportation without a license commits a Class B misdemeanor.
- Amends certain lien procedures on complete projects to restore or prevent adverse effects of past coal mining practices on privately owned land.
- Adds conservancy districts and certain wastewater treatment systems to the participants that may qualify for loans or other financial assistance.

- Removes the total loan limit, loan period, and fixed interest rate to a participant and allows the authority to establish interest rates for each loan.
- Increases the registration fees for timber buyers and agents of timber buyer and repeals a provision concerning the transition of rulemaking authority from the Natural Resources Commission to the Indiana Finance Authority with respect to the administration of the flood control revolving fund.
- RC #278; 3<sup>rd</sup> Rdg; 48-2

## **PENSIONS & LABOR**

### **SEA 20 WORKFORCE POLICIES**

**AUTHOR(S): BOOTS, WALKER**

**SPONSOR(S): HARMAN, GUTWEIN, WESCO**

**CITATIONS AFFECTED: 22-1; 22-2; 22-4; NONCODE**

SEA 20 provides that a local governmental unit may not establish, mandate, or otherwise require an employer to provide to an employee who is employed within the jurisdiction of the unit a scheduling policy that exceeds the requirements of federal or state law, rules, or regulations, unless federal or state law provides otherwise. The act urges the Legislative Council to assign to the Interim Study Committee on Employment and Labor or another appropriate interim study committee during the 2016 legislative interim the topics of employee misclassification, payroll fraud, and the use of independent contractor status. The act also provides:

- An attorney who represents an employer, an employing unit, or a claimant in a claim for unemployment benefits pending before an administrative law judge, the Review Board, or another individual who adjudicates claims must be:
  - An attorney in good standing admitted to the practice of law in Indiana; or
  - An attorney in good standing admitted to the practice of law in another state who has been granted temporary admission to the State Bar under the Rules for Admission to the Bar and the Discipline of Attorneys adopted by the Supreme Court.
- The persons that may represent an employer or employing unit, or a claimant, having an interest in a pending claim for benefits.
- A claimant may also designate a lay person of the claimant's choice to assist the claimant in the presentation of the claimant's case.
- Direction to the Department of Workforce Development to update its rules concerning representation of parties involved in claims for benefits.
- RC #382; CCR#1; 50-0

### **SEA 148 PUBLIC EMPLOYEES' DEFINED CONTRIBUTION PLAN**

**AUTHOR(S): BUCK**

**SPONSOR(S): BURTON**

**CITATIONS AFFECTED: 5-10.3; NONCODE**

SEA 148 contains the following provisions regarding Public Employees' Defined Contribution Plan:

- The state or a political subdivision may elect whether certain retired members of the Public Employees' Retirement Fund may begin or resume membership in the Public Employees' Defined Contribution Plan for periods of reemployment with the state or a participating political subdivision.
- An individual who is both a member of the fund and a member of the plan may purchase service credit in the fund after the member is vested in the fund with money in the annuity savings account that is attributable to service in the plan.
- Urges the Legislative Council to assign to the Interim Study Committee on Pension Management Oversight during the 2016 legislative interim the topic of whether membership in the plan should be the default option for an individual who becomes for the first time a full-time employee of the state in a position that would otherwise be eligible for membership in the fund.
- RC #38; 3<sup>rd</sup> Rdg; 48-0

**SEA 301 WORKFORCE EDUCATION**

**AUTHOR(S): KENLEY, ECKERTY, RAATZ**

**SPONSOR(S): HUDSON, TRUITT, GOODIN**

**CITATIONS AFFECTED: 20-19; 20-20; 20-24; 20-26; 21-18; 21-38; 21-41; 22-4.1; 22-4.5**

SEA 301 makes various revisions to the Indiana Code relating to workforce development. The act:

- Requires the Department of Workforce Development (DWD) to prepare an occupational demand report before July 1, 2016, regarding the expected workforce needs of employers for a 10-year projection and the training and education that will be required to meet those expected workforce needs.
- Requires DWD to categorize these workforce needs and training and education requirements by job classification on a statewide basis and also for each region designated under the federal Workforce Innovation and Opportunity Act of 2014 (WIOA).
- Provides that in preparing the labor market demand report and the average wage-level report used in determining school funding for career and technical education, the DWD shall consider the information included in the report.
- Requires the DWD, with the assistance of the Commission for Higher Education (CHE), Ivy Tech Community College (Ivy Tech), the Department of Education, and local Workforce Development Boards, to do the following for each region designated under the WIOA:
  - Prepare an inventory of the career and technical education courses available to students attending high school in the region and of the certification courses provided by Ivy Tech in the region.
  - Identify any gaps or imbalances between the career and technical education courses and certification courses offered and the workforce needs and training and education requirements in the region.
- Requires the DWD, with the assistance of the CHE, Ivy Tech, and local Workforce Development Boards, to annually:

- Develop recommendations concerning the career and technical education courses and courses leading to a certification that should be offered at high schools within each region designated under the WIOA;
  - Report to the Budget Committee before January 1 of each year concerning the recommendations; and
  - Report the recommendations to the board of trustees, administration, and faculty of Ivy Tech at a meeting scheduled by the Ivy Tech Board of Trustees.
- Requires the DWD, in consultation with the CHE and Ivy Tech, to develop a procedure for measuring certain outcomes for credential or degree completers and separately for current or previously enrolled students of Ivy Tech.
- Requires advisory committees established by Ivy Tech to do the following:
  - Consider the workforce needs and training and education needs identified in the occupational demand report prepared by the DWD.
  - Present to the Ivy Tech Board of Trustees any findings or recommendations of the advisory committee concerning those needs.
- Requires the CHE, in consultation with DWD, to develop and recommend funding amounts and performance metrics that reward workforce training programs that are not included in the postsecondary performance funding formula.
- Provides that these funding amounts and performance metrics must be aligned with the workforce needs and training and education requirements reported by the DWD.
- Specifies that a regional Works Council may develop an alternative career, technical, or vocational educational curriculum for high school students in its region in order to provide a curriculum that is aligned with the workforce needs of the region as described in the occupational demand report. (Current law allows a regional Works Council to develop an alternative curriculum under certain circumstances, and requires approval by the State Board of Education (SBOE) before the alternative curriculum may be implemented.)
- Requires the Department of Education and the DWD to prepare a report containing certain information for each high school and each school corporation for the immediately preceding school year.
- Provides that the Board of Trustees of Ivy Tech shall establish an administrative structure for Ivy Tech that provides the support necessary for:
  - Workforce training programs, including programs designed for the direct entry of individuals into the workforce; and
  - Programs to enhance the skills of workers.
- Requires Ivy Tech to employ two vice presidents.
- Provides that before November 1, 2016, and each November 1 thereafter, Ivy Tech shall provide the Budget Committee certain information for each of Ivy Tech's owned or operated campus locations or sites that offer ongoing academic programs and services.
- Requires Ivy Tech to annually report to the DWD concerning certificate programs available that are linked to third-party certifications, including the enrollment, completion, and subsequent employment for students completing certificate programs.
- Requires Ivy Tech to annually report to the CHE, the DWD, and the Legislative Council concerning:
  - The elimination or restructuring of certain programs and services;

- The development of courses and programs identified as being required to meet workforce needs; and
- Whether the resources available to Ivy Tech are sufficient.
- Requires the president of Ivy Tech to report each year concerning progress in the efforts to align courses and programs with the workforce needs and educational requirements within each Works Council Region. It requires the Ivy Tech Board of Trustees to do the following in its development and adoption of programs leading to a certificate and for workforce training programs:
  - Consider findings and recommendations that are submitted to the board of trustees by advisory committees.
  - Obtain and consider comments and input from Indiana employers and employer organizations.
  - Ensure that the programs are aligned with the primary purposes of Ivy Tech.
- Requires the (SBOE) to consider the workforce needs and training and education requirements reported by the DWD when the (SBOE) makes revisions to its long-range state plan for secondary level career and technical education programs.
- Provides that in carrying out its duties to match education and training programs with current and future needs of the state's job market, the Indiana Career Council shall consider the workforce needs and training and education requirements reported by the DWD.
- Specifies that certain of these requirements sunset on July 1, 2020.
- RC# 369; CCR#1; 50-0

**HEA 1032 VARIOUS PENSION MATTERS**

**AUTHOR(S): CARBAUGH**

**SPONSOR(S):BOOTS, BROWN, BUCK, ARNOLD**

**CITATIONS AFFECTED: 5-10; 5-10.2; 5-10.3; 5-10.4**

HEA 1032 makes various revisions to the Indiana Code relating to pensions. The act:

- Provides that the assets of the State Excise Police, Gaming Agent, Gaming Control Officer, and Conservation Enforcement Officers' retirement plan may be commingled for investment purposes with the assets of other funds administered by the board of trustees of the Indiana Public Retirement System.
- Provides that an employer who elects to purchase special death benefit coverage for an eligible emergency medical services provider must pay for the coverage annually as prescribed by the board.
- The act eliminates the guaranteed fund investment option after December 31, 2016, for members of the Public Employees' Retirement Fund (PERF) and the Teachers' Retirement Fund (TRF) and replaces the guaranteed fund with an unguaranteed stable value fund investment option.
- Provides that a miscellaneous participating entity that freezes its participation in PERF must begin payment of its additional contributions to fully fund the service of its PERF members not later than July 1, 2016, or a date determined by the board. It allows the board to charge interest on any amount that remains unpaid after the payment date determined by the board.

- Provides for the disbursement or investment of annuity savings account money if an unvested member of PERF or TRF is suspended, and discontinues the practice of moving that annuity savings account money to a reserve account.
- Provides that a retired or disabled member of PERF or TRF who has begun to receive benefits may change the member's designated beneficiary or the form of the member's benefit any number of times.
- Allows an individual to become a member of the Public Employees' Defined Contribution plan who:
  - is an employee of the state on July 1, 2016;
  - became for the first time, after January 1, 2013, a full-time employee of the state in a position that is eligible for membership in PERF; and
  - is a member of PERF.
- Requires the individual to make the election not later than July 30, 2016.
- Provides that for an individual who makes the election:
  - The individual's service in PERF is considered participation in the plan for purposes of vesting in the employer contribution subaccount, and the individual waives service credit in PERF for the service;
  - The amount credited to the individual's annuity savings account in PERF is transferred to the individual's member contribution subaccount in the plan; and
  - The amounts paid to PERF by the state as employer normal cost contributions for the individual are transferred to the individual's employer contribution subaccount in the plan.
  - RC# 180; 3<sup>rd</sup> Rdg; 48-0

**HEA 1161 PENSION THIRTEENTH CHECKS**

**AUTHOR(S): GUTWEIN**

**SPONSOR(S):BOOTS, KRUSE, TALLIAN, RANDOLPH**

**CITATIONS AFFECTED: 6-8.1; NONCODE**

HEA 1161 provides for a thirteenth check in 2016 for certain members of the:

- Indiana State Teachers' Retirement Fund;
- Public Employees' Retirement Fund;
- State Excise Police, Gaming Agent, Gaming Control Officer, and Conservation Enforcement Officers' Retirement Plan;
- State Police 1987 Benefit System; and
- State Police Pre-1987 Benefit System.
- RC# 410; 3<sup>rd</sup> Rdg; 49-0

**HEA 1344 UNEMPLOYMENT INSURANCE**

**AUTHOR(S): LEONARD**

**SPONSOR(S):BOOTS, KENLEY**

**CITATIONS AFFECTED: 22-4; 22-4.1**

HEA 1344 makes various revisions to the Indiana Code relating to unemployment insurance. The act:

- Abolishes the Indiana unemployment compensation board and transfers the board's duties to the Department of Workforce Development (DWD).
- Revises the circumstances under which the DWD may waive work search requirements for an individual receiving benefits.
- After an individual begins receiving benefits, the individual must visit and receive an orientation to the services available through a one stop center in order to maintain eligibility to receive benefits.
- Allows the DWD to waive the orientation requirement under certain circumstances.
- Requires the DWD to submit a report to the General Assembly and the Governor before December 1 of each year concerning the status of the unemployment compensation system.
- Requires the DWD to make a presentation at each meeting of the Budget Committee held before November 1, 2016, concerning this same information.
- Limits the amount of money from the Special Employment and Training Services Fund that can be used by the DWD for certain purposes to not more than \$5,000,000 per state fiscal year, unless the Budget Committee approves an additional amount.
- Provides that grants from the fund to various state educational institutions for apprenticeship programs and training and counseling assistance:
  - Are the first expenditures from the fund each state fiscal year; and
  - Are contingent only on the availability of money and do not require approval by the DWD.
- Urges the Legislative Council to assign to the Interim Study Committee on Employment and Labor or another appropriate interim study committee during the 2016 legislative interim the topic of establishing a committee or board to oversee the Unemployment Insurance Trust Fund and the Special Employment and Training Services Fund.
- RC# 376; CCR#1; 50-0

**HEA 1359 EMPLOYMENT OF VETERANS AS PUBLIC SAFETY OFFICERS**

**AUTHOR(S): MORRIS**

**SPONSOR(S): BROWN, HEAD, ARNOLD, RANDOLPH**

**CITATIONS AFFECTED: 36-8**

HEA 1359 waives the maximum hiring age restrictions that apply to the appointment and hiring of police officers and firefighters for an individual who is a veteran of the armed forces and who meets certain requirements. The act provides that an individual who is appointed as a police officer or a firefighter as the result of a waiver is eligible to become a member of the 1977 Police Officers' and Firefighters' Pension and Disability Fund (1977 fund). The act requires a member of the 1977 fund to retire at 70 years of age. (RC# 212; 3<sup>rd</sup> Rdg; 47-1)

**HEA 1373 VETERANS' MATTERS**

**AUTHOR(S): BORDERS**

**SPONSOR(S): TOMES, MESSMER, RANDOLPH, MILLER, LANANE**

**CITATIONS AFFECTED: 10-16; 12-15**

HEA 1373 extends employment protections under the federal Uniformed Services Employment and Reemployment Rights Act and extends the rights, benefits, and protections under the

Servicemembers Civil Relief Act to members of the National Guard of another state during state sponsored activation. This act also allows an individual (and the individual's dependent) to resume Medicaid eligibility and remain on Medicaid waiver waiting lists, who is:

- An active member of the Armed Services of the United States or the National Guard;
- A legal Indiana resident;
- Assigned for duty or deployed outside Indiana; and
- Eligible for Medicaid waiver services or Medicaid assistance; to resume Medicaid eligibility and remain on Medicaid waiver waiting lists.
- RC# 305; 3<sup>rd</sup> Rdg; 50-0

## **PUBLIC POLICY**

### **SEA 169 SPECIAL PERMITS**

**AUTHOR(S): ALTING, BANKS**

**SPONSOR(S): EBERHART, CLERE, MACER**

**CITATIONS AFFECTED: 7.1-3**

SEA 169 provides that if a permit holder:

- Holds one-way, two-way, or three-way permits that are issued, without regard for quota restrictions, for certain premises; and
- Holds a permit for a microbrewery that is located on or adjacent to those premises; the permit holder may sell, at those premises, beer manufactured at the brewery.

The act also adds one additional three-way permit to the number of three-way permits that the Alcohol and Tobacco Commission may issue to the proprietor of a restaurant within or not more than 1,500 feet from a motorsports investment district. (RC #130; 3<sup>rd</sup> Rdg; 46-4)

### **SEA 172 REGULATION OF PRIVATE CLUBS**

**AUTHOR(S): BECKER, TOMES, ALTING**

**SPONSOR(S): MCNAMARA, BACON, RIECKEN**

**CITATIONS AFFECTED: 7.1-3**

SEA 172 allows the holder of a club permit to designate one or more days in each calendar month as guest days, not to exceed a total of four guest days in any calendar month (instead of one day each week). (RC #85; 3<sup>rd</sup> Rdg; 50-0)

### **SEA 177 ALCOHOLIC BEVERAGE MATTERS**

**AUTHOR(S): MESSMER, ARNOLD, ALTING**

**SPONSOR(S): LEHMAN, GIAQUINTA**

**CITATIONS AFFECTED: 7.1-3; 7.1-5**

SEA 177 makes the following changes to various alcoholic beverage matters:

- Prohibits the Alcohol and Tobacco Commission (ATC) from issuing a beer dealer's permit to a package liquor store unless the proprietor of the package liquor store satisfies Indiana resident ownership requirements.

- Amends the ownership residency requirements for the issuance of an alcoholic beverage dealer's permit to a corporation, limited partnership, or limited liability company for the premises of a package liquor store.
- Allows the ATC to renew or transfer ownership of an alcoholic beverage dealer's permit of any type for the holder of a dealer's permit who:
  - Held the permit for the premises of a package liquor store before January 1, 2016; and
  - Does not qualify for the permit under the amended residency requirements.
- Allows the refilling of a bottle or container with hard cider in an establishment that manufactures hard cider.
- Allows the refilling of a bottle or container with a product from a farm winery.
- Allows the holder of a retailer's permit issued for the premises of a hotel or restaurant to temporarily amend floor plans to use a banquet or gathering space to sell or dispense alcoholic beverages from a temporary bar or service bar.
- Allows, if certain conditions are met, the holder of a retailer's permit that is issued for the premises of a hotel that is owned by an accredited college or university to sell or dispense, for on premises consumption only, alcoholic beverages from a:
  - Nonpermanent bar that is located on; or
  - Service window located on the licensed premises that opens to; an outside area or terrace that is contiguous to the main building of the licensed premises of the hotel.
- Provides that a holder of a retailer's permit that is issued to a restaurant may sell or dispense alcoholic beverages from a service window that opens to an outside patio or terrace.
- RC #367; CCR #1; 43-7

**SEA 294 SALE OF CARRYOUT AT INDIANAPOLIS 500 RACE**  
**AUTHOR(S): ALTING, YOUNG, HERSHMAN**  
**SPONSOR(S):DERMODY, EBERHART, TRUITT, MACER**  
**CITATIONS AFFECTED: 7.1-3**

SEA 294 provides that the holder of a three-way permit that is issued to a premises located at a facility used in connection with the operation of a paved track more than two miles in length may sell sealed bottles of liquor or wine for consumption off the licensed premises:

- From one or more locations on the premises; and
- On the date of the Indianapolis 500 Race in the 2016 calendar year from 7 a.m., prevailing local time, to 7 p.m., prevailing local time.

The act further requires the:

- Holder of the three-way permit to disclose to the Alcohol and Tobacco Commission, at least 14 days before the Indianapolis 500 Race, that the holder intends to sell the bottles; and
- Bottles to be decorative bottles commemorating the one hundredth anniversary of the Indianapolis 500 Race.
- RC #145; 3<sup>rd</sup> Rdg; 45-5

**SEA 339 DAILY FANTASY SPORTS**

**AUTHOR(S): FORD, ALTING**

**SPONSOR(S):MORRISON, DERMODY, KILINKER, EBERHART**

**CITATIONS AFFECTED: 4-31; 4-33; 31-25; NONCODE**

SEA 339 creates new provisions regarding daily fantasy sports. The act:

- Provides that a paid fantasy sports game does not constitute gaming for any purpose.
- Provides that paid fantasy sports games may be conducted through an Internet web site maintained and operated by a game operator or on the premises of certain licensed facilities under a contract between a game operator and the owner of the licensed facility.
- Provides for the regulation of paid fantasy sports games by the Paid Fantasy Sports Division of the Gaming Commission.
- Provides that the Paid Fantasy Sports Division has certain powers and duties for purposes of administering, regulating, and enforcing paid fantasy sports.
- Provides that an individual must be at least 18 years of age to participate in a paid fantasy sports game.
- Provides that any prize awarded in a paid fantasy sports game must be made known before the paid fantasy sports game begins.
- Requires a game operator to implement certain procedures concerning:
  - Preventing certain individuals from competing in paid fantasy sports games;
  - Verifying that a game participant is at least 18 years of age;
  - Allowing individuals to restrict themselves from entering paid fantasy sports games; and
  - Disclosing the number of paid fantasy sports games a single game participant may enter.
- Establishes the Fantasy Sports Regulation and Administration Fund.
- Provides that fees and civil penalties under the fantasy sports regulation provisions must be deposited in the Fantasy Sports Regulation and Administration Fund.
- Appropriates money in the fund for the state fiscal year beginning July 1, 2016, and ending June 30, 2017.
- Provides that:
  - The game operator initial fee is at least \$50,000, but may be increased up to \$75,000 if the Paid Fantasy Sports Division increases the fee to cover the costs of the operation of the division; and
  - The annual fee for a game operator is \$5,000.
- Provides that a licensee's license is contingent upon the determination by the Paid Fantasy Sports Division that the licensee is in compliance with the statute.
- Requires a licensee to be investigated every three years to determine compliance.
- Provides that a licensee shall bear the cost of investigations.
- Provides that a "paid fantasy sports game":
  - Must require participants to pay, with cash or a cash equivalent, an entry fee to participate; and
  - May not be based on the results of certain horse races.
- Provides that the Paid Fantasy Sports Division may adopt rules, including emergency rules, to implement the chapter, except for certain prohibited topics.

- Requires game operators or licensees to make a reasonable effort to withhold cash winnings of obligors for amounts the obligors are delinquent in child support and allows game operators or licensees to deduct and retain an administrative fee in relation to withholding the obligor's delinquent child support.
- Permits the Department of Child Services to share delinquent child support obligors' data with game operators.
- Prohibits a game operator from:
  - Advertising a paid fantasy sports contest in any publication or medium that is aimed exclusively to juveniles; and
  - Advertising a paid fantasy sports contest or running promotional activities concerning a paid fantasy sport contest at elementary schools, high schools, and at sports venues used exclusively for student sports activities.
- Urges the Legislative Council to assign to the appropriate study committee the topics of:
  - The regulation of paid fantasy sports;
  - The taxation of paid fantasy sports; and
  - The interception of past due taxes and child support owed by paid fantasy sports game players.
- RC #338; Concurrence; 34-10

**HEA 1201 COMPANION ANIMAL STERILIZATION**

**AUTHOR(S): KARICKHOFF**

**SPONSOR(S):HERSHMAN, GROOMS, ARNOLD, STOOPS, RANDOLPH**

**CITATIONS AFFECTED: 9-18; 15-17; 15-20**

HEA 1201 makes changes related to companion animal sterilization. The act:

- Authorizes the Board of Animal Health to establish a registry of animal care facilities.
- Requires that beginning July 1, 2021, a dog or a cat in an animal care facility must be spayed or neutered before adoption from the facility.
- Defines "animal care facility" as an animal control center, an animal shelter, a humane society, or another animal impounding facility that has as its purpose the humane treatment of animals and that has dogs or cats that are available for adoption, including governmental and private entities and animal rescues.
- Exempts certain cats and dogs from the spay or neuter requirement.
- Requires that certain forfeited deposit amounts held by an animal care facility be remitted to the Bureau of Motor Vehicles for deposit into a trust fund (established by the Treasurer of State for a special group's license plate) for a special group that provides spay-neuter services.
- RC #207; 3<sup>rd</sup> Rdg; 50-0

**HEA 1386 VARIOUS ALOCOHOL, TOBACCO, AND E-LIQUID MATTERS**

**AUTHOR(S): DERMODY**

**SPONSOR(S):ALTING, ARNOLD**

**CITATIONS AFFECTED: 7.1-2; 7.1-3; 7.1-4; 7.1-5; 7.1-7; 34-30**

HEA 1386 makes various changes to alcohol, tobacco, and e-liquid matters:

- Allows, if certain conditions are met, the holder of a retailer permit that is issued for the premises of a hotel that is owned by an accredited college or university to sell or dispense, for on premise consumption only, alcoholic beverages from a:
  - Nonpermanent bar that is located on; or
  - Service window located on the licensed premises that opens to; an outside area or terrace that is contiguous to the main building of the licensed premises of the hotel.
- Allows the refilling of a bottle or container with a product from a farm winery.
- Allows the holder of an artisan distiller's permit to:
  - Sell liquor for carryout on Sunday in a quantity at any one time of not more than four and five-tenths liters; and
  - With the approval of the Alcohol and Tobacco Commission (ATC), to participate in a trade show or an exposition for not more than 45 days in a calendar year.
- Clarifies that the holders of artisan distiller's permits, microbrewery permits, and farm winery permits may participate with one another in a trade show or exposition.
- Adds violations of certain tobacco and cigarette laws to the list of laws for which the ATC may investigate and enforce penalties.
- Allows the ATC to:
  - Investigate;
  - Enforce penalties; and
  - Suspend or revoke tobacco sales certificates for failing to pay a civil penalty; if a certificate holder sells or distributes tobacco products or electronic cigarettes at a location determined to be a public nuisance or at which conduct or acts that are prohibited under IC 35 occur.
- Allows an alcoholic beverage permittee or employee of the permittee to retain a driver's license, identification card, or government issued document (ID card) that is provided as proof of age for making an alcoholic beverage purchase, if the permittee has:
  - Received alcohol server training; and
  - A reasonable belief that the ID card has been altered, falsified, or was not issued to the person who provided the card.
- Establishes requirements concerning retaining an ID card.
- Provides that the permittee is immune from civil or criminal liability for retaining an ID card, unless the permittee obtains the ID card by using force against the person.
- Allows the ATC to issue, if certain conditions are met, a temporary beer permit for a festival or event to a person who has held a brewer's permit for a microbrewery for at least three years and meets other requirements.
- Amends the definition of "hotel," for purposes of the alcoholic and tobacco laws, to allow a hotel to have at least 25 separate sleeping rooms under separate roofs if certain conditions are met. (Current law defines a hotel as having at least 25 separate sleeping rooms under one continuous roof).
- Provides that the Department of Natural Resources (DNR) may apply for a three-way permit for a state park.
- Provides that the ATC shall issue a permit to the DNR for a state park without:
  - Publication of notice or investigation before a local board; and
  - Regard to quota provisions.

- Provides that an annual permit fee for a three-way permit for a state park is \$250.
- Allows the holder of a club permit to designate one or more days in each calendar month as guest days, not to exceed a total of four guest days in any calendar month (instead of one day each week).
- Provides that the holder of a three-way permit that is issued to a premises located at a facility used in connection with the operation of a paved track more than two miles in length may sell sealed bottles of liquor or wine for consumption off the licensed premises:
  - From one or more locations on the premises; and
  - On the date of the Indianapolis 500 Race in the 2016 calendar year from 7 a.m., prevailing local time, to 7 p.m., prevailing local time.
- Requires the:
  - Holder of the three-way permit to disclose to the ATC, at least 14 days before the Indianapolis 500 Race, that the holder intends to sell the bottles; and
  - Bottles to be decorative bottles commemorating the one hundredth anniversary of the Indianapolis 500 Race.
- Provides that if a permit holder:
  - Holds one-way, two-way, or three-way permits that are issued, without regard for quota restrictions, for certain premises; and
  - Holds a permit for a microbrewery that is located on or adjacent to those premises; the permit holder may sell, at those premises, beer manufactured at the microbrewery.
- Adds one additional three-way permit to the number of three-way permits that the ATC may issue to the proprietor of a restaurant within or not more than 1,500 feet from a motorsports investment district.
- Prohibits the ATC from issuing a beer dealer's permit to a package liquor store unless the proprietor of the package liquor store satisfies Indiana resident ownership requirements.
- Amends the ownership residency requirements for the issuance of an alcoholic beverage dealer's permit to a corporation, limited partnership, or limited liability company for the premises of a package liquor store.
- Allows the ATC to renew or transfer ownership of an alcoholic beverage dealer's permit of any type for the holder of a dealer's permit who:
  - Held the permit for the premises of a package liquor store before January 1, 2016; and
  - Does not qualify for the permit under the amended residency requirements.
- Allows the holder of a retailer's permit issued for the premises of a hotel or restaurant to temporarily amend floor plans to use a banquet or gathering space to sell or dispense alcoholic beverages from a temporary bar or service bar.
- Allows the ATC to issue four new three-way permits to sell alcoholic beverages for on-premises consumption to applicants in Whitestown, Lebanon, Zionsville, Westfield, Carmel, and Fishers, with the total number of active permits issued not exceeding 24 permits at any time.
- Provides that the cost of the initial permits are \$40,000.
- Clarifies certain requirements regarding security firm requirements for e-liquid mixing, bottling, packaging, or selling.

- RC #309; 3<sup>rd</sup> Rdg; 33-17

Multiple amendments were proposed to HEA 1386. One amendment by Senator Karen Tallian, D-Portage, that failed by a voice vote would have removed the following provisions from the act:

- That the Department of Natural Resources may apply for a three-way permit for a state park.
- That the Alcohol and Tobacco Commission shall issue a permit to the Department of Natural Resources for a state park without:
  - Publication of notice or investigation before a local board; and
  - Regard to quota provisions. Provides that an annual permit fee for a three-way permit for a state park is \$250.

## **RULES & LEGISLATIVE PROCEDURE**

### **SEA 344 CIVIL RIGHTS**

**AUTHOR(S): HOLDMAN, HERSHMAN**

**SPONSOR(S):**

**CITATIONS AFFECTED: 22-2; 22-9; 22-9.5; 34-13; 34-28; NONCODE**

SB 344 would have amended various provisions of the Indiana Code relating to civil rights. The act:

- Prohibited discriminatory practices in acquisition or sale of real estate, housing, education, public accommodations, employment, the extending of credit, and public contracts based on military active duty status, or sexual orientation.
- Provided protections for religious liberty and conscience.
- Limited the adoption of a civil rights ordinance after December 31, 2015, that applies to a class of persons not covered by state law.
- Permitted local civil rights agencies to order the employment of a veteran.
- Provided that the changes in the act to the civil rights law and the fair housing law are nonseverable.
- Provided that a court is to use the material burden analysis in reviewing certain claims involving religion, thought, speech, and assembly.
- Repealed the substantially burden of religion analysis in reviewing certain claims involving government action.

SB 344 passed out of the Senate Committee on Rules and Legislative Procedure by a vote of 7-5, but did not receive a vote on the floor due to a lack of support from the Republican Caucus. One notable amendment offered in committee was Amendment #13 that would have deleted the language in SB 344 and inserted language from SB 2 proposed by Senate Democrats to amend civil rights enforcement statutes to prohibit discrimination based on sexual orientation, gender identity, national origin, disability, veteran status, and ancestry. This amendment failed by voice vote.

## **TAX & FISCAL POLICY**

**SEA 11 ABLE SAVINGS ACCOUNTS; MEDICAID REIMBURSEMENT RATES**  
**AUTHOR(S): KENLEY, HOUCHIN, HERSHMAN**  
**SPONSOR(S): CLERE, OLTHOFF, PORTER, BROWN, SCHAIBLEY, KOCH, BACON,**  
**KLINKER, SUMMERS, MCNAMARA, SULLIVAN, RIECKEN, PRYOR,**  
**NIEZGODSKI, LEONARD, MAYFIELD, LEHMAN, FINE, ELLINGTON**  
**CITATIONS AFFECTED: 12-7; 12-11; 12-15**

SEA 11 creates the "achieving a better life experience" (ABLE) authority and the ABLE board of the authority. It provides that the authority may establish a qualified ABLE program under which a person may make contributions for a taxable year for the benefit of an eligible individual with a disability to an ABLE account to meet the qualified disability expenses of the designated beneficiary in compliance with federal law. The act sets forth duties and powers of the authority and the board, and establishes a general operating fund, endowment fund, and trust fund.

It removes language that sets Medicaid reimbursement rates for services provided by: an ICF/MR facility; or a community residential facility for the developmentally disabled, and voids an administrative rule setting Medicaid reimbursement rates for services by these facilities. (RC #321; Concurrence; 45-0)

**SEA 23 TECHNICAL CORRECTIONS**  
**AUTHOR(S): HERSHMAN, HOLDMAN**  
**SPONSOR(S): GUTWEIN**  
**CITATIONS AFFECTED: 4-35; 5-30; 5-32; 6-3; 6-3.1; 6-8**

SEA 23 repeals conflicting provisions contained in HEA 1019-2015 (Common construction wage and public works) concerning applicability of the requirements in HEA 1019-2015. The provisions that would be repealed were added by HEA 1019-2015 and repealed by SEA 441-2015 during the 2015 legislative session.

It clarifies that the principal amount of money contributed by an employer to a medical care savings account (MSA) for which no state or federal tax exemption for the employee applies may be withdrawn from the MSA account for any purpose without the employee incurring taxable income based on the principal contribution.

The act resolves the conflicts in IC 4-35-7-12 that were caused by four laws enacted during the 2015 legislative session. It specifies the following resolution for the two conflicts that were substantive in nature (HEA 1540-2015 and HEA 1001-2015):

- That the term "slot machine" wagering is stricken in favor of "gambling game" wagering (the HEA 1540-2015 version).
- That \$150,000 is to be annually deposited into the gaming integrity fund to pay the cost of taking and analyzing equine specimens instead of being distributed to the horse racing industry (the HEA 1001-2015 version). It incorporates the changes that became law that were not in substantive conflict.

It corrects a reference in the definition of corporate adjusted gross income to incorporate a change made in SEA 441-2015 that changed the term directly related intangible interest expenses to be directly related interest expenses, and makes technical corrections and conforming changes to SEA 441-2015. (The introduced version of this bill was prepared by the Code Revision Commission.) (RC #319; Concurrence; 50-0)

**SEA 67 LOCAL INCOME TAX DISTRIBUTIONS**  
**AUTHOR(S): HERSHMAN, KENLEY, YODER**  
**SPONSOR(S): BROWN, SOLIDAY, RIECKEN, SMITH**  
**CITATIONS AFFECTED: 6-3.6; NONCODE**

SEA 67 provides for a supplemental distribution of local income taxes when the balance in a county's local income tax trust account exceeds 15% (rather than 50%, under current law) of the certified distributions to be made to the county. It specifies the accounting, allocation method, and distribution requirements for supplemental distributions.

The act requires a one-time special allocation of the balance in a county's trust account as of December 31, 2014 to be made before May 2016. It provides that a taxing unit's allocation amount is to be determined in the same manner as a supplemental distribution would have generally been determined under the former income taxes, and requires a special distribution of the allocation amount.

It provides that at least 75% of the distributions made to a county, city, or town must be: used exclusively for local road construction, maintenance, or repair, or capital projects for aviation, including capital projects of an airport authority; or deposited in a rainy day fund and later used for those purposes. The act allows any remaining distribution to a county, city, or town to be used for any purposes of the county, city, or town. It also requires the allocation amount for other taxing units to be deposited in the taxing unit's rainy day fund. (RC #407; CCR#1; 50-0)

**SEA 173 MOTORSPORTS RACING**  
**AUTHOR(S): YOUNG, MILLER, TAYLOR**  
**SPONSOR(S): FRIZZELL, THOMPSON, FRYE**  
**CITATIONS AFFECTED: 4-30; 6-3; 21-13; NONCODE**

SEA 173 requires, rather than permits, the Department of State Revenue to adopt rules, guidelines, or other instructions to establish alternative methods of simplifying return filing for motorsports racing teams and members. The act specifies that the rules and guidelines required to be adopted by the department must apply retroactively to taxable years beginning after December 31, 2013. (RC #401; CCR#1; 50-0)

**SEA 213 911 FEES**  
**AUTHOR(S): HERSHMAN, MERRITT**  
**SPONSOR(S): KARICKHOFF, BROWN, FRYE**  
**CITATIONS AFFECTED: 36-8**

SEA 213 eliminates the requirements that a communications service provider designated by the Utility Regulatory Commission as an eligible telecommunications carrier for purposes of receiving Lifeline reimbursement from the universal service fund must pay the following to the statewide 911 board:

- A one-time charge based on the enhanced prepaid wireless charge with respect to end users for which the provider received reimbursement from the universal service fund before August 1, 2015.
- A one-time fee based on the monthly statewide 911 fee with respect to end users for which the provider received reimbursement from the universal service fund before August 1, 2015.

The act specifies that for purposes of the enhanced prepaid wireless charge statute:

- A "retail transaction" does not include a transaction in which an eligible telecommunications carrier receives Lifeline reimbursement from the universal service fund; and
- The charge is not required to be paid by an eligible telecommunications carrier that is required to pay the monthly statewide 911 fee for the same transaction.
- The act makes a technical change.
- RC #385; CCR#1; 50-0

**SEA 304 PROPERTY TAX MATTERS**  
**AUTHOR(S): KENLEY, HOLDMAN, HERSHMAN**  
**SPONSOR(S): BROWN, BARTLETT**  
**CITATIONS AFFECTED: 6-1.1; NONCODE**

SEA 304 has the following provisions:

- Increases the assessed value limit for the property tax deduction for certain veterans with a disability from \$143,160 to \$175,000 for the January 1, 2017 assessment date.
- Allows an individual to claim a deduction from the assessed value of the individual's homestead if:
  - the individual served in the military or naval forces of the United States;
  - the individual received an honorable discharge;
  - the individual has a disability of at least 50%;
  - the individual's disability is evidenced by a pension certificate or an award of compensation issued by the United States Department of Veterans Affairs or by a certificate of eligibility issued to the individual by the Indiana department of veterans' affairs; and
  - the homestead was conveyed without charge to the individual who is the owner of the homestead by an organization that is exempt from income taxation under the federal Internal Revenue Code.
- Specifies that a property continues to qualify as a homestead if the property is leased while the owner is away from Indiana serving on active duty in the armed forces, if the individual has lived at the property at any time during the past 10 years. (Current law specifies that a property ceases to qualify as a homestead if the property is leased while such an individual is away from Indiana.)
- RC #334; Concurrence; 44-0

**SEA 308 LOCAL TAX MATTERS**  
**AUTHOR(S): HERSHMAN, BASSLER**  
**SPONSOR(S): BROWN, LEHE, CHERRY, THOMPSON**  
**CITATIONS AFFECTED 6-1.1; 6-3; 6-3.6; 36-2; 36-7; NONCODE**

SEA 308 concerns local tax matters and contains the following provisions:

- When calculating the base rate for agricultural land for the January 1, 2016, assessment date and each assessment date thereafter, the department of local government finance (DLGF) shall do the following:
  - Use the six most recent years preceding the year in which the assessment date occurs for which data is available (before the highest of those six years is eliminated when determining the rolling average).
  - After determining a preliminary base rate that would apply for the assessment date, adjust the preliminary base rate as follows:
    - If the preliminary base rate for the assessment date would be at least 10% greater than the final base rate determined for the preceding assessment date, a capitalization rate of 8% shall be used to determine the final base rate.
    - If the preliminary base rate for the assessment date would be at least 10% less than the final base rate determined for the preceding assessment date, a capitalization rate of 6% shall be used to determine the final base rate.
    - If the preliminary base rate for the assessment date is neither at least 10% greater nor at least 10% less than the final base rate determined for the preceding assessment date, a capitalization rate of 7% shall be used to determine the final base rate.
- Specifies that for purposes of the assessment of agricultural land, the soil productivity factors used for the March 1, 2011, assessment date shall be used for the January 1, 2016 assessment date and each assessment date thereafter. (Under current law, new soil productivity factors are to be used for assessment dates occurring after March 1, 2015.)
- Deletes the requirement that an assessor shall examine and verify the accuracy of each personal property tax return filed by a taxpayer. Provides instead that an assessor may examine and verify the accuracy of a personal property tax return if the assessor considers the examination and verification of that personal property return to be useful to the accuracy of the assessment process.
- Increases the assessed value per acre of classified forest land, classified windbreaks, and classified filter strips from \$1 per acre to \$13.29 per acre for the January 1, 2017 assessment date.
- Increases the assessed value by the annual percentage change in the consumer price index for assessment dates after January 1, 2017.
- Adds certain types of property to the exemption for property used for public airport purposes.
- Authorizes a county fiscal body to adopt an ordinance to capture taxes from all taxing units in a taxing district when there is an appeal that is uncommon and infrequent.
- Specifies that such a taxing unit may not include these captured taxes as part of an appeal for a shortfall levy increase.
- Gives municipalities an exemption from the maximum property tax levy limits if:

- the percentage growth in the municipality's assessed value for the preceding year compared to the year before the preceding year is at least two times the assessed value growth quotient; and
- the municipality's population increased by at least 150% between the last two decennial censuses. Specifies that such a municipality may increase its property tax levy in excess of the levy limits by a percentage equal to the lesser of 6% or the percentage growth in the municipality's assessed value for the preceding year compared to the year before the preceding year.
- Allows Cain Township in Fountain County to increase its maximum township unit levy and its maximum levy for fire protection and emergency services for 2017, but limits the increase to what each of these levies would be for 2017 if the township had imposed the maximum amount for each of these levies since 2003.
- Allows the fiscal body of Howard Township in Washington County to adopt a resolution to authorize the township executive to request that the DLGF increase the township's maximum permissible property tax levy for 2017 and thereafter, and requires the DLGF to increase the maximum levy by 10%.
- Allows a county fiscal body to impose a local income tax (LIT) rate for a public safety emergency assistance answering point that is part of the statewide 911 system (PSAP) if the adopting body in the county is the LIT council and the LIT council has not allocated the revenue from an expenditure rate of at least 0.1% to a PSAP in the county. The act specifies that the rate may not exceed 0.1%, and requires that the revenue generated by the rate is to be paid only to the county unit and used only for a PSAP.
- Allows a county to use excess reserves in its prisoner reimbursement fund for the costs of care, maintenance, and housing of prisoners, including the cost of housing prisoners in the facilities of another county.
- Expires the downtown Indianapolis consolidated allocation area on January 1, 2051 under the tax increment financing (TIF) law.
- Urges the interim study committee on fiscal policy to study the topic of allowing an exemption from the maximum levy limits for growing municipalities.
- RC #414; CCR#1; 44-6

**SEA 309 STATE AND LOCAL TAXATION**

**AUTHOR(S): HERSHMAN, HOLDMAN**

**SPONSOR(S): BROWN, HUSTON, THOMPSON**

**CITATIONS AFFECTED: 5-10; 5-20; 6-1.1; 6-2.5; 6-3; 6-8.1; 6-9; 8-15; 8-15.5; 8-15.7; 16-46; 25-2.1; 36-1; 36-2; 36-3; 36-7; NONCODE**

SEA 309 contains the following provisions related to state and local taxation:

- Eliminates the property tax exemption for the planning and construction of a residence that is conveyed to a low-income individual by a nonprofit organization upon completion.
- Restricts, but does not eliminate, the property tax exemption for improvements on real property that are constructed, rehabilitated, or acquired for the purpose of providing low-income housing.
- Specifies that the payments in lieu of taxes (PILOTS) required from a property owner claiming such an exemption may not be imposed for an assessment date occurring after January 1, 2017.

- Eliminates the property tax deduction for residential rehabilitation of a dwelling.
- Eliminates the property tax deduction for rehabilitation of a structure over 50 years old.
- Requires that state use tax is imposed on a contractor's conversion of construction material into real property if that construction material was purchased by the contractor, except if:
  - the sales or use tax has been previously imposed on the contractor's acquisition or use of that construction material;
  - the person for whom the construction material is being converted could have purchased the construction material exempt from the sales and use tax (as evidenced by an exemption certificate) if that person had directly purchased the material from a retail merchant in a retail transaction; or
  - the conversion of the construction material into real property is governed by a time and material contract.
- Specifies that a contractor is a retail merchant making a retail transaction when the contractor disposes of tangible personal property or converts tangible personal property into real property under a time and material contract.
- Specifies that a person is a retail merchant making a retail transaction for purposes of state gross retail and use taxes when the person rents or furnishes rooms, lodgings, or accommodations (lodgings) that:
  - are rented or furnished for periods of less than 30 days; and
  - are located in a house, condominium, or apartment in which lodgings are rented or furnished for transient residential housing for consideration.
- Defines "facilitator" as a person who:
  - contracts with a person who rents or furnishes lodgings for consideration to market the lodgings through the Internet; and
  - accepts payment from the consumer for the lodging.
- Specifies that a facilitator is a retail merchant making a retail transaction when the facilitator accepts payment from the consumer for lodgings rented or furnished in Indiana.
- Requires that a retail merchant who rents or furnishes lodgings provide an itemized statement to the consumer of the lodging that states the following:
  - The part of the gross retail income charged for the rental or furnishing of the lodging.
  - Any taxes collected by the person renting or furnishing the lodging.
  - Any part of the gross retail income that is a fee, commission, or other charge of a facilitator.
- Imposes a penalty of \$25 on a facilitator for each transaction in which the facilitator fails to separately state such information.
- Repeals the state sales tax exemption for the cutting of steel bars into billets after 2016. The act clarifies that the exemption applies retroactively to transactions occurring from 2010 through 2015, but that a taxpayer is not entitled to a refund of state sales taxes paid on those transactions.
- Allows a taxpayer to claim the \$1,500 additional dependent deduction for a dependent child for whom the taxpayer is the legal guardian starting in taxable year 2018.

- Allows the state income tax credit for certain acute care hospitals for part of the property taxes paid by the hospital to be carried forward if the hospital cannot use the entire credit because of the taxpayer's income tax liability for that taxable year.
- Repeals the state income tax credit for contributions to the twenty-first century scholars' program support fund and makes conforming changes.
- Outlines criteria for determining the date on which a taxpayer has made a contribution to a 529 plan.
- Specifies if an ordinance has been adopted requiring the payment of the innkeeper's tax to the county treasurer instead of the department, the county treasurer has the same rights and powers with respect to refunding the innkeeper's tax as the department.
- Specifies if a partnership, a trust, or an estate fails to withhold and pay any amount of tax required to be withheld and thereafter the tax is paid by the partners of the partnership (or the beneficiaries in the case of a trust or estate), the amount of tax paid by partners (or the beneficiaries in the case of a trust or estate) may not be collected from the partnership, trust, or estate. Specifies that the partnership, trust, or estate remains liable for interest or penalty based on the failure to withhold the tax.
- Specifies if the department issues to a person a demand notice for the payment of a tax, the person has 20 days (rather than 10 days, under current law) to either pay the amount demanded or show reasonable cause for not paying the amount demanded.
- Allows for a public-private agreement for communications systems infrastructure to be entered into using the procedures that apply to requests for proposals by the Indiana finance authority (IFA) or using a request for information and entering into negotiations with a single offeror. The act allows the IFA to set user fees as part of the public-private agreement.
- Specifies that any improvements on any real property interests may be owned by the IFA, a governmental entity, an operator, or a private entity instead of having to be owned in the name of the state or by a governmental entity.
- States that local planning and zoning laws do not restrict or regulate the exercise of eminent domain power by the IFA or the use of property owned or occupied by the IFA.
- Reconciles a conflict with SEA 23-2016 and HEA 1036-2016.
- Urges the Legislative Council to assign the topic of the eligibility of low income housing for a property tax exemption to a study committee.
- RC #415; CCR#1; 49-1

**SEA 321 LOCAL GOVERNMENT BUDGETING**

**AUTHOR(S): MILLER, GROOMS, BUCK**

**SPONSOR(S): HUSTON, PORTER, KLINKER, SMITH**

**CITATIONS AFFECTED 6-1.1; 6-3.6; 12-29; 36-1.5; 36-7; NONCODE**

SEA 321 contains the following provisions concerning local government budgeting:

- For each budget year after 2018, requires the Department of Local Government Finance (DLGF) to certify a political subdivision's budget, tax rate, and tax levy no later than:
  - December 31 of the year preceding the budget year, unless a taxing unit in a county is issuing debt after December 1 in the year before the budget year or intends to file a shortfall appeal; or

- January 15 of the budget year, if a taxing unit in a county is issuing debt after December 1 in the year preceding the budget year or intends to file a shortfall appeal. (Under current law, these certifications must be completed not later than February 15 of the budget year.)
- Retains the November 1 deadline for a political subdivision to adopt a budget for the following year.
- Specifies that after 2017, the county auditor shall provide before June 1 an initial estimate of assessed valuations to political subdivisions within the county.
- For calendar years after 2017, changes:
  - the date by which a county must submit the coefficient of dispersion study and property sales assessment ratio study to the DLGF;
  - the date by which a political subdivision must submit a proposal to establish a cumulative fund to the DLGF;
  - the date by which the budget agency must provide to the DLGF and county auditors an estimate of each county's local income tax distributions for the following year; and
  - the date by which the DLGF must estimate each taxing unit's distribution of local income tax for the following year.
- Changes other deadlines in the local budgeting process in order to conform to the December 15 deadline for DLGF certification of budgets, tax rates, and tax levies.
- Requires the DLGF to provide taxing units with an estimate of the maximum property tax levies that will apply for the ensuing calendar year before July 15 of each year.
- Requires the DLGF to provide to each taxing unit an estimate of the amount by which the taxing unit's distribution of property taxes may be reduced by circuit breaker credits in the ensuing year before August 1 of each year.
- Requires the DLGF to calculate and certify the allowable budget of the fund of a political subdivision subject to the levy limits, if the political subdivision adopts a tax levy that exceeds the estimated maximum levy limits as provided by the DLGF.
- Specifies that for a fund subject to levy limits and for which the political subdivision adopts a tax levy that is not more than the levy limits, the DLGF shall review the fund to ensure the adopted budget is fundable based on the unit's adopted tax levy and estimates of available revenues.
- Requires the Budget Agency to provide the assessed value growth quotient for the ensuing year to civil taxing units, school corporations, and the DLGF before July 1 of each year.
- Requires the DLGF to provide:
  - the maximum property tax rate that may be imposed by the political subdivision for each cumulative fund or other fund for which a maximum rate is established; and
  - the property tax rates that must be imposed by the political subdivision in the following year for debt service to political subdivisions.
- Requires the DLGF to update the estimate before August 1.
- Specifies that in formulating a political subdivision's estimated budget, the proper officers of the political subdivision must consider the net property tax revenue that will

be collected by the political subdivision during the ensuing year, after taking into account the DLGF's estimates of:

- the amount by which the political subdivision's distribution of property taxes will be reduced by circuit breaker credits; and
- the maximum amount of net property tax revenue and miscellaneous revenue that the political subdivision will receive in the ensuing year.
- Repeals the statutes concerning county fiscal body non-binding review of local budgets, tax levies, and tax rates and the nonbinding review pilot project.
- Requires the county fiscal body to review the following at a public meeting:
  - The estimated levy limits provided by the DLGF.
  - The estimated circuit breaker credit impact on taxing units. Provides that after this meeting is held, the county fiscal body may prepare and distribute a written recommendation for taxing units in the county.
- For property taxes first due and payable after December 31, 2016, specifies that the maximum appropriations for a community intellectual disability and other developmental disabilities center is equal to the maximum allowable appropriation by the county for the preceding year multiplied by the assessed value growth quotient.
- Specifies that a county shall fund the operation of community mental health centers (unless a lower tax levy amount will be adequate to fulfill the county's financial obligations, as provided under current law) in an amount equal to:
  - the maximum amount that could have been levied in the county in the preceding year (using the amount calculated under for this purpose in 2004 as the base amount); multiplied by
  - the county's assessed value growth quotient.
- Requires the DLGF to provide to counties before July 15 of each year an estimate of the maximum appropriation amount for the ensuing year.
- Specifies that for purposes of determining the property tax levy limits, a county's or municipality's tax levy excludes all the taxes imposed for a county or municipal cumulative capital development fund.
- Requires the DLGF to provide an annual report to each county and municipality with an estimate of:
  - the maximum tax rate that the county, city, or town may impose for a cumulative capital development fund; and
  - the maximum amount of property taxes imposed for community mental health centers or community intellectual disability and other developmental disabilities centers that are exempt from the levy limits for the ensuing year.
- Requires the DLGF to make a one-time permanent adjustment to the levy limits equal to the amount of property taxes imposed on personal property of banks that became subject to assessment in 1989 (this amount is currently excluded under a separate statute).
- Repeals the statute providing that property taxes imposed by a county or municipality to pay supplemental juror fees (above the required amount) are exempt from the levy limits.
- Changes the date by which a redevelopment commission must determine the amount, if any, of excess assessed value that may be allocated to the respective taxing units from July 1 to June 15 of each year.

- Urges the Legislative Council to assign the study of the procedures by which a political subdivision in a county may:
  - transfer the political subdivision's funds to another political subdivision located in the same county; and
  - transfer additional money from the political subdivision's other funds into the political subdivision's rainy day fund or general operating fund to an interim study committee.
- RC #336; Concurrence; 44-0

**SEA 323 LEGISLATIVE STUDIES**  
**AUTHOR(S): HERSHMAN, MILLER**  
**SPONSOR(S): HUSTON, PORTER, KLINKER, BROWN**  
**CITATIONS AFFECTED: NONCODE**

SEA 323 requires the Legislative Services Agency to:

- Study the combined reporting approach to apportioning income and transfer pricing for income tax purposes; and
- Report the results of the study before October 1, 2016, to the legislative council and to the interim study committee on fiscal policy. The act requires the interim study committee on fiscal policy to hold at least one public hearing at which the legislative services agency presents the results of the study.

The act urges the Legislative Council to assign certain study topics related to gaming to an interim study committee. It also urges the Legislative Council to assign the topic of federal requirements for home and community based settings to the Interim Study Committee on Fiscal Policy. (RC #337; Concurrence; 44-0)

**SEA 381 CIGARETTE AND TOBACCO TAXES**  
**AUTHOR(S): MISHLER, KENLEY, WALKER**  
**SPONSOR(S): BROWN**  
**CITATIONS AFFECTED: 6-7; NONCODE**

SEA 381 changes the stamp discount for cigarette distributors from \$0.012 to \$0.013, and changes the tax collection allowance for tobacco distributors from \$0.006 to \$0.007 for tobacco products other than cigarettes. It also repeals the tax that applies to cigarette papers, wrappers, and tubes, and makes conforming changes. (RC #351; Concurrence; 48-2)

**HEA 1040 FOOD AND BEVERAGE TAX**  
**AUTHOR(S): COX**  
**SPONSOR(S): KRUSE, LEISING, BRODEN, RAATZ**  
**CITATIONS AFFECTED: 6-9**

HEA 1040 provides that, subject to the duty to pay amounts pledged to the repayment of existing obligations, the existing uses of the Henry County food and beverage tax are optional rather than mandatory. It adds the construction, renovation, improvement, or repair of county roads to the list of capital improvements for which Henry County is authorized to use county food and

beverage tax revenues, and removes obsolete provisions concerning the existing county capital improvements committee, which is abolished by current law on January 1, 2016. The act establishes a county food and beverage tax advisory committee to make recommendations to the county fiscal body concerning the use of food and beverage tax revenue.

It allows the fiscal officer of any municipality in Allen County to request that the county auditor determine and report to the fiscal officer the percentage amount of the county supplemental food and beverage tax that is collected in the preceding year in:

- each municipality; and
- the unincorporated territory of the county.

The act also provides that the county auditor may charge a municipality that makes a request for the supplemental food and beverage tax percentages in the preceding year for any direct costs associated with determining and reporting the information. (RC #249; 3<sup>rd</sup> Rdg; 36-14)

### **HEA 1081 LOCAL INCOME TAX**

**AUTHOR(S): THOMPSON**

**SPONSOR(S):HERSHMAN, MILLER, RANDOLPH**

**CITATIONS AFFECTED: 5-1; 5-10; 5-16; 5-28; 6-1.1; 6-3; 6-3.1; 6-3.5; 6-3.6; 6-8; 6-8.1; 6-9; 8-14; 8-18; 8-25; 12-20; 12-29; 16-22; 16-31; 20-26; 22-4; 36-1; 36-3; 36-4; 36-7; 36-7.5; 36-7.6; 36-8; 36-9; 36-10**

HEA 1081 updates various laws to conform them to the new local income tax (LIT) law, and adds provisions concerning Lake, LaPorte, and Porter counties concerning the Northwest Indiana Regional Development Authority.

It addresses the treatment of counties that had only the county economic development income tax regarding the property tax rate for cumulative capital development funds of counties and municipalities, and specifies provisions for the transition of a formerly adopted homestead credit under a county option income tax to a property tax relief rate under the new LIT.

The act adds provisions concerning expenditure rate allocations, and specifies that the auditor of state is to assist adopting bodies and county auditors in calculating credit percentages and amounts under all provisions of the LIT law.

The act adds provisions to the LIT law to incorporate changes that were adopted to the former income tax laws during the 2015 legislative session, and cures conflicts with 2015 enactments that refer to the former income tax laws and conflicts with SB 21-2016. It also repeals obsolete and outdated provisions and makes technical corrections. (RC #221; 3<sup>rd</sup> Rdg; 41-4)

### **HEA 1169 BUSINESS PERSONAL PROPERTY TAX EXEMPTION**

**AUTHOR(S): SAUNDERS**

**SPONSOR(S):HERSHMAN, LEISING**

**CITATIONS AFFECTED: 6-1.1**

HEA 1169 replaces the requirement that a taxpayer that is eligible for the business personal property tax exemption submit to the county assessor a notarized statement each year affirming the taxpayer's eligibility for the exemption, subject to penalties for perjury, with a requirement that the taxpayer indicate on the taxpayer's personal property return that the taxpayer is eligible for the exemption for the assessment date. (RC #192; 3<sup>rd</sup> Rdg; 49-1)

**HEA 1180 PILOTS, CHARGES, AND FEES ON TAX EXEMPT PROPERTY**  
**AUTHOR(S): BURTON**  
**SPONSOR(S): KRUSE, HERSHMAN, RANDOLPH**  
**CITATIONS AFFECTED: 36-1; 36-7**

HEA 1180 provides that a political subdivision may not do any of the following with regard to tax exempt property that is located in a tax increment allocation area and either:

- Was located in the allocation area before the designation of the allocation area and has been continuously used for a tax exempt purpose since the date the allocation area was designated; or
- Was donated for a tax exempt purpose:
  - Unless it is upon the request of the owner of the property, impose a payment in lieu of taxes (PILOT) or other charge or user fee on the property.
  - Unless it is upon the request of the owner of the property, enter into an agreement requiring a PILOT or other charge or user fee on the property as a condition of granting, issuing, or approving certain permits or zoning approvals, or as a condition of continuing governmental services to the property.
  - Unless it is upon the request of the owner of the property, require a person to limit the person's rights to challenge the imposition of a PILOT or other charge or user fee or the assessment of property taxes imposed on the property.

The act provides that an impact fee may not be imposed on the property, unless it is upon the request of the owner of the property. It also specifies that these restrictions do not prohibit the imposing of utility fees or charges, sewer fees or charges, ditch or drainage assessments, storm water fees or charges, or waste collection or disposal fees or charges. (RC #223; 3<sup>rd</sup> Rdg; 37-8)

**HEA 1215 STATE AND LOCAL MATTERS**  
**AUTHOR(S): CHERRY**  
**SPONSOR(S): CRIDER, PERFECT, RANDOLPH**  
**CITATIONS AFFECTED: 4-4; 5-28; NONCODE**

HEA 1215 permits a historic preservation or rehabilitation grant to be awarded at the time plans are approved and requires a grant contract between the Office of Community and Rural Affairs and the person receiving the grant. It provides that the grant may be up to 35%, instead of 20%, of the qualified expenditures, but the grant may not exceed \$100,000. It replaces a certification that the work substantially complies with the proposed plan with a finding that the plan complies with the program guidelines and eliminates the deadlines for completing the work.

The act provides that if the grant applicant is a nonprofit organization facilitating a qualified affordable housing project, the organization does not have to be the owner of the historic property to receive a grant.

The act provides that the fiscal body of a municipality may renew an enterprise zone for an additional one year following the date on which the enterprise zone is set to expire under a five-year renewal resolution previously adopted by the fiscal body of the municipality.

The act eliminates the provision in current law that a heritage barn may not be used for business or agricultural purposes in order to qualify for the heritage barns property tax exemption, and amends the definition of "heritage barn" to specify that a heritage barn means a mortise and tenon barn.

The act urges the Legislative Council to assign the study of the personal property audit process to the Interim Study Committee on Fiscal Policy during the 2016 interim.

The act recognizes a conflict between SEA 21-2016 that amends IC 5-28-11-10 to remove an obsolete provision and SEA 378-2016 that repeals IC 5-28-11. It also provides that the General Assembly intends to repeal IC 5-28-11. (RC #405; CCR#1; 47-3)

## **HEA 1273 VARIOUS PROPERTY TAX MATTERS**

**AUTHOR(S): LEONARD**

**SPONSOR(S): MISHLER, HERSHMAN, RANDOLPH**

**CITATIONS AFFECTED: 6-1.1; 8-25; 36-6; 36-8; 36-12; NONCODE**

HEA 1273 has the following provisions concerning various property tax matters:

- Requires assessing officials to maintain geographic information system characteristics of real property parcels and to transmit that data annually to the geographic information office of the office of technology.
- Exempts personal property from property taxation if it is owned by a homeowners association and is held by the homeowners association for the use, benefit, or enjoyment of members of the homeowners association.
- Allows a county auditor to accept a deduction application for a property tax abatement deduction only if the designating body has specified an abatement schedule for the deduction.
- Prohibits a taxing unit from transferring property tax receipts to the property tax assessment appeals fund if the property tax receipts are:
  - held in a debt service fund; or
  - treated as levy excess.
- Removes phrasing to emphasize that a political subdivision may not base an excess levy appeal on normal population growth.
- Removes obsolete provisions concerning excess levy appeals by political subdivisions.
- Modifies certain responsibilities of the division of data analysis of the DLGF.
- Authorizes the fiscal body of a township that is located next to certain counties or townships to pass a resolution to place on the ballot a local public question on whether

the fiscal body of the eligible county should be required to fund and carry out a public transportation project in the township.

- Specifies that if a public question regarding public transportation projects is defeated in a township, the fiscal body of the township may adopt a resolution to place another such public question on the ballot at a subsequent general election in the township, but specifies that such a public question may not be placed on the ballot in the township more than two times in any seven year period. It also states the conditions under which a county fiscal body may impose an additional tax rate on county taxpayers who reside in a township that approves a local public question.
- Allows the provider unit in a fire protection territory to negotiate for and hold debt for the equipment replacement fund of a fire protection territory. It allows a participating unit in a fire protection territory to acquire fire protection equipment or other property and make the property available to the provider unit. The act specifies the adjustments to the maximum permissible levy for a unit that ceases participation in a fire protection territory, and specifies the minimum number of taxpayers that must object to the imposition or increase of a tax rate for an equipment replacement fund of a fire protection territory.
- Allows a library to issue library cards at no charge to college students who attend a college in the library district. It requires a library to prorate the cost of a library card that is valid for less than one year.
- Allows a nonprofit entity that missed the applicable deadlines to claim the property tax exemptions to which it would otherwise have been entitled to submit the necessary paperwork to claim the exemptions.
- Repeals a provision authorizing a county fiscal body to adopt an ordinance to allow local agencies to require a person applying for a property tax exemption, a property tax deduction, a zoning change or zoning variance, a building permit, or any other locally issued license or permit to submit a uniform property tax disclosure form with the person's application for the property tax exemption, property tax deduction, zoning change or zoning variance, building permit, or other locally issued license or permit.
- RC #406; CCR#1; 50-0

## **HEA 1290 STATE AND LOCAL ADMINISTRATION**

**AUTHOR(S): BROWN**

**SPONSOR(S):HERSHMAN, HOLDMAN, RANDOLPH, ROGERS**

**CITATIONS AFFECTED: 4-22; 4-33; 5-13; 5-28; 6-1.1; 6-2.5; 6-3.1; 6-6; 36-7; 36-7.5;  
NONCODE**

HEA 1290 includes the following provisions related to state and local administration:

- Reorganizes the statutes concerning riverboat admissions tax distributions by:
  - moving distribution provisions for the Lake County riverboats into a new section organized by riverboat; and
  - moving into a new section provisions concerning the use of admissions tax revenue and the supplemental distribution.
- Allocates the admissions tax revenue that is paid to the Northwest Indiana Redevelopment Authority (RDA) in satisfaction of Lake County's obligations to the authority equally among the four riverboats operating in Lake County.

- Changes the deadline for paying the supplemental distribution from September 15 to July 15, and allows quarterly payments of admission taxes to be used to reimburse the state for certain income tax credits provided in Lake County and to provide additional funding to the authority.
- Eliminates the requirement that admissions taxes paid to the Lake County Convention and Visitor Bureau be deposited in a County Convention and Visitor Promotion Fund.
- Permits economic development projects carried out by the RDA to include destination-based economic development projects that meet certain conditions.
- Allows the RDA to may make loans, loan guarantees, and grants or provide other financial assistance to or on behalf of a member municipality that meets certain requirements.
- Allows the DLGF to incorporate by reference in an administrative rule certain formatting, coding, and transmission requirements for data that must be submitted by counties.
- Requires the Treasurer of State to discharge any remaining unpaid interest on the obligation issued by the Capital Improvement Board to the Treasurer of State in 2009, if the board submits payment of the principal amount to the Treasurer of State before the stated final maturity of that obligation.
- Specifies that for purposes of the industrial recovery tax credit, "industrial recovery site" means land on which a vacant plant having at least 100,000 square feet of total floor space:
  - exists as of the date an application is filed with the Indiana Economic Development Corporation (IEDC) and was placed in service at least 15 years before the date on which an application is filed with the IEDC; or
  - existed five years before the date an application is filed with the IEDC and was placed in service at least 15 years before the date on which the vacant plant was demolished.
- Deletes from current law the process involving an application to the IEDC for designation of a location as an industrial recovery site.
- Specifies that if the IEDC approves a taxpayer's application for an industrial recovery tax credit, the IEDC shall require the applicant to enter into an agreement as a condition of receiving a tax credit.
- Repeals provisions enacted in 2015 concerning the assessment of:
  - certain limited market or special purpose property; and
  - commercial non-income producing real property.
- Requires that in addition to the factors under current law, the DLGF must provide for the classification of improvements on the basis of market segmentation.
- Prohibits a holder of a tax sale certificate from bringing a property tax appeal.
- Updates the definition of the Internal Revenue Code to incorporate changes made by Congress through January 1, 2016.
- Allows for a refund of any gasoline tax paid on a fuel blend nominally consisting of more than 89% ethanol and less than 11% gasoline.
- Reestablishes the county misdemeanor fund formula that was repealed by HEA 1006-2015.
- Allows an initial award from the safety PIN (protecting Indiana's newborns) grant fund to be up to 60% of the total approved grant amount.

- Specifies that the 2015 budget act appropriation from the tobacco master settlement agreement fund to the safety PIN program is to be deposited in the safety PIN grant fund and that any unused appropriation remains in the safety PIN grant fund.
- Specifies that the following apply to the funds of redevelopment commissions:
  - They must be accounted for separately and the daily balance of the funds must be maintained in a separate ledger statement.
  - They must be accessible to the redevelopment commission at any time, unless this requirement is waived by the redevelopment commission.
  - The amount of the daily balance of the funds must not be below zero at any time.
  - They may not be maintained or used in a manner that is intended to avoid the procedures and requirements for a waiver.
- Allows a fiscal body of a unit to request approval from the redevelopment commission to waive the requirement that all funds must be accessible to the redevelopment commission.
- Requires that, if a loan is made to a unit from the funds, the loan must be repaid by the unit not later than the end of the calendar year.
- Specifies additional information that must be reported by each redevelopment commission to the unit's executive and fiscal body and to the DLGF.
- Allows certain property taxpayers to file for a property tax exemption if the property would have qualified for the exemption if an exemption application had been timely filed.
- RC #418; CCR#1; 49-1

## VETERANS' AFFAIRS & THE MILITARY

### **SEA 145 UNCLAIMED REMAINS OF VETERANS**

**AUTHOR(S): BANKS, MISHLER, HOUCHIN**

**SPONSOR(S): COX, JUDY, FRYE, MACER**

**CITATIONS AFFECTED: 10-17; 23-14; 34-30**

SEA 145 includes the following provisions:

- Requires the Indiana Department of Veterans' Affairs (IDVA) to:
  - Establish standards for approval of veterans' service organizations;
  - Maintain a list of approved veterans' service organizations; and
  - Publish the list on the IDVA's Internet web site.
- Allows a licensed funeral director to release:
  - Verification information as to whether a veteran or dependent of a veteran is eligible for burial in a state or national cemetery; and
  - Cremated remains; to a veterans' service organization if certain conditions apply.
- Requires a veterans' service organization to:
  - Transport cremated remains to a state or national cemetery;
  - Inter, entomb, or inurn cremated remains in a state or national cemetery in accordance with applicable state and federal law; and
  - Provide written information concerning the location of the cremated remains to a funeral director.

- Establishes certain immunity from civil liability for veterans' service organizations and funeral directors.
- RC#19; 3<sup>rd</sup> Rdg; 50-0

**SEA 154 INDIANA NATIONAL GUARDSMAN FUNERAL ALLOWANCE**

**AUTHOR(S): STEELE, CRIDER, ARNOLD**

**SPONSOR(S):BAIRD, LUCAS, MACER, FRYE**

**CITATIONS AFFECTED: 10-16**

SEA 154 increases from \$4,000 to \$8,800 the funeral allowance for a member of the Indiana National Guard who dies in the active service of the state. (RC#21; 3<sup>rd</sup> Rdg; 50-0)

**SEA 295 REQUIRES THAT STATE INCOME TAX FORMS BE MODIFIED TO ENABLE A TAXPAYER TO DONATE ALL OR PART OF THE TAXPAYER'S TAX REFUND TO THE MILITARY FAMILY RELIEF FUND (FUND)**

**AUTHOR(S): BANKS, HERSHMAN, BUCK**

**SPONSOR(S):BAIRD, COX, GIAQUINTA, JUDY**

**CITATIONS AFFECTED: 6-8.1; 10-17**

SEA 295 makes various revisions to the Indiana Code relating to the Military Family Relief Fund (MFRF). This act has the following provisions:

- Requires that state income tax forms be modified to enable a taxpayer to donate all or part of the taxpayer's tax refund to the (MFRF).
- Amends the definition of "qualified service member" for purposes of the MFRF.
- Amends the purpose of the fund to provide only for short-term financial assistance to families of qualified service members for hardships that result from the qualified service members' military service.
- Specifies that the assistance from the MFRF may include an emergency one-time grant.
- Specifies statutory eligibility provisions concerning grants from the MFRF, to be supplemented with rules adopted by the Indiana Veterans' Affairs Commission (IVAC).
- Provides that the IVAC shall adopt income eligibility standards, asset limit eligibility standards, and other standards concerning when assistance may be provided from the MFRF.
- Provides that the IVAC's rules must provide for a consideration of the extent to which an individual has used assistance available from other assistance programs before assistance may be provided to the individual from the MFRF.
- Specifies that the Veterans' Affairs Trust Fund (VATF) is considered a trust fund for purposes of the statute prohibiting the State Board of Finance from transferring money from a trust fund.
- Provides that the IVAC shall annually determine by formula whether there is excess money in the VATF and transfer that excess, if any, to the MFRF.
- Urges the Legislative Council to assign to a study committee the topic of whether or not grants for assistance from the MFRF should be paid directly to vendors on behalf of a qualified service member or dependents of the qualified service member.

- Provides that the study committee shall issue a final report to the Legislative Council containing the study committee's findings and recommendations not later than November 1, 2016.
- Makes technical corrections.
- RC#388; CCR#1; 50-0

**SEA 362 NATIONAL GUARD MEMBERS AND VETERANS**  
**AUTHOR(S): BANKS, HOUCHIN**  
**SPONSOR(S): COX, JUDY, FRYE, MOSELEY**  
**CITATIONS AFFECTED: 10-16; 10-17**

SEA 362 extends employment protections under the federal Uniformed Services Employment and Reemployment Rights Act and extends the rights, benefits, and protections under the Servicemembers Civil Relief Act to members of the National Guard of another state during state sponsored activation. This act expands the definition of "photographic identification" to include identification documents issued by the United States or a state or territory of the United States. This act allows military discharge records to be released to a person in possession of photographic identification and a power of attorney; a court order appointing a guardian; or a court order appointing a personal representative. (RC#315; Concurrence; 49-0)

**HEA 1089 VETERAN SERVICE OFFICERS**  
**AUTHOR(S): FRYE**  
**SPONSOR(S): BANKS, YODER, ARNOLD, STOOPS, RANDOLPH**  
**CITATIONS AFFECTED: 10-17; NONCODE**

HEA 1089 includes the following provisions:

- Requires the Indiana Veterans' Affairs Commission to submit an annual report to the Governor and the Legislative Council on matters concerning the welfare of veterans.
- Allows the mayor of a city to employ a service officer to serve the veterans of the city. Includes a county service officer appointed by the Governor in the membership of the Indiana Veterans' Affairs Commission.
- Urges the Legislative Council to assign to a study committee the topic of district service officers.
- Provides that the study committee shall issue a final report to the Legislative Council containing the study committee's findings and recommendations not later than November 1, 2016.
- RC#257; 3<sup>rd</sup> Rdg; 50-0

**HEA 1312 VETERAN BUSINESS ENTERPRISES**  
**AUTHOR(S): GUTWEIN**  
**SPONSOR(S): BOOTS, TOMES, ARNOLD, RANDOLPH, BUCK**  
**CITATIONS AFFECTED: 5-22**

HEA 1312 revises various laws relating to veteran business enterprises. This act:

- Defines "veteran", for the purpose of qualifying as a veteran owned small business by the Indiana Department of Administration, as an individual who previously:

- served on active duty in any branch of the Armed Forces of the United States or their reserves; or
- The National Guard; or
- The Indiana National Guard;
- And received an honorable discharge from service.
- Includes in the definition of "veteran" for the purpose of qualifying as a veteran owned small business by the Indiana Department of Administration, an individual who is serving in any branch of the Armed Forces of the United States or their reserves, the National Guard, or the Indiana National Guard.
- Requires that a business seeking to qualify as a small business owned and operated by veterans have current certification as a veteran owned small business by the Indiana Department of Administration.
- Removes the requirement that a veteran be a resident of Indiana for at least one year before making an offer to bid on a state contract. Provides that certain information submitted by an applicant for certification as a veteran owned small business is confidential.
- RC#289; 3<sup>rd</sup> Rdg; 50-0

**HEA 1313 HOOSIER VETERANS**

**AUTHOR(S): MAYFIELD**

**SPONSOR(S):BANKS, YODER, STOOPS, ARNOLD, RANDOLPH**

**CITATIONS AFFECTED: 1-1**

HEA 1313 establishes a definition for "Hoosier veteran" that is applicable throughout the Indiana Code when used in reference to state programs for veterans. This act amends the definition of Hoosier veteran to include an individual who:

- Is a resident of Indiana;
- Served in a reserve component of the Armed Forces of the United States or the Indiana National Guard; and
- Completed any required military occupational specialty training and was not discharged or separated from the armed forces or the Indiana National Guard under dishonorable or other than honorable conditions.
- RC#290; 3<sup>rd</sup> Rdg; 50-0

**VETOES**

**HEA 1022 PRIVATE UNIVERSITY POLICE DEPARTMENTS**

**AUTHOR(S): BAUER**

**SPONSOR(S):GLICK, KRUSE, BRODEN, RANDOLPH**

**CITATIONS AFFECTED: 5-14; 21-17; 34-30**

HEA 1022 provides that certain records of a private university police department relating to arrests or incarcerations for criminal offenses are public records. Allows a private university police department to withhold investigatory records. Provides that the name of a crime victim in

records released by a private university police department must be redacted unless the release is authorized by the crime victim. Provides that an educational institution, a governing board of an educational institution, delegated office or offices of a governing board, or an individual employed by the educational institution as a police officer have the same immunities of the state or state police officers with regard to activities related to law enforcement. (RC# 246; 3<sup>rd</sup> Rdg; 49-1)

### **Governor's Veto Message**

"Limiting access to police records in a situation where private university police departments perform a government function is a disservice to the public and an unnecessary barrier to transparency. While House Enrolled Act 1022 provides for limited disclosure of records from private university police departments, it would limit the application of the Access to Public Records Act following the Court of Appeals decision and result in less disclosure, therefore I have decided to veto the act."

### **HEA 1082 ENVIRONMENTAL RULES AND POLICIES**

**AUTHOR(S): WOLKINS**

**SPONSOR(S): CHARBONNEAU, RAATZ, PERFECT, BROWN, SCHNEIDER FORD, BANKS, RANDOLPH, TALLIAN**

**CITATIONS AFFECTED: 13-14**

HEA 1082 requires the department of environmental management (IDEM) to report annually to the legislative council: (1) any administrative rule adopted by the environmental rules board (board) or proposed by IDEM; (2) any operating policy or procedure instituted or altered by IDEM; and (3) any nonrule policy or statement put into effect by IDEM; during the previous year that constitutes a change in the policy previously followed by IDEM under the provisions of IC 13 and the rules adopted by the board. Provides that, if notice given by IDEM concerning a proposed rule identifies an element of the proposed rule that imposes a restriction or requirement more stringent than a restriction or requirement imposed under federal law, the proposed rule does not become effective until the adjournment sine die of the regular session of the general assembly that begins after IDEM provides the notice. Provides an exception for the adoption of emergency rules in response to emergency situations. (RC# 255; 3<sup>rd</sup> Rdg; 48-2)

### **Governor's Veto Message**

"In recent months, public concern over clean and safe drinking water has grown as a result of the situation in Flint, Michigan," said Pence. "Our Indiana Department of Environmental Management is vigilant about requiring regular testing of water systems across the state for lead and working with any systems that are out of compliance to implement plans that will return the water to safe levels. IDEM must have the necessary flexibility to take action to protect Hoosiers. House Enrolled Act 1082 restricts IDEM's ability to act and imposes unnecessary delay in its rulemaking process. At a time when we must do all that we can to enhance public trust in the agencies charged with protecting our environment, this bill moves in the wrong direction and will therefore receive my veto."

2016  
 Second Regular Session of the 119th General Assembly  
**ENROLLED ACT NUMBER TO  
 PUBLIC LAW NUMBER TABLE**  
 prepared by  
 OFFICE OF CODE REVISION LEGISLATIVE SERVICES AGENCY  
 200 West Washington Street, Suite 301

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Enrolled Act Number	Public Law Number	Enrolled Act Number	Public Law Number
SEA 1 .....	P.L. 11-2016	SEA 148 .....	P.L. 209-2016
SEA 3 .....	P.L. 118-2016	SEA 151 .....	P.L. 91-2016
SEA 9 .....	P.L. 119-2016	SEA 154 .....	P.L. 92-2016
SEA 11 .....	P.L. 12-2016	SEA 160 .....	P.L. 28-2016
SEA 14 .....	P.L. 13-2016	SEA 161 .....	P.L. 5-2016
SEA 15 .....	P.L. 14-2016	SEA 163 .....	P.L. 29-2016
SEA 17 .....	P.L. 15-2016	SEA 165 .....	P.L. 30-2016
SEA 20 .....	P.L. 120-2016	SEA 167 .....	P.L. 130-2016
SEA 21 .....	P.L. 121-2016	SEA 169 .....	P.L. 131-2016
SEA 23 .....	P.L. 122-2016	SEA 172 .....	P.L. 132-2016
SEA 26 .....	P.L. 16-2016	SEA 173 .....	P.L. 210-2016
SEA 27 .....	P.L. 17-2016	SEA 174 .....	P.L. 31-2016
SEA 28 .....	P.L. 182-2016	SEA 177 .....	P.L. 133-2016
SEA 30 .....	P.L. 18-2016	SEA 183 .....	P.L. 32-2016
SEA 31 .....	P.L. 123-2016	SEA 186 .....	P.L. 33-2016
SEA 40 .....	P.L. 124-2016	SEA 187 .....	P.L. 6-2016
SEA 41 .....	P.L. 19-2016	SEA 189 .....	P.L. 93-2016
SEA 45 .....	P.L. 125-2016	SEA 192 .....	P.L. 34-2016
SEA 57 .....	P.L. 20-2016	SEA 200 .....	P.L. 1-2016
SEA 61 .....	P.L. 21-2016	SEA 206 .....	P.L. 35-2016
SEA 67 .....	P.L. 126-2016	SEA 213 .....	P.L. 36-2016
SEA 80 .....	P.L. 4-2016	SEA 214 .....	P.L. 37-2016
SEA 81 .....	P.L. 22-2016	SEA 216 .....	P.L. 38-2016
SEA 87 .....	P.L. 207-2016	SEA 217 .....	P.L. 134-2016
SEA 91 .....	P.L. 3-2016	SEA 219 .....	P.L. 94-2016
SEA 93 .....	P.L. 127-2016	SEA 221 .....	P.L. 39-2016
SEA 96 .....	P.L. 128-2016	SEA 232 .....	P.L. 211-2016
SEA 109 .....	P.L. 89-2016	SEA 234 .....	P.L. 135-2016
SEA 126 .....	P.L. 208-2016	SEA 238 .....	P.L. 95-2016
SEA 131 .....	P.L. 23-2016	SEA 242 .....	P.L. 40-2016
SEA 140 .....	P.L. 24-2016	SEA 248 .....	P.L. 41-2016
SEA 141 .....	P.L. 25-2016	SEA 250 .....	P.L. 42-2016
SEA 142 .....	P.L. 26-2016	SEA 251 .....	P.L. 136-2016
SEA 145 .....	P.L. 90-2016	SEA 253 .....	P.L. 137-2016
SEA 146 .....	P.L. 129-2016	SEA 255 .....	P.L. 96-2016
SEA 147 .....	P.L. 27-2016	SEA 256 .....	P.L. 97-2016

SEA 257	P.L. 98-2016	HEA 1001	P.L. 146-2016
SEA 271	P.L. 7-2016	HEA 1002	P.L. 105-2016
SEA 272	P.L. 43-2016	HEA 1003	P.L. 2-2016
SEA 279	P.L. 138-2016	HEA 1005	P.L. 106-2016
SEA 290	P.L. 44-2016	HEA 1012	P.L. 56-2016
SEA 291	P.L. 139-2016	HEA 1013	P.L. 57-2016
SEA 294	P.L. 140-2016	HEA 1017	P.L. 147-2016
SEA 295	P.L. 99-2016	HEA 1019	P.L. 58-2016
SEA 297	P.L. 8-2016	HEA 1025	P.L. 192-2016
SEA 300	P.L. 45-2016	HEA 1028	P.L. 59-2016
SEA 301	P.L. 141-2016	HEA 1032	P.L. 193-2016
SEA 304	P.L. 100-2016	HEA 1034	P.L. 148-2016
SEA 305	P.L. 46-2016	HEA 1035	P.L. 60-2016
SEA 306	P.L. 47-2016	HEA 1036	P.L. 149-2016
SEA 308	P.L. 180-2016	HEA 1038	P.L. 61-2016
SEA 309	P.L. 181-2016	HEA 1040	P.L. 194-2016
SEA 310	P.L. 183-2016	HEA 1046	P.L. 195-2016
SEA 315	P.L. 48-2016	HEA 1047	P.L. 62-2016
SEA 321	P.L. 184-2016	HEA 1048	P.L. 63-2016
SEA 323	P.L. 185-2016	HEA 1053	P.L. 150-2016
SEA 324	P.L. 49-2016	HEA 1064	P.L. 64-2016
SEA 325	P.L. 50-2016	HEA 1068	P.L. 196-2016
SEA 327	P.L. 142-2016	HEA 1069	P.L. 65-2016
SEA 330	P.L. 186-2016	HEA 1075	P.L. 107-2016
SEA 335	P.L. 143-2016	HEA 1081	P.L. 197-2016
SEA 336	P.L. 101-2016	HEA 1085	P.L. 66-2016
SEA 339	P.L. 212-2016	HEA 1087	P.L. 198-2016
SEA 347	P.L. 102-2016	HEA 1088	P.L. 67-2016
SEA 350	P.L. 51-2016	HEA 1089	P.L. 108-2016
SEA 355	P.L. 187-2016	HEA 1090	P.L. 68-2016
SEA 357	P.L. 52-2016	HEA 1102	P.L. 69-2016
SEA 362	P.L. 103-2016	HEA 1105	P.L. 70-2016
SEA 364	P.L. 53-2016	HEA 1109	P.L. 151-2016
SEA 366	P.L. 189-2016	HEA 1112	P.L. 152-2016
SEA 371	P.L. 190-2016	HEA 1127	P.L. 153-2016
SEA 372	P.L. 54-2016	HEA 1130	P.L. 71-2016
SEA 375	P.L. 144-2016	HEA 1136	P.L. 72-2016
SEA 378	P.L. 145-2016	HEA 1154	P.L. 154-2016
SEA 380	P.L. 55-2016	HEA 1156	P.L. 155-2016
SEA 381	P.L. 191-2016	HEA 1157	P.L. 9-2016
SEA 383	P.L. 104-2016	HEA 1161	P.L. 156-2016
		HEA 1164	P.L. 157-2016
		HEA 1169	P.L. 199-2016
		HEA 1172	P.L. 158-2016
		HEA 1173	P.L. 215-2016
		HEA 1179	P.L. 159-2016

HEA 1180 .....	P.L. 200-2016	HEA 1294 .....	P.L. 205-2016
HEA 1181 .....	P.L. 73-2016	HEA 1298 .....	P.L. 206-2016
HEA 1183 .....	P.L. 74-2016	HEA 1300 .....	P.L. 112-2016
HEA 1187 .....	P.L. 109-2016	HEA 1312 .....	P.L. 113-2016
HEA 1199 .....	P.L. 75-2016	HEA 1313 .....	P.L. 114-2016
HEA 1201 .....	P.L. 201-2016	HEA 1322 .....	P.L. 84-2016
HEA 1209 .....	P.L. 160-2016	HEA 1330 .....	P.L. 169-2016
HEA 1211 .....	P.L. 76-2016	HEA 1331 .....	P.L. 85-2016
HEA 1215 .....	P.L. 202-2016	HEA 1336 .....	P.L. 170-2016
HEA 1218 .....	P.L. 161-2016	HEA 1337 .....	P.L. 213-2016
HEA 1219 .....	P.L. 162-2016	HEA 1340 .....	P.L. 86-2016
HEA 1220 .....	P.L. 163-2016	HEA 1344 .....	P.L. 171-2016
HEA 1222 .....	P.L. 164-2016	HEA 1347 .....	P.L. 87-2016
HEA 1231 .....	P.L. 110-2016	HEA 1353 .....	P.L. 172-2016
HEA 1233 .....	P.L. 77-2016	HEA 1359 .....	P.L. 115-2016
HEA 1235 .....	P.L. 10-2016	HEA 1360 .....	P.L. 173-2016
HEA 1246 .....	P.L. 111-2016	HEA 1365 .....	P.L. 174-2016
HEA 1248 .....	P.L. 165-2016	HEA 1369 .....	P.L. 88-2016
HEA 1254 .....	P.L. 166-2016	HEA 1370 .....	P.L. 175-2016
HEA 1259 .....	P.L. 167-2016	HEA 1372 .....	P.L. 188-2016
HEA 1263 .....	P.L. 78-2016	HEA 1373 .....	P.L. 116-2016
HEA 1264 .....	P.L. 79-2016	HEA 1374 .....	P.L. 176-2016
HEA 1267 .....	P.L. 80-2016	HEA 1378 .....	P.L. 177-2016
HEA 1271 .....	P.L. 81-2016	HEA 1382 .....	P.L. 178-2016
HEA 1272 .....	P.L. 168-2016	HEA 1386 .....	P.L. 214-2016
HEA 1273 .....	P.L. 203-2016	HEA 1394 .....	P.L. 179-2016
HEA 1278 .....	P.L. 82-2016	HEA 1395 .....	P.L. 117-2016
HEA 1288 .....	P.L. 83-2016		
HEA 1290 .....	P.L. 204-2016	SJR 14 .....	P.L. 216-2016

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

JAN 21, 2016

9:18:17 AM

**Roll Call 26: Bill Passed**

<b>HB 1003 - Mishler - 3rd Reading</b>	Yea	48
Teacher evaluations	Nay	0
	Excused	2
	Not Voting	0

Presiding: President

**YEA - 48**

Aiting	Crider	Lanane	Rogers
Arnold	Delph	Leising	Schneider
Banks	Eckerty	Long	Smith
Bassler	Ford	Merritt	Steele
Becker	Glick	Messmer	Stoops
Boots	Grooms	Miller, Pat	Taylor
Bray	Head	Miller, Pete	Tomes
Breaux	Hershman	Mishler	Walker
Broden	Holdman	Mrvan	Waltz
Brown	Houchin	Niemeyer	Yoder
Buck	Kenley	Perfect	Young, M
Charbonneau	Kruse	Raatz	Zakas

**NAY - 0****EXCUSED - 2**

Randolph	Tallian
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**NOT VOTING - 0**

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

JAN 21, 2016

9:25:51 AM

**Roll Call 27: Bill Passed**

<b>SB 9 - Raatz - 3rd Reading</b>	Yea	48
Charter school data collection	Nay	0
	Excused	2
	Not Voting	0

Presiding: President

**YEA - 48**

Aiting	Crider	Lanane	Rogers
Arnold	Delph	Leising	Schneider
Banks	Eckerty	Long	Smith
Bassler	Ford	Merritt	Steele
Becker	Glick	Messmer	Stoops
Boots	Grooms	Miller, Pat	Taylor
Bray	Head	Miller, Pete	Tomes
Breaux	Hershman	Mishler	Walker
Broden	Holdman	Mrvan	Waltz
Brown	Houchin	Niemeyer	Yoder
Buck	Kenley	Perfect	Young, M
Charbonneau	Kruse	Raatz	Zakas

**NAY - 0****EXCUSED - 2**

Randolph	Tallian
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**NOT VOTING - 0**

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

JAN 21, 2016

9:55:34 AM

**Roll Call 32: Bill Passed**

<b>SB 87 - Kenley - 3rd Reading</b>	Yea	48
Multiple county PTABOAs	Nay	0
	Excused	2
	Not Voting	0

Presiding: President

**YEA - 48**

Aiting	Crider	Lanane	Rogers
Arnold	Delph	Leising	Schneider
Banks	Eckerty	Long	Smith
Bassler	Ford	Merritt	Steele
Becker	Glick	Messmer	Stoops
Boots	Grooms	Miller, Pat	Taylor
Bray	Head	Miller, Pete	Tomes
Breaux	Hershman	Mishler	Walker
Broden	Holdman	Mrvan	Waltz
Brown	Houchin	Niemeyer	Yoder
Buck	Kenley	Perfect	Young, M
Charbonneau	Kruse	Raatz	Zakas

**NAY - 0****EXCUSED - 2**

Randolph	Tallian
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**NOT VOTING - 0**

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

JAN 21, 2016

10:12:25 AM

**Roll Call 33: Bill Passed**

<b>SB 91 - Steele - 3rd Reading</b>	Yea	43
Release of identifying adoption information	Nay	5
	Excused	2
	Not Voting	0

Presiding: President

**YEA - 43**

Aiting	Crider	Lanane	Schneider
Arnold	Delph	Leising	Smith
Banks	Eckerty	Long	Steele
Bassler	Ford	Merritt	Stoops
Becker	Glick	Messmer	Taylor
Boots	Grooms	Miller, Pat	Tomes
Bray	Head	Mishler	Walker
Breaux	Hershman	Niemeyer	Waltz
Broden	Holdman	Perfect	Young, M
Buck	Houchin	Raatz	Zakas
Charbonneau	Kruse	Rogers	

**NAY - 5**

Brown	Miller, Pete	Mrvan	Yoder
Kenley			

**EXCUSED - 2**

Randolph	Tallian
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**NOT VOTING - 0**

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

JAN 21, 2016

10:28:45 AM

## Roll Call 34: Bill Passed

<b>SB 109 - Messmer - 3rd Reading</b>	Yea	29
Regulation of hunting preserves	Nay	19
	Excused	2
	Not Voting	0

Presiding: President

### YEA - 29

Alting	Buck	Houchin	Steele
Arnold	Eckerty	Kruse	Tomes
Banks	Ford	Leising	Walker
Bassler	Glick	Messmer	Young, M
Boots	Grooms	Mishler	Zakas
Bray	Head	Perfect	
Brodan	Hershman	Raatz	
Brown	Holdman	Schneider	

### NAY - 19

Becker	Kenley	Miller, Pete	Stoops
Breaux	Lanane	Mrvan	Taylor
Charbonneau	Long	Niemeyer	Waltz
Crider	Merritt	Rogers	Yoder
Delph	Miller, Pat	Smith	

### EXCUSED - 2

Randolph	Tallian
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### NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

JAN 21, 2016

10:34:57 AM

## Roll Call 36: Bill Passed

<b>SB 140 - Leising - 3rd Reading</b>	Yea	47
County hospital board compensation	Nay	1
	Excused	2
	Not Voting	0

Presiding: President

### YEA - 47

Alting	Crider	Lanane	Schneider
Arnold	Delph	Leising	Smith
Banks	Eckerty	Long	Steele
Bassler	Ford	Merritt	Stoops
Becker	Glick	Messmer	Taylor
Boots	Grooms	Miller, Pat	Tomes
Bray	Head	Miller, Pete	Walker
Breaux	Hershman	Mishler	Waltz
Brodan	Holdman	Mrvan	Yoder
Brown	Houchin	Perfect	Young, M
Buck	Kenley	Raatz	Zakas
Charbonneau	Kruse	Rogers	

### NAY - 1

Niemeyer
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### EXCUSED - 2

Randolph	Tallian
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### NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

JAN 21, 2016

10:50:54 AM

## Roll Call 37: Bill Passed

<b>SB 141 - Young, M. - 3rd Reading</b>	Yea	44
Criminal gang organization	Nay	4
	Excused	2
	Not Voting	0

Presiding: President

### YEA - 44

Alting	Crider	Kruse	Perfect
Arnold	Delph	Lanane	Raatz
Banks	Eckerty	Leising	Schneider
Bassler	Ford	Long	Smith
Becker	Glick	Merritt	Steele
Boots	Grooms	Messmer	Tomes
Bray	Head	Miller, Pat	Walker
Brodan	Hershman	Miller, Pete	Waltz
Brown	Holdman	Mishler	Yoder
Buck	Houchin	Mrvan	Young, M
Charbonneau	Kenley	Niemeyer	Zakas

### NAY - 4

Breaux	Rogers	Stoops	Taylor
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### EXCUSED - 2

Randolph	Tallian
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### NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

JAN 21, 2016

10:56:16 AM

## Roll Call 38: Bill Passed

<b>SB 148 - Boots - 3rd Reading</b>	Yea	48
Public employees' defined contribution plan	Nay	0
	Excused	2
	Not Voting	0

Presiding: President

### YEA - 48

Alting	Crider	Lanane	Rogers
Arnold	Delph	Leising	Schneider
Banks	Eckerty	Long	Smith
Bassler	Ford	Merritt	Steele
Becker	Glick	Messmer	Stoops
Boots	Grooms	Miller, Pat	Taylor
Bray	Head	Miller, Pete	Tomes
Breaux	Hershman	Mishler	Walker
Brodan	Holdman	Mrvan	Waltz
Brown	Houchin	Niemeyer	Yoder
Buck	Kenley	Perfect	Young, M
Charbonneau	Kruse	Raatz	Zakas

### NAY - 0

EXCUSED - 2	
Randolph	Tallian

### NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

JAN 26, 2016

3:12:48 PM

Roll Call 49: Bill Passed

<b>SB 3 - Miller, Pete - 3rd Reading</b>	Yea	48
Education technical corrections trailer bill	Nay	0
	Excused	1
	Not Voting	1

Presiding: President

YEA - 48

Alting	Delph	Leising	Schneider
Arnold	Eckerty	Long	Smith
Banks	Ford	Merritt	Steele
Bassler	Glick	Messmer	Stoops
Boots	Grooms	Miller, Pat	Tallian
Bray	Head	Miller, Pete	Taylor
Breaux	Hershman	Mishler	Tomes
Broden	Holdman	Mrvan	Walker
Brown	Houchin	Niemeyer	Waltz
Buck	Kenley	Perfect	Yoder
Charbonneau	Kruse	Raatz	Young, M
Crider	Lanane	Randolph	Zakas

NAY - 0

EXCUSED - 1

Becker
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NOT VOTING - 1

Rogers
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Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

JAN 26, 2016

3:20:22 PM

Roll Call 52: Bill Passed

<b>SB 17 - Head - 3rd Reading</b>	Yea	49
Domestic violence fee	Nay	0
	Excused	1
	Not Voting	0

Presiding: President

YEA - 49

Alting	Eckerty	Merritt	Steele
Arnold	Ford	Messmer	Stoops
Banks	Glick	Miller, Pat	Tallian
Bassler	Grooms	Miller, Pete	Taylor
Boots	Head	Mishler	Tomes
Bray	Hershman	Mrvan	Walker
Breaux	Holdman	Niemeyer	Waltz
Broden	Houchin	Perfect	Yoder
Brown	Kenley	Raatz	Young, M
Buck	Kruse	Randolph	Zakas
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	
Delph	Long	Smith	

NAY - 0

EXCUSED - 1

Becker
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NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

JAN 26, 2016

3:25:51 PM

Roll Call 54: Bill Passed

<b>SB 96 - Alting - 3rd Reading</b>	Yea	49
Curricular materials	Nay	0
	Excused	1
	Not Voting	0

Presiding: President

YEA - 49

Alting	Eckerty	Merritt	Steele
Arnold	Ford	Messmer	Stoops
Banks	Glick	Miller, Pat	Tallian
Bassler	Grooms	Miller, Pete	Taylor
Boots	Head	Mishler	Tomes
Bray	Hershman	Mrvan	Walker
Breaux	Holdman	Niemeyer	Waltz
Broden	Houchin	Perfect	Yoder
Brown	Kenley	Raatz	Young, M
Buck	Kruse	Randolph	Zakas
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	
Delph	Long	Smith	

NAY - 0

EXCUSED - 1

Becker
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NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

JAN 26, 2016

3:29:05 PM

Roll Call 55: Bill Passed

<b>SB 131 - Broden - 3rd Reading</b>	Yea	49
Department of child services reporting	Nay	0
	Excused	1
	Not Voting	0

Presiding: President

YEA - 49

Alting	Eckerty	Merritt	Steele
Arnold	Ford	Messmer	Stoops
Banks	Glick	Miller, Pat	Tallian
Bassler	Grooms	Miller, Pete	Taylor
Boots	Head	Mishler	Tomes
Bray	Hershman	Mrvan	Walker
Breaux	Holdman	Niemeyer	Waltz
Broden	Houchin	Perfect	Yoder
Brown	Kenley	Raatz	Young, M
Buck	Kruse	Randolph	Zakas
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	
Delph	Long	Smith	

NAY - 0

EXCUSED - 1

Becker
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NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

JAN 26, 2016

3:31:13 PM

Roll Call 56: Bill Passed

<b>SB 189 - Kruse - 3rd Reading</b>	Yea	49
Identifier for military families	Nay	0
	Excused	1
	Not Voting	0

Presiding: President

YEA - 49

Aiting	Eckerty	Merritt	Steele
Arnold	Ford	Messmer	Stoops
Banks	Glick	Miller, Pat	Tallian
Bassler	Grooms	Miller, Pete	Taylor
Boots	Head	Mishler	Tomes
Bray	Hershman	Mrvan	Walker
Breaux	Holdman	Niemeyer	Waltz
Brodén	Houchin	Perfect	Yoder
Brown	Kenley	Raatz	Young, M
Buck	Kruse	Randolph	Zakas
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	
Delph	Long	Smith	

NAY - 0

EXCUSED - 1

Becker
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NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 01, 2016

4:25:10 PM

Roll Call 75: Bill Passed

<b>SB 40 - Miller, Pete - 3rd Reading</b>	Yea	47
Motor vehicle financial responsibility	Nay	3
	Excused	0
	Not Voting	0

Presiding: President

YEA - 47

Aiting	Delph	Leising	Schneider
Arnold	Eckerty	Long	Smith
Bassler	Ford	Merritt	Steele
Becker	Glick	Messmer	Stoops
Boots	Grooms	Miller, Pat	Tallian
Bray	Head	Miller, Pete	Taylor
Breaux	Hershman	Mishler	Tomes
Brodén	Holdman	Mrvan	Walker
Brown	Houchin	Perfect	Waltz
Buck	Kenley	Raatz	Young, M
Charbonneau	Kruse	Randolph	Zakas
Crider	Lanane	Rogers	

NAY - 3

Banks	Niemeyer	Yoder
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EXCUSED - 0

NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 01, 2016

4:33:39 PM

Roll Call 78: Bill Passed

<b>SB 57 - Steele - 3rd Reading</b>	Yea	43
Prescribes ballot language	Nay	7
	Excused	0
	Not Voting	0

Presiding: President

YEA - 43

Aiting	Delph	Leising	Schneider
Arnold	Eckerty	Long	Smith
Banks	Ford	Merritt	Steele
Bassler	Glick	Messmer	Taylor
Becker	Grooms	Miller, Pat	Tomes
Boots	Head	Miller, Pete	Walker
Bray	Hershman	Mishler	Waltz
Brown	Holdman	Mrvan	Yoder
Buck	Houchin	Niemeyer	Young, M
Charbonneau	Kenley	Perfect	Zakas
Crider	Kruse	Raatz	

NAY - 7

Breaux	Lanane	Rogers	Tallian
Brodén	Randolph	Stoops	

EXCUSED - 0

NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 01, 2016

5:40:29 PM

Roll Call 95: Bill Passed

<b>SB 242 - Walker - 3rd Reading</b>	Yea	49
Loans to credit union officers	Nay	0
	Excused	0
	Not Voting	1

Presiding: President

YEA - 49

Aiting	Delph	Merritt	Steele
Arnold	Eckerty	Messmer	Stoops
Banks	Ford	Miller, Pat	Tallian
Bassler	Glick	Miller, Pete	Taylor
Becker	Grooms	Mishler	Tomes
Boots	Head	Mrvan	Walker
Bray	Holdman	Niemeyer	Waltz
Breaux	Houchin	Perfect	Yoder
Brodén	Kenley	Raatz	Young, M
Brown	Kruse	Randolph	Zakas
Buck	Lanane	Rogers	
Charbonneau	Leising	Schneider	
Crider	Long	Smith	

NAY - 0

EXCUSED - 0

NOT VOTING - 1

Hershman
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 01, 2016

5:42:53 PM

## Roll Call 96: Bill Passed

<b>SB 250 - Buck - 3rd Reading</b>	Yea	44
Parenting coordinators	Nay	5
	Excused	0
	Not Voting	1

Presiding: President

### YEA - 44

Alting	Charbonneau	Leising	Rogers
Arnold	Crider	Merritt	Smith
Banks	Eckerty	Messmer	Steele
Bassler	Ford	Miller, Pat	Stoops
Becker	Glick	Miller, Pete	Tallan
Boots	Grooms	Mishler	Taylor
Bray	Head	Mrvan	Walker
Breaux	Holdman	Niemeyer	Waltz
Broden	Houchlin	Perfect	Yoder
Brown	Kruse	Raatz	Young, M
Buck	Lanane	Randolph	Zakas

### NAY - 5

Delph	Long	Schneider	Tomes
Kenley			

### EXCUSED - 0

### NOT VOTING - 1

Hershman
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 01, 2016

5:44:53 PM

## Roll Call 97: Bill Passed

<b>SB 253 - Waltz - 3rd Reading</b>	Yea	49
Uniform Fiduciary Access to Digital Assets Act	Nay	0
	Excused	0
	Not Voting	1

Presiding: President

### YEA - 49

Alting	Delph	Merritt	Steele
Arnold	Eckerty	Messmer	Stoops
Banks	Ford	Miller, Pat	Tallan
Bassler	Glick	Miller, Pete	Taylor
Becker	Grooms	Mishler	Tomes
Boots	Head	Mrvan	Walker
Bray	Holdman	Niemeyer	Waltz
Breaux	Houchlin	Perfect	Yoder
Broden	Kenley	Raatz	Young, M
Brown	Kruse	Randolph	Zakas
Buck	Lanane	Rogers	
Charbonneau	Leising	Schneider	
Crider	Long	Smith	

### NAY - 0

### EXCUSED - 0

### NOT VOTING - 1

Hershman
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 01, 2016

6:28:48 PM

## Roll Call 102: Bill Passed

<b>SB 291 - Leising - 3rd Reading</b>	Yea	49
Industrial hemp	Nay	1
	Excused	0
	Not Voting	0

Presiding: President

### YEA - 49

Alting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Stoops
Bassler	Glick	Miller, Pat	Taylor
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mishler	Walker
Bray	Hershman	Mrvan	Waltz
Breaux	Holdman	Niemeyer	Yoder
Broden	Houchlin	Perfect	Young, M
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Randolph	
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

### NAY - 1

Tallan
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### EXCUSED - 0

### NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 02, 2016

2:24:00 PM

## Roll Call 122: Joint Resolution Passed

<b>SJR 14 - Holdman - 3rd Reading</b>	Yea	34
Article V Convention	Nay	16
	Excused	0
	Not Voting	0

Presiding: President

### YEA - 34

Alting	Ford	Long	Smith
Bassler	Grooms	Merritt	Steele
Boots	Head	Messmer	Walker
Bray	Hershman	Miller, Pat	Waltz
Brown	Holdman	Miller, Pete	Yoder
Buck	Houchlin	Mishler	Young, M
Charbonneau	Kenley	Niemeyer	Zakas
Crider	Kruse	Perfect	
Eckerty	Leising	Raatz	

### NAY - 16

Arnold	Broden	Mrvan	Stoops
Banks	Delph	Randolph	Tallan
Becker	Glick	Rogers	Taylor
Breaux	Lanane	Schneider	Tomes

### EXCUSED - 0

### NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 02, 2016

4:17:18 PM

**Roll Call 130: Bill Passed**

<b>SB 169 - Alting - 3rd Reading</b>	Yea	46
Special permits	Nay	4
	Excused	0
	Not Voting	0

Presiding: President

**YEA - 46**

Alting	Crider	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Stoops
Bassler	Glick	Miller, Pete	Tallian
Becker	Grooms	Mishler	Taylor
Boots	Head	Mrvan	Tomes
Bray	Hershman	Niemeyer	Walker
Breaux	Holdman	Perfect	Waltz
Brodin	Houchin	Raatz	Yoder
Brown	Kenley	Randolph	Zakas
Buck	Lanane	Rogers	
Charbonneau	Leising	Schneider	

**NAY - 4**

Delph	Kruse	Miller, Pat	Young, M
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EXCUSED - 0

NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 02, 2016

4:23:45 PM

**Roll Call 133: Bill Passed**

<b>SB 186 - Merritt - 3rd Reading</b>	Yea	48
Release of medical tests of pregnant women	Nay	2
	Excused	0
	Not Voting	0

Presiding: President

**YEA - 48**

Alting	Crider	Long	Schneider
Arnold	Delph	Merritt	Smith
Banks	Eckerty	Messmer	Steele
Bassler	Ford	Miller, Pat	Stoops
Becker	Grooms	Miller, Pete	Tallian
Boots	Head	Mishler	Taylor
Bray	Hershman	Mrvan	Tomes
Breaux	Holdman	Niemeyer	Walker
Brodin	Kenley	Perfect	Waltz
Brown	Kruse	Raatz	Yoder
Buck	Lanane	Randolph	Young, M
Charbonneau	Leising	Rogers	Zakas

**NAY - 2**

Glick	Houchin
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EXCUSED - 0

NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 02, 2016

5:04:06 PM

**Roll Call 144: Bill Passed**

<b>SB 290 - Young, M. - 3rd Reading</b>	Yea	46
Criminal law matters	Nay	4
	Excused	0
	Not Voting	0

Presiding: President

**YEA - 46**

Alting	Crider	Leising	Schneider
Arnold	Delph	Long	Smith
Banks	Eckerty	Merritt	Steele
Bassler	Ford	Messmer	Stoops
Becker	Glick	Miller, Pat	Tallian
Boots	Grooms	Miller, Pete	Walker
Bray	Head	Mishler	Waltz
Breaux	Hershman	Mrvan	Yoder
Brodin	Holdman	Niemeyer	Young, M
Brown	Houchin	Perfect	Zakas
Buck	Kenley	Raatz	
Charbonneau	Kruse	Randolph	

**NAY - 4**

Lanane	Rogers	Tallian	Taylor
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EXCUSED - 0

NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 02, 2016

5:06:06 PM

**Roll Call 145: Bill Passed**

<b>SB 294 - Alting - 3rd Reading</b>	Yea	45
Sale of carryout at Indianapolis 500 Race	Nay	5
	Excused	0
	Not Voting	0

Presiding: President

**YEA - 45**

Alting	Crider	Long	Schneider
Arnold	Delph	Merritt	Steele
Banks	Eckerty	Messmer	Stoops
Bassler	Ford	Miller, Pat	Tallian
Becker	Glick	Miller, Pete	Taylor
Boots	Grooms	Mishler	Waltz
Bray	Head	Mrvan	Yoder
Breaux	Hershman	Niemeyer	Young, M
Brodin	Houchin	Perfect	Zakas
Brown	Kenley	Raatz	
Buck	Lanane	Randolph	
Charbonneau	Leising	Rogers	

**NAY - 5**

Holdman	Smith	Tomes	Walker
Kruse			

EXCUSED - 0

NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 03, 2016

11:06:19 AM

**Roll Call 159: Bill Passed**

<b>SB 315 - Brown L - 3rd Reading</b>	Yea	49
Distribution of cord blood donation information	Nay	0
	Excused	1
	Not Voting	0

Presiding: Long

YEA - 49

Alting	Delph	Long	Steele
Arnold	Eckerty	Merritt	Stoops
Banks	Ford	Messmer	Tallian
Bassler	Glick	Miller, Pat	Taylor
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mishler	Walker
Bray	Hershman	Mrvan	Waltz
Breaux	Holdman	Niemeyer	Yoder
Broden	Houchin	Perfect	Young, M
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Rogers	
Charbonneau	Lanane	Schneider	
Crider	Leising	Smith	

NAY - 0

EXCUSED - 1

Randolph
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NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 16, 2016

1:52:35 PM

**Roll Call 180: Bill Passed**

<b>HB 1032 - Boots - 3rd Reading</b>	Yea	48
Various pension matters	Nay	0
	Excused	0
	Not Voting	2

Presiding: President

YEA - 48

Alting	Crider	Leising	Schneider
Arnold	Delph	Long	Smith
Banks	Eckerty	Merritt	Steele
Bassler	Glick	Messmer	Stoops
Becker	Grooms	Miller, Pat	Tallian
Boots	Head	Mishler, Pete	Taylor
Bray	Hershman	Mishler	Tomes
Breaux	Holdman	Mrvan	Walker
Broden	Perfect	Niemeyer	Waltz
Brown	Kenley	Perfect	Yoder
Buck	Kruse	Raatz	Young, M
Charbonneau	Lanane	Randolph	Zakas

NAY - 0

EXCUSED - 0

NOT VOTING - 2

Ford	Rogers
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 18, 2016

2:35:10 PM

**Roll Call 184: Amendment Failed**

<b>HB 1053 - Steele - 2nd Reading</b>	Yea	9
Regulation of packaging materials.	Nay	38
Amendment #1 - Stoops	Excused	0
	Not Voting	3

Presiding: President

YEA - 9

Arnold	Lanane	Randolph	Tallian
Breaux	Mrvan	Stoops	Taylor

NAY - 38

Alting	Eckerty	Leising	Schneider
Bassler	Ford	Long	Steele
Becker	Glick	Merritt	Tomes
Boots	Grooms	Messmer	Walker
Bray	Head	Miller, Pat	Waltz
Brown	Hershman	Miller, Pete	Yoder
Buck	Holdman	Mishler	Young, M
Charbonneau	Houchin	Niemeyer	Zakas
Crider	Kenley	Perfect	
Delph	Kruse	Raatz	

EXCUSED - 0

NOT VOTING - 3

Banks	Rogers	Smith
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 22, 2016

3:03:34 PM

**Roll Call 191: Bill Passed**

<b>HB 1102 - Steele - 3rd Reading</b>	Yea	49
Criminal justice matters	Nay	1
	Excused	0
	Not Voting	0

Presiding: President

YEA - 49

Alting	Delph	Merritt	Steele
Arnold	Eckerty	Messmer	Stoops
Banks	Ford	Miller, Pat	Tallian
Bassler	Glick	Miller, Pete	Taylor
Becker	Grooms	Mishler	Tomes
Boots	Head	Mrvan	Walker
Bray	Hershman	Niemeyer	Waltz
Breaux	Holdman	Perfect	Yoder
Broden	Houchin	Raatz	Young, M
Brown	Kruse	Randolph	Zakas
Buck	Lanane	Rogers	
Charbonneau	Leising	Schneider	
Crider	Long	Smith	

NAY - 1

Kenley
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EXCUSED - 0

NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 22, 2016

3:05:22 PM

## Roll Call 192: Bill Passed

<b>HB 1169 - Hershman - 3rd Reading</b>	Yea	49
Business personal property tax exemption	Nay	1
	Excused	0
	Not Voting	0

Presiding: President

**YEA - 49**

Aiting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Stoops
Bassler	Glick	Miller, Pat	Tallian
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mishler	Walker
Bray	Hershman	Mrvan	Waltz
Breaux	Holdman	Nemeyer	Yoder
Brodin	Houchin	Perfect	Young, M
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Randolph	
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

**NAY - 1**

Taylor
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**EXCUSED - 0**

**NOT VOTING - 0**

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 22, 2016

3:23:55 PM

## Roll Call 197: Bill Passed

<b>HB 1288 - Walker - 3rd Reading</b>	Yea	46
Poll takers	Nay	4
	Excused	0
	Not Voting	0

Presiding: President

**YEA - 46**

Aiting	Crider	Lanane	Schneider
Arnold	Delph	Leising	Smith
Banks	Eckerty	Long	Steele
Bassler	Ford	Merritt	Taylor
Becker	Glick	Messmer	Tomes
Boots	Grooms	Miller, Pat	Walker
Bray	Head	Miller, Pete	Waltz
Breaux	Hershman	Mishler	Yoder
Brodin	Holdman	Mrvan	Young, M
Brown	Houchin	Nemeyer	Zakas
Buck	Kenley	Perfect	
Charbonneau	Kruse	Raatz	

**NAY - 4**

Randolph	Rogers	Stoops	Tallian
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**EXCUSED - 0**

**NOT VOTING - 0**

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 22, 2016

3:20:12 PM

## Roll Call 195: Bill Passed

<b>HB 1218 - Perfect - 3rd Reading</b>	Yea	43
Franchise employment	Nay	7
	Excused	0
	Not Voting	0

Presiding: President

**YEA - 43**

Aiting	Crider	Kruse	Raatz
Arnold	Delph	Leising	Schneider
Banks	Eckerty	Long	Smith
Bassler	Ford	Merritt	Steele
Becker	Glick	Messmer	Tomes
Boots	Grooms	Miller, Pat	Walker
Bray	Head	Miller, Pete	Waltz
Brodin	Hershman	Mishler	Yoder
Brown	Holdman	Mrvan	Young, M
Buck	Houchin	Nemeyer	Zakas
Charbonneau	Kenley	Perfect	

**NAY - 7**

Breaux	Randolph	Stoops	Taylor
Lanane	Rogers	Tallian	

**EXCUSED - 0**

**NOT VOTING - 0**

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 23, 2016

2:19:30 PM

## Roll Call 201: Bill Passed

<b>HB 1038 - Crider - 3rd Reading</b>	Yea	49
Blue LED lights on volunteer firefighter vehicles	Nay	0
	Excused	0
	Not Voting	1

Presiding: President

**YEA - 49**

Aiting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Stoops
Bassler	Glick	Miller, Pat	Tallian
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mishler	Walker
Bray	Hershman	Mrvan	Waltz
Breaux	Holdman	Nemeyer	Yoder
Brodin	Houchin	Perfect	Young, M
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Randolph	
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

**NAY - 0**

**EXCUSED - 0**

**NOT VOTING - 1**

Taylor
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Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 23, 2016

2:31:47 PM

Roll Call 202: Bill Passed

HB 1053 - Steele - 3rd Reading Regulation of packaging materials	Yea	38
	Nay	12
	Excused	0
	Not Voting	0

Presiding: President

YEA - 38

Alting	Delph	Leising	Smith
Arnold	Eckerty	Long	Steele
Banks	Ford	Merritt	Tomes
Becker	Glick	Messmer	Walker
Boots	Grooms	Miller, Pat	Waltz
Bray	Hershman	Mishler	Yoder
Brown	Holdman	Niemeyer	Young, M
Buck	Houchin	Perfect	Zakas
Charbonneau	Kenley	Raatz	
Crider	Kruse	Schneider	

NAY - 12

Bassler	Head	Mrvan	Stoops
Breaux	Lanane	Randolph	Tallian
Brodin	Miller, Pete	Rogers	Taylor

EXCUSED - 0

NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 23, 2016

2:36:19 PM

Roll Call 204: Bill Passed

HB 1085 - Steele - 3rd Reading Firearms and certification	Yea	45
	Nay	5
	Excused	0
	Not Voting	0

Presiding: President

YEA - 45

Alting	Delph	Long	Steele
Arnold	Eckerty	Merritt	Tallian
Banks	Ford	Messmer	Taylor
Bassler	Glick	Miller, Pat	Tomes
Becker	Grooms	Miller, Pete	Walker
Boots	Head	Mishler	Waltz
Bray	Hershman	Niemeyer	Yoder
Brodin	Holdman	Perfect	Young, M
Brown	Houchin	Raatz	Zakas
Buck	Kenley	Rogers	
Charbonneau	Kruse	Schneider	
Crider	Leising	Smith	

NAY - 5

Breaux	Mrvan	Randolph	Stoops
Lanane			

EXCUSED - 0

NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 23, 2016

2:52:28 PM

Roll Call 208: Bill Passed

HB 1209 - Miller, Pete - 3rd Reading Workplace Spanish transcript designation	Yea	40
	Nay	10
	Excused	0
	Not Voting	0

Presiding: President

YEA - 40

Alting	Eckerty	Lanane	Rogers
Arnold	Ford	Leising	Schneider
Bassler	Glick	Long	Smith
Becker	Grooms	Merritt	Stoops
Boots	Head	Miller, Pat	Tallian
Breaux	Hershman	Miller, Pete	Taylor
Brodin	Holdman	Mishler	Walker
Charbonneau	Houchin	Mrvan	Yoder
Crider	Kenley	Raatz	Young, M
Delph	Kruse	Randolph	Zakas

NAY - 10

Banks	Buck	Perfect	Waltz
Bray	Messmer	Steele	
Brown	Niemeyer	Tomes	

EXCUSED - 0

NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 23, 2016

3:04:46 PM

Roll Call 211: Bill Passed

HB 1278 - Miller, Pat - 3rd Reading INSPECT program	Yea	49
	Nay	0
	Excused	0
	Not Voting	1

Presiding: President

YEA - 49

Alting	Delph	Long	Steele
Arnold	Eckerty	Merritt	Stoops
Banks	Ford	Messmer	Tallian
Bassler	Glick	Miller, Pat	Taylor
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mrvan	Walker
Bray	Hershman	Niemeyer	Waltz
Breaux	Holdman	Perfect	Yoder
Brodin	Houchin	Raatz	Young, M
Brown	Kenley	Randolph	Zakas
Buck	Kruse	Rogers	
Charbonneau	Lanane	Schneider	
Crider	Leising	Smith	

NAY - 0

EXCUSED - 0

NOT VOTING - 1

Mishler

**Senate**

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 23, 2016

3:06:48 PM

**Roll Call 212: Bill Passed**

<b>HB 1359 - Brown L - 3rd Reading</b>	Yea	47
Employment of veterans as public safety officers; 1977 fund retirement age	Nay	1
	Excused	0
	Not Voting	2

Presiding: President

**YEA - 47**

Aiting	Crider	Leising	Schneider
Arnold	Delph	Long	Smith
Banks	Eckerty	Merritt	Steele
Bassler	Ford	Messmer	Stoops
Becker	Glick	Miller, Pat	Taylor
Boots	Grooms	Miller, Pete	Tomes
Bray	Hershman	Mrvan	Walker
Breaux	Holdman	Niemeyer	Waltz
Brodan	Houchin	Perfect	Yoder
Brown	Kenley	Raatz	Young, M
Buck	Kruse	Randolph	Zakas
Charbonneau	Lanane	Rogers	

**NAY - 1**

Tallian
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**EXCUSED - 0**

**NOT VOTING - 2**

Head	Mishler
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**Senate**

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 23, 2016

3:12:13 PM

**Roll Call 214: Motion Passed**

<b>SB 26 - Steele</b>	Yea	48
Children in need of services	Nay	0
Concurrence Eligible for Action	Excused	0
	Not Voting	2

Presiding: President

**YEA - 48**

Aiting	Crider	Leising	Schneider
Arnold	Delph	Long	Smith
Banks	Eckerty	Merritt	Steele
Bassler	Ford	Messmer	Stoops
Becker	Glick	Miller, Pat	Tallian
Boots	Grooms	Miller, Pete	Taylor
Bray	Hershman	Mrvan	Tomes
Breaux	Holdman	Niemeyer	Walker
Brodan	Houchin	Perfect	Waltz
Brown	Kenley	Raatz	Yoder
Buck	Kruse	Randolph	Young, M
Charbonneau	Lanane	Rogers	Zakas

**NAY - 0**

**EXCUSED - 0**

**NOT VOTING - 2**

Head	Mishler
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**Senate**

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 23, 2016

3:14:00 PM

**Roll Call 215: Motion Passed**

<b>SB 81 - Young, M.</b>	Yea	49
Senior judges, judges pro tempore, and oaths	Nay	0
Concurrence Eligible for Action	Excused	0
	Not Voting	1

Presiding: President

**YEA - 49**

Aiting	Delph	Long	Steele
Arnold	Eckerty	Merritt	Stoops
Banks	Ford	Messmer	Tallian
Bassler	Glick	Miller, Pat	Taylor
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mrvan	Walker
Bray	Hershman	Niemeyer	Waltz
Breaux	Holdman	Perfect	Yoder
Brodan	Houchin	Raatz	Young, M
Brown	Kenley	Randolph	Zakas
Buck	Kruse	Rogers	
Charbonneau	Lanane	Schneider	
Crider	Leising	Smith	

**NAY - 0**

**EXCUSED - 0**

**NOT VOTING - 1**

Mishler
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**Senate**

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 25, 2016

2:18:59 PM

**Roll Call 217: Amendment Failed**

<b>HB 1046 - Hershman - 2nd Reading</b>	Yea	9
Sales of bullion or currency.	Nay	36
Amendment #2 - Breaux	Excused	5
	Not Voting	0

Presiding: President

**YEA - 9**

Aiting	Brodan	Stoops	Taylor
Arnold	Lanane	Tallian	Waltz
Breaux			

**NAY - 36**

Banks	Delph	Kruse	Perfect
Bassler	Eckerty	Leising	Raatz
Becker	Ford	Long	Smith
Boots	Glick	Merritt	Steele
Bray	Grooms	Messmer	Tomes
Brown	Head	Miller, Pat	Walker
Buck	Hershman	Miller, Pete	Yoder
Charbonneau	Houchin	Mishler	Young, M
Crider	Kenley	Niemeyer	Zakas

**EXCUSED - 5**

Holdman	Randolph	Rogers	Schneider
Mrvan			

**NOT VOTING - 0**

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 25, 2016  
2:22:28 PM

## Roll Call 218: Amendment Failed

<b>HB 1046 - Hershman - 2nd Reading</b>	Yea	9
Sales of bullion or currency.	Nay	36
Amendment #1 - Breaux	Excused	5
	Not Voting	0

Presiding: President

### YEA - 9

Arnold	Broden	Stoops	Taylor
Becker	Lanane	Tallian	Waltz
Breaux			

### NAY - 36

Alting	Delph	Kruse	Perfect
Banks	Eckerty	Leising	Raatz
Bassler	Ford	Long	Smith
Boots	Glick	Merritt	Steele
Bray	Grooms	Messmer	Tomes
Brown	Head	Miller, Pat	Walker
Buck	Hershman	Miller, Pete	Yoder
Charbonneau	Houchin	Mishler	Young, M
Crider	Kenley	Niemeyer	Zakas

### EXCUSED - 5

Holdman	Randolph	Rogers	Schneider
Mrvan			

### NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 25, 2016  
3:02:56 PM

## Roll Call 220: Bill Passed

<b>HB 1025 - Yoder - 3rd Reading</b>	Yea	41
Alternate rezoning procedure	Nay	4
	Excused	5
	Not Voting	0

Presiding: Long

### YEA - 41

Alting	Charbonneau	Leising	Steele
Arnold	Crider	Long	Taylor
Banks	Delph	Merritt	Tomes
Bassler	Eckerty	Messmer	Walker
Becker	Ford	Miller, Pat	Waltz
Boots	Grooms	Miller, Pete	Yoder
Bray	Head	Mishler	Young, M
Breaux	Hershman	Niemeyer	Zakas
Broden	Head	Perfect	
Brown	Houchin	Raatz	
Buck	Kruse	Smith	
	Lanane		

### NAY - 4

Glick	Kenley	Stoops	Tallian
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### EXCUSED - 5

Holdman	Randolph	Rogers	Schneider
Mrvan			

### NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 25, 2016  
3:08:27 PM

## Roll Call 221: Bill Passed

<b>HB 1081 - Hershman - 3rd Reading</b>	Yea	41
Local income tax	Nay	4
	Excused	5
	Not Voting	0

Presiding: Long

### YEA - 41

Alting	Crider	Leising	Stoops
Arnold	Eckerty	Long	Tallian
Bassler	Ford	Merritt	Taylor
Becker	Glick	Miller, Pat	Tomes
Boots	Grooms	Miller, Pete	Walker
Bray	Head	Mishler	Waltz
Breaux	Hershman	Niemeyer	Yoder
Broden	Houchin	Perfect	Zakas
Brown	Kenley	Raatz	
Buck	Kruse	Smith	
Charbonneau	Lanane	Steele	

### NAY - 4

Banks	Delph	Messmer	Young, M
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### EXCUSED - 5

Holdman	Randolph	Rogers	Schneider
Mrvan			

### NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 25, 2016  
3:13:15 PM

## Roll Call 223: Bill Passed

<b>HB 1180 - Kruse - 3rd Reading</b>	Yea	37
PILOTS, charges, and fees on tax exempt property	Nay	8
	Excused	5
	Not Voting	0

Presiding: Long

### YEA - 37

Alting	Crider	Kruse	Smith
Arnold	Delph	Leising	Steele
Banks	Eckerty	Long	Tomes
Bassler	Ford	Merritt	Waltz
Becker	Glick	Messmer	Yoder
Breaux	Grooms	Miller, Pat	Young, M
Broden	Head	Mishler	Zakas
Brown	Hershman	Niemeyer	
Buck	Houchin	Perfect	
Charbonneau	Kenley	Raatz	

### NAY - 8

Boots	Lanane	Stoops	Taylor
Bray	Miller, Pete	Tallian	Walker

### EXCUSED - 5

Holdman	Randolph	Rogers	Schneider
Mrvan			

### NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 25, 2016

3:23:19 PM

Roll Call 227: Bill Passed

<b>HB 1088 - Becker - 3rd Reading</b>	Yea	45
Death certificates	Nay	0
	Excused	5
	Not Voting	0

Presiding: Long

YEA - 45

Alting	Crider	Leising	Stoops
Arnold	Delph	Long	Tallan
Banks	Eckerty	Merritt	Taylor
Bassler	Ford	Messmer	Tomes
Becker	Glick	Miller, Pat	Walker
Boots	Grooms	Miller, Pete	Waltz
Bray	Head	Mishler	Yoder
Breaux	Hershman	Niemeyer	Young, M
Brodén	Houchin	Perfect	Zakas
Brown	Kenley	Raatz	
Buck	Kruse	Smith	
Charbonneau	Lanane	Steele	

NAY - 0

<b>EXCUSED - 5</b>			
Holdman	Randolph	Rogers	Schneider
Mrvan			

NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 25, 2016

3:26:30 PM

Roll Call 228: Motion Passed

<b>SB 27 - Steele</b>	Yea	33
Magistrates	Nay	12
Concurrence Eligible for Action	Excused	5
	Not Voting	0

Presiding: Long

YEA - 33

Alting	Crider	Long	Stoops
Arnold	Delph	Merritt	Tallan
Bassler	Eckerty	Messmer	Taylor
Becker	Glick	Miller, Pat	Waltz
Bray	Head	Niemeyer	Young, M
Breaux	Hershman	Perfect	Zakas
Brodén	Kruse	Raatz	
Buck	Lanane	Smith	
Charbonneau	Leising	Steele	

NAY - 12

Banks	Ford	Kenley	Tomes
Boots	Grooms	Miller, Pete	Walker
Brown	Houchin	Mishler	Yoder

EXCUSED - 5

Holdman	Randolph	Rogers	Schneider
Mrvan			

NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 25, 2016

3:28:09 PM

Roll Call 229: Motion Passed

<b>SB 192 - Crider</b>	Yea	44
Guardianship and adult protective services report	Nay	1
Concurrence Eligible for Action	Excused	5
	Not Voting	0

Presiding: Long

YEA - 44

Alting	Charbonneau	Lanane	Smith
Arnold	Crider	Leising	Steele
Banks	Delph	Long	Stoops
Bassler	Eckerty	Merritt	Tallan
Becker	Ford	Messmer	Taylor
Boots	Glick	Miller, Pat	Tomes
Bray	Grooms	Miller, Pete	Walker
Breaux	Head	Mishler	Waltz
Brodén	Hershman	Niemeyer	Yoder
Brown	Houchin	Perfect	Young, M
Buck	Kruse	Raatz	Zakas

NAY - 1

Kenley
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EXCUSED - 5

Holdman	Randolph	Rogers	Schneider
Mrvan			

NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 25, 2016

3:29:42 PM

Roll Call 230: Motion Passed

<b>SB 251 - Kruse</b>	Yea	41
Indiana out of school time learning advisory board	Nay	4
Concurrence Eligible for Action	Excused	5
	Not Voting	0

Presiding: Long

YEA - 41

Alting	Delph	Long	Stoops
Arnold	Eckerty	Merritt	Taylor
Banks	Ford	Messmer	Tomes
Bassler	Glick	Miller, Pat	Walker
Becker	Grooms	Miller, Pete	Waltz
Boots	Head	Mishler	Yoder
Bray	Hershman	Niemeyer	Young, M
Brodén	Houchin	Perfect	Zakas
Buck	Kruse	Raatz	
Charbonneau	Lanane	Smith	
Crider	Leising	Steele	

NAY - 4

Breaux	Brown	Kenley	Tallan
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EXCUSED - 5

Holdman	Randolph	Rogers	Schneider
Mrvan			

NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 25, 2016

3:31:05 PM

**Roll Call 231: Motion Passed**

<b>SB 257 - Charbonneau</b>	Yea	45
Distressed water and wastewater utilities	Nay	0
Concurrence Eligible for Action	Excused	5
	Not Voting	0

Presiding: Long

**YEA - 45**

Alting	Crider	Leising	Stoops
Arnold	Delph	Long	Tallan
Banks	Eckerty	Merritt	Taylor
Bassler	Ford	Messmer	Tomes
Becker	Glick	Miller, Pat	Walker
Boots	Grooms	Miller, Pete	Waltz
Bray	Head	Mishler	Yoder
Breaux	Hershman	Niemeyer	Young, M
Broden	Houchin	Perfect	Zakas
Brown	Kenley	Raatz	
Buck	Kruse	Smith	
Charbonneau	Lanane	Steele	

**NAY - 0****EXCUSED - 5**

Holdman	Randolph	Rogers	Schneider
Mrvan			

**NOT VOTING - 0**

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

FEB 25, 2016

3:32:30 PM

**Roll Call 232: Motion Passed**

<b>SB 327 - Bassler</b>	Yea	45
Transparency portal	Nay	0
Concurrence Eligible for Action	Excused	5
	Not Voting	0

Presiding: Long

**YEA - 45**

Alting	Crider	Leising	Stoops
Arnold	Delph	Long	Tallan
Banks	Eckerty	Merritt	Taylor
Bassler	Ford	Messmer	Tomes
Becker	Glick	Miller, Pat	Walker
Boots	Grooms	Miller, Pete	Waltz
Bray	Head	Mishler	Yoder
Breaux	Hershman	Niemeyer	Young, M
Broden	Houchin	Perfect	Zakas
Brown	Kenley	Raatz	
Buck	Kruse	Smith	
Charbonneau	Lanane	Steele	

**NAY - 0****EXCUSED - 5**

Holdman	Randolph	Rogers	Schneider
Mrvan			

**NOT VOTING - 0**

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

11:35:41 AM

**Roll Call 244: Bill Passed**

<b>HB 1017 - Merritt - 3rd Reading</b>	Yea	46
Publication of notice by political subdivisions	Nay	4
	Excused	0
	Not Voting	0

Presiding: President

**YEA - 46**

Alting	Eckerty	Merritt	Steele
Arnold	Ford	Messmer	Stoops
Banks	Grooms	Miller, Pat	Tallan
Bassler	Head	Miller, Pete	Taylor
Becker	Hershman	Mishler	Tomes
Bray	Holdman	Mrvan	Walker
Breaux	Houchin	Niemeyer	Waltz
Broden	Kenley	Perfect	Yoder
Brown	Kruse	Raatz	Young, M
Charbonneau	Lanane	Randolph	Zakas
Crider	Leising	Rogers	
Delph	Long	Smith	

**NAY - 4**

Boots	Buck	Glick	Schneider
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**EXCUSED - 0****NOT VOTING - 0**

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

11:46:20 AM

**Roll Call 246: Bill Passed**

<b>HB 1022 - Glick - 3rd Reading</b>	Yea	49
Private university police departments	Nay	1
	Excused	0
	Not Voting	0

Presiding: President

**YEA - 49**

Alting	Eckerty	Merritt	Steele
Arnold	Ford	Messmer	Stoops
Banks	Glick	Miller, Pat	Tallan
Bassler	Grooms	Miller, Pete	Taylor
Becker	Head	Mishler	Tomes
Boots	Hershman	Mrvan	Walker
Bray	Holdman	Niemeyer	Waltz
Breaux	Houchin	Perfect	Yoder
Broden	Kenley	Raatz	Young, M
Buck	Kruse	Randolph	Zakas
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	
Delph	Long	Smith	

**NAY - 1**

Brown
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**EXCUSED - 0****NOT VOTING - 0**

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

11:52:03 AM

Roll Call 249: Bill Passed

<b>HB 1040 - Kruse - 3rd Reading</b>	Yea	36
Food and beverage tax	Nay	14
	Excused	0
	Not Voting	0

Presiding: President

YEA - 36

Arnold	Eckerty	Lanane	Raatz
Bassler	Ford	Leising	Randolph
Boots	Glick	Long	Rogers
Bray	Grooms	Merritt	Steele
Breaux	Head	Miller, Pat	Stoops
Brodén	Hershman	Miller, Pete	Tallian
Buck	Holdman	Mishler	Taylor
Charbonneau	Kenley	Mrvan	Walker
Crider	Kruse	Niemeyer	Zakas

NAY - 14

Alting	Delph	Schneider	Yoder
Banks	Houchin	Smith	Young, M
Becker	Messmer	Tomes	
Brown	Perfect	Waltz	

EXCUSED - 0  
NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

11:57:26 AM

Roll Call 250: Bill Passed

<b>HB 1046 - Hershman - 3rd Reading</b>	Yea	46
Sales of bullion or currency	Nay	4
	Excused	0
	Not Voting	0

Presiding: President

YEA - 46

Alting	Crider	Long	Smith
Arnold	Delph	Merritt	Steele
Banks	Eckerty	Messmer	Stoops
Bassler	Ford	Miller, Pat	Tallian
Becker	Glick	Miller, Pete	Tomes
Boots	Grooms	Mishler	Walker
Bray	Head	Niemeyer	Waltz
Breaux	Hershman	Perfect	Yoder
Brodén	Holdman	Raatz	Young, M
Brown	Houchin	Randolph	Zakas
Buck	Kruse	Rogers	
Charbonneau	Leising	Schneider	

NAY - 4

Kenley	Lanane	Mrvan	Taylor
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EXCUSED - 0  
NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

11:59:54 AM

Roll Call 251: Bill Passed

<b>HB 1048 - Charbonneau - 3rd Reading</b>	Yea	49
Motor vehicle accidents	Nay	1
	Excused	0
	Not Voting	0

Presiding: President

YEA - 49

Alting	Delph	Long	Steele
Arnold	Eckerty	Merritt	Stoops
Banks	Ford	Messmer	Tallian
Bassler	Glick	Miller, Pat	Taylor
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mishler	Walker
Bray	Hershman	Mrvan	Waltz
Breaux	Holdman	Niemeyer	Yoder
Brodén	Houchin	Perfect	Young, M
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Rogers	
Charbonneau	Lanane	Schneider	
Crider	Leising	Smith	

NAY - 1

Randolph
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EXCUSED - 0  
NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

12:55:26 PM

Roll Call 266: Bill Passed

<b>HB 1157 - Young, M. - 3rd Reading</b>	Yea	49
Methamphetamine matters	Nay	1
	Excused	0
	Not Voting	0

Presiding: President

YEA - 49

Alting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Stoops
Bassler	Glick	Miller, Pat	Tallian
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mishler	Walker
Bray	Hershman	Mrvan	Waltz
Breaux	Holdman	Niemeyer	Yoder
Brodén	Houchin	Perfect	Young, M
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Randolph	
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

NAY - 1

Taylor
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EXCUSED - 0  
NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

12:12:46 PM

Roll Call 255: Bill Passed

<b>HB 1082 - Charbonneau - 3rd Reading</b>	Yea	48
Environmental rules and policies	Nay	2
	Excused	0
	Not Voting	0

Presiding: President

YEA - 48

Alting	Crider	Lanane	Rogers
Arnold	Delph	Leising	Schneider
Banks	Eckerty	Long	Smith
Bassler	Ford	Merritt	Steele
Becker	Glick	Messmer	Tallian
Boots	Grooms	Miller, Pat	Taylor
Bray	Head	Miller, Pete	Tomes
Breaux	Hershman	Mishler	Walker
Broden	Holdman	Niemeyer	Waltz
Brown	Houchin	Perfect	Yoder
Buck	Kenley	Raatz	Young, M
Charbonneau	Kruse	Randolph	Zakas

<b>NAY - 2</b>	
Mrvan	Stoops

EXCUSED - 0  
NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

1:00:20 PM

Roll Call 268: Bill Passed

<b>HB 1164 - Crider - 3rd Reading</b>	Yea	48
Law enforcement officers	Nay	2
	Excused	0
	Not Voting	0

Presiding: President

YEA - 48

Alting	Crider	Leising	Rogers
Arnold	Delph	Long	Smith
Banks	Eckerty	Merritt	Steele
Bassler	Ford	Messmer	Stoops
Becker	Glick	Miller, Pat	Tallian
Boots	Grooms	Miller, Pete	Taylor
Bray	Head	Mishler	Tomes
Breaux	Hershman	Mrvan	Walker
Broden	Holdman	Niemeyer	Waltz
Brown	Houchin	Perfect	Yoder
Buck	Kruse	Raatz	Young, M
Charbonneau	Lanane	Randolph	Zakas

<b>NAY - 2</b>	
Kenley	Schneider

EXCUSED - 0  
NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

1:07:02 PM

Roll Call 269: Bill Passed

<b>HB 1172 - Boots - 3rd Reading</b>	Yea	41
Cosmetology	Nay	9
	Excused	0
	Not Voting	0

Presiding: President

YEA - 41

Alting	Charbonneau	Kruse	Rogers
Arnold	Crider	Lanane	Schneider
Banks	Eckerty	Leising	Smith
Bassler	Ford	Long	Stoops
Becker	Glick	Merritt	Tallian
Boots	Grooms	Messmer	Walker
Bray	Head	Miller, Pat	Yoder
Breaux	Hershman	Miller, Pete	Zakas
Broden	Holdman	Mishler	
Brown	Houchin	Perfect	
Buck	Kenley	Raatz	

<b>NAY - 9</b>			
Delph	Randolph	Taylor	Waltz
Mrvan	Steele	Tomes	Young, M
Niemeyer			

EXCUSED - 0  
NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

1:42:14 PM

Roll Call 277: Bill Passed

<b>HB 1235 - Young, M. - 3rd Reading</b>	Yea	40
Drug offenses	Nay	10
	Excused	0
	Not Voting	0

Presiding: President

YEA - 40

Alting	Crider	Lanane	Raatz
Arnold	Eckerty	Leising	Randolph
Banks	Ford	Long	Schneider
Bassler	Glick	Merritt	Smith
Becker	Grooms	Messmer	Steele
Boots	Head	Miller, Pat	Tomes
Bray	Hershman	Mishler	Waltz
Broden	Holdman	Mrvan	Yoder
Brown	Houchin	Niemeyer	Young, M
Buck	Kruse	Perfect	Zakas
Charbonneau			

<b>NAY - 10</b>			
Boots	Kenley	Stoops	Walker
Breaux	Miller, Pete	Tallian	
Delph	Rogers	Taylor	

EXCUSED - 0  
NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

1:43:58 PM

Roll Call 278: Bill Passed

<b>HB 1246 - Glick - 3rd Reading</b>	Yea	48
Various natural resources matters	Nay	2
	Excused	0
	Not Voting	0

Presiding: President

YEA - 48

Alting	Crider	Leising	Schneider
Arnold	Delph	Long	Smith
Banks	Eckerty	Merritt	Steele
Bassler	Ford	Messmer	Stoops
Becker	Glick	Miller, Pat	Tallian
Boots	Grooms	Miller, Pete	Taylor
Bray	Head	Mrvan	Tomes
Breaux	Hershman	Niemeyer	Walker
Broden	Holdman	Perfect	Waltz
Brown	Houchin	Raatz	Yoder
Buck	Kruse	Randolph	Young, M
Charbonneau	Lanane	Rogers	Zakas

NAY - 2

Kenley	Mishler
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EXCUSED - 0  
NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

1:52:48 PM

Roll Call 280: Bill Passed

<b>HB 1254 - Kenley - 3rd Reading</b>	Yea	49
Interim study committee	Nay	1
	Excused	0
	Not Voting	0

Presiding: President

YEA - 49

Alting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Stoops
Bassler	Glick	Miller, Pat	Tallian
Becker	Grooms	Miller, Pete	Taylor
Boots	Head	Mishler	Tomes
Bray	Hershman	Mrvan	Walker
Breaux	Holdman	Niemeyer	Waltz
Broden	Houchin	Perfect	Young, M
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Randolph	
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

NAY - 1

Yoder
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EXCUSED - 0  
NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

2:03:51 PM

Roll Call 284: Bill Passed

<b>HB 1267 - Miller, Pat - 3rd Reading</b>	Yea	48
Meat preparation establishments	Nay	2
	Excused	0
	Not Voting	0

Presiding: President

YEA - 48

Alting	Crider	Leising	Rogers
Arnold	Eckerty	Long	Schneider
Banks	Ford	Merritt	Smith
Bassler	Glick	Messmer	Steele
Becker	Grooms	Miller, Pat	Stoops
Boots	Head	Miller, Pete	Tallian
Bray	Hershman	Mishler	Taylor
Breaux	Holdman	Mrvan	Tomes
Broden	Houchin	Niemeyer	Walker
Brown	Kenley	Perfect	Yoder
Buck	Kruse	Raatz	Young, M
Charbonneau	Lanane	Randolph	Zakas

NAY - 2

Delph	Waltz
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EXCUSED - 0  
NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

2:24:15 PM

Roll Call 292: Bill Passed

<b>HB 1330 - Kruse - 3rd Reading</b>	Yea	26
Education matters	Nay	24
	Excused	0
	Not Voting	0

Presiding: President

YEA - 26

Banks	Grooms	Merritt	Smith
Bassler	Hershman	Miller, Pat	Waltz
Brown	Holdman	Miller, Pete	Yoder
Buck	Houchin	Mishler	Young, M
Charbonneau	Kruse	Perfect	Zakas
Delph	Leising	Raatz	
Ford	Long	Schneider	

NAY - 24

Alting	Broden	Lanane	Steele
Arnold	Crider	Messmer	Stoops
Becker	Eckerty	Mrvan	Tallian
Boots	Glick	Niemeyer	Taylor
Bray	Head	Randolph	Tomes
Breaux	Kenley	Rogers	Walker

EXCUSED - 0  
NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

2:25:58 PM

**Roll Call 293: Bill Passed**

<b>HB 1331 - Head - 3rd Reading</b>	Yea	48
Management of institutional funds	Nay	2
	Excused	0
	Not Voting	0

Presiding: President

**YEA - 48**

Alting	Crider	Long	Schneider
Arnold	Delph	Merritt	Smith
Banks	Eckerty	Messmer	Steele
Bassler	Ford	Miller, Pat	Stoops
Becker	Grooms	Miller, Pete	Tallian
Boots	Head	Mishler	Taylor
Bray	Hershman	Mrvan	Tomes
Breaux	Holdman	Niemeyer	Walker
Broden	Houchin	Perfect	Waltz
Brown	Kruse	Raatz	Yoder
Buck	Lanane	Randolph	Young, M
Charbonneau	Leising	Rogers	Zakas

**NAY - 2**

Glick	Kenley
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EXCUSED - 0

NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

3:50:57 PM

**Roll Call 295: Bill Passed**

<b>HB 1337 - Young, M. - 3rd Reading</b>	Yea	37
Abortion	Nay	13
	Excused	0
	Not Voting	0

Presiding: President

**YEA - 37**

Alting	Ford	Merritt	Steele
Banks	Glick	Messmer	Tomes
Bassler	Grooms	Miller, Pat	Walker
Bray	Head	Miller, Pete	Waltz
Brown	Hershman	Mishler	Yoder
Buck	Holdman	Niemeyer	Young, M
Charbonneau	Houchin	Perfect	Zakas
Crider	Kruse	Raatz	
Delph	Leising	Schneider	
Eckerty	Long	Smith	

**NAY - 13**

Arnold	Broden	Randolph	Taylor
Becker	Kenley	Rogers	
Boots	Lanane	Stoops	
Breaux	Mrvan	Tallian	

EXCUSED - 0

NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

4:18:40 PM

**Roll Call 296: Bill Passed**

<b>HB 1340 - Holdman - 3rd Reading</b>	Yea	49
Long term small installment loans	Nay	1
	Excused	0
	Not Voting	0

Presiding: President

**YEA - 49**

Alting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Stoops
Bassler	Glick	Miller, Pat	Tallian
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mishler	Walker
Bray	Hershman	Mrvan	Waltz
Breaux	Holdman	Niemeyer	Yoder
Broden	Houchin	Perfect	Young, M
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Randolph	
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

**NAY - 1**

Taylor
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EXCUSED - 0

NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

4:22:32 PM

**Roll Call 298: Bill Passed**

<b>HB 1347 - Miller, Pat - 3rd Reading</b>	Yea	49
Mental health matters	Nay	1
	Excused	0
	Not Voting	0

Presiding: President

**YEA - 49**

Alting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Stoops
Bassler	Glick	Miller, Pat	Tallian
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mishler	Walker
Bray	Hershman	Mrvan	Waltz
Breaux	Holdman	Niemeyer	Yoder
Broden	Houchin	Perfect	Young, M
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Randolph	
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

**NAY - 1**

Taylor
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EXCUSED - 0

NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

4:26:23 PM

**Roll Call 300: Bill Passed**

<b>HB 1360 - Brown L - 3rd Reading</b>	Yea	49
Realtor continuing education	Nay	1
	Excused	0
	Not Voting	0

Presiding: President

**YEA - 49**

Aiting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Stoops
Bassler	Glick	Miller, Pat	Tallian
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mishler	Walker
Bray	Hershman	Mrvan	Waltz
Breaux	Holdman	Niemeyer	Yoder
Broden	Houchin	Perfect	Young, M
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Randolph	
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

**NAY - 1**

Taylor
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EXCUSED - 0  
NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

4:29:14 PM

**Roll Call 302: Bill Passed**

<b>HB 1369 - Holdman - 3rd Reading</b>	Yea	49
Juvenile justice	Nay	1
	Excused	0
	Not Voting	0

Presiding: President

**YEA - 49**

Aiting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Stoops
Bassler	Glick	Miller, Pat	Tallian
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mishler	Walker
Bray	Hershman	Mrvan	Waltz
Breaux	Holdman	Niemeyer	Yoder
Broden	Houchin	Perfect	Young, M
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Randolph	
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

**NAY - 1**

Taylor
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EXCUSED - 0  
NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

4:30:33 PM

**Roll Call 303: Bill Passed**

<b>HB 1370 - Kruse - 3rd Reading</b>	Yea	49
Dual credit teachers	Nay	1
	Excused	0
	Not Voting	0

Presiding: President

**YEA - 49**

Aiting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Stoops
Bassler	Glick	Miller, Pat	Tallian
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mishler	Walker
Bray	Hershman	Mrvan	Waltz
Breaux	Holdman	Niemeyer	Yoder
Broden	Houchin	Perfect	Young, M
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Randolph	
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

**NAY - 1**

Taylor
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EXCUSED - 0  
NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

4:49:03 PM

**Roll Call 307: Bill Passed**

<b>HB 1378 - Hershman - 3rd Reading</b>	Yea	47
Divestment from boycott Israel businesses	Nay	3
	Excused	0
	Not Voting	0

Presiding: President

**YEA - 47**

Aiting	Delph	Leising	Rogers
Arnold	Eckerty	Long	Schneider
Banks	Ford	Merritt	Smith
Bassler	Glick	Messmer	Steele
Becker	Grooms	Miller, Pat	Tallian
Boots	Head	Miller, Pete	Taylor
Bray	Hershman	Mishler	Tomes
Breaux	Holdman	Mrvan	Waltz
Broden	Houchin	Niemeyer	Yoder
Brown	Kenley	Perfect	Young, M
Buck	Kruse	Raatz	Zakas
Charbonneau	Lanane	Randolph	
Crider			

**NAY - 3**

Boots	Stoops	Walker
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EXCUSED - 0  
NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 01, 2016

4:59:55 PM

Roll Call 309: Bill Passed

<b>HB 1386 - Alting - 3rd Reading</b>	Yea	33
Various alcohol, tobacco, and e-liquid matters	Nay	17
	Excused	0
	Not Voting	0

Presiding: President

YEA - 33

Alting	Buck	Lanane	Randolph
Arnold	Crider	Leising	Steele
Banks	Eckerty	Long	Taylor
Bassler	Ford	Merritt	Waltz
Boots	Glick	Messmer	Yoder
Bray	Grooms	Miller, Pete	Zakas
Breaux	Hershman		
Broden	Houchin		
Brown	Kenley		

NAY - 17

Becker	Kruse	Schneider	Walker
Charbonneau	Miller, Pat	Smith	Young, M
Delph	Mrvan	Stoops	
Head	Niemeyer	Tallian	
Holdman	Rogers	Tomes	

EXCUSED - 0  
NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 02, 2016

2:18:09 PM

Roll Call 313: Motion Passed

<b>SB 126 - Miller, Pete</b>	Yea	49
Political subdivision information on the Internet	Nay	0
Concurrence Eligible for Action	Excused	0
	Not Voting	1

Presiding: Long

YEA - 49

Alting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Stoops
Bassler	Glick	Miller, Pat	Tallian
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mishler	Walker
Bray	Hershman	Mrvan	Waltz
Breaux	Holdman	Niemeyer	Yoder
Broden	Houchin	Perfect	Young, M
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Randolph	
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

NAY - 0

EXCUSED - 0

NOT VOTING - 1

Taylor

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 02, 2016

2:19:52 PM

Roll Call 314: Motion Passed

<b>SB 238 - Glick</b>	Yea	49
Soil and water conservation funding	Nay	0
Concurrence Eligible for Action	Excused	0
	Not Voting	1

Presiding: Long

YEA - 49

Alting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Stoops
Bassler	Glick	Miller, Pat	Tallian
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mishler	Walker
Bray	Hershman	Mrvan	Waltz
Breaux	Holdman	Niemeyer	Yoder
Broden	Houchin	Perfect	Young, M
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Randolph	
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

NAY - 0

EXCUSED - 0

NOT VOTING - 1

Taylor

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 02, 2016

2:21:19 PM

Roll Call 315: Motion Passed

<b>SB 362 - Banks</b>	Yea	49
National guard members and veterans	Nay	0
Concurrence Eligible for Action	Excused	0
	Not Voting	1

Presiding: Long

YEA - 49

Alting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Stoops
Bassler	Glick	Miller, Pat	Tallian
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mishler	Walker
Bray	Hershman	Mrvan	Waltz
Breaux	Holdman	Niemeyer	Yoder
Broden	Houchin	Perfect	Young, M
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Randolph	
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

NAY - 0

EXCUSED - 0

NOT VOTING - 1

Taylor

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 04, 2016

1:50:38 PM

## Roll Call 321: Motion Passed

<b>SB 11 - Kenley</b>	Yea	45
ABLE savings accounts; Medicaid reimbursement rates	Nay	0
Concurrence Eligible for Action	Excused	4
	Not Voting	1

Presiding: Long

**YEA - 45**

Aiting	Delph	Long	Steele
Arnold	Eckerty	Merritt	Stoops
Banks	Ford	Messmer	Tallian
Bassler	Glick	Miller, Pat	Taylor
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mishler	Walker
Bray	Hershman	Mrvan	Yoder
Breaux	Holdman	Perfect	Young, M
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Rogers	
Charbonneau	Lanane	Schneider	
Crider	Leising	Smith	

**NAY - 0**

**EXCUSED - 4**

Brodan	Houchin	Niemeyer	Waltz
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**NOT VOTING - 1**

Randolph
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 04, 2016

1:52:07 PM

## Roll Call 322: Motion Passed

<b>SB 15 - Head</b>	Yea	36
Fresh food initiative	Nay	9
Concurrence Eligible for Action	Excused	4
	Not Voting	1

Presiding: Long

**YEA - 36**

Aiting	Eckerty	Leising	Rogers
Arnold	Ford	Long	Smith
Becker	Glick	Merritt	Steele
Bray	Grooms	Messmer	Stoops
Breaux	Head	Miller, Pat	Tallian
Brown	Hershman	Miller, Pete	Taylor
Buck	Holdman	Mishler	Tomes
Charbonneau	Kruse	Mrvan	Walker
Crider	Lanane	Raatz	Zakas

**NAY - 9**

Banks	Delph	Perfect	Yoder
Bassler	Kenley	Schneider	Young, M
Boots			

**EXCUSED - 4**

Brodan	Houchin	Niemeyer	Waltz
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**NOT VOTING - 1**

Randolph
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 04, 2016

1:54:05 PM

## Roll Call 323: Motion Passed

<b>SB 31 - Zakas</b>	Yea	44
Probate study subcommittee	Nay	1
Concurrence Eligible for Action	Excused	4
	Not Voting	1

Presiding: Long

**YEA - 44**

Aiting	Crider	Leising	Schneider
Arnold	Delph	Long	Smith
Banks	Eckerty	Merritt	Steele
Bassler	Ford	Messmer	Stoops
Becker	Glick	Miller, Pat	Tallian
Boots	Grooms	Miller, Pete	Taylor
Bray	Hershman	Mishler	Tomes
Breaux	Holdman	Mrvan	Walker
Brown	Kenley	Perfect	Yoder
Buck	Kruse	Raatz	Young, M
Charbonneau	Lanane	Rogers	Zakas

**NAY - 1**

Head
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**EXCUSED - 4**

Brodan	Houchin	Niemeyer	Waltz
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**NOT VOTING - 1**

Randolph
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 04, 2016

1:56:01 PM

## Roll Call 324: Motion Passed

<b>SB 41 - Crider</b>	Yea	46
Pharmacy benefits	Nay	0
Concurrence Eligible for Action	Excused	4
	Not Voting	0

Presiding: Long

**YEA - 46**

Aiting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Stoops
Bassler	Glick	Miller, Pat	Tallian
Becker	Grooms	Miller, Pete	Taylor
Boots	Head	Mishler	Tomes
Bray	Hershman	Mrvan	Walker
Breaux	Holdman	Perfect	Yoder
Brown	Kenley	Raatz	Young, M
Buck	Kruse	Randolph	Zakas
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

**NAY - 0**

**EXCUSED - 4**

Brodan	Houchin	Niemeyer	Waltz
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**NOT VOTING - 0**

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 04, 2016

2:12:41 PM

**Roll Call 325: Motion Passed**

<b>SB 61 - Walker</b>	Yea	28
Voting matters	Nay	16
Concurrence Eligible for Action	Excused	4
	Not Voting	2

Presiding: Long

**YEA - 28**

Bassler	Glick	Leising	Raatz
Boots	Grooms	Long	Schneider
Bray	Head	Merritt	Steele
Charbonneau	Hershman	Miller, Pat	Walker
Crider	Holdman	Miller, Pete	Yoder
Eckerty	Kenley	Mishler	Young, M
Ford	Kruse	Perfect	Zakas

**NAY - 16**

Alting	Breaux	Messmer	Smith
Arnold	Buck	Mrvan	Stoops
Banks	Delph	Randolph	Taylor
Becker	Lanane	Rogers	Tomes

**EXCUSED - 4**

Brodin	Houchin	Niemeyer	Waltz
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**NOT VOTING - 2**

Brown	Tallian
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 04, 2016

2:18:33 PM

**Roll Call 326: Motion Passed**

<b>SB 142 - Young, M.</b>	Yea	37
Operating while intoxicated	Nay	7
Concurrence Eligible for Action	Excused	4
	Not Voting	2

Presiding: Long

**YEA - 37**

Alting	Eckerty	Long	Smith
Arnold	Ford	Merritt	Steele
Banks	Glick	Messmer	Tomes
Bassler	Grooms	Miller, Pat	Walker
Becker	Head	Miller, Pete	Yoder
Boots	Hershman	Mishler	Young, M
Buck	Holdman	Mrvan	Zakas
Charbonneau	Kenley	Perfect	
Crider	Kruse	Raatz	
Delph	Leising	Schneider	

**NAY - 7**

Breaux	Randolph	Stoops	Taylor
Lanane	Rogers	Tallian	

**EXCUSED - 4**

Brodin	Houchin	Niemeyer	Waltz
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**NOT VOTING - 2**

Bray	Brown
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 04, 2016

2:21:18 PM

**Roll Call 327: Motion Passed**

<b>SB 160 - Young, M.</b>	Yea	42
Juvenile law	Nay	0
Concurrence Eligible for Action	Excused	4
	Not Voting	4

Presiding: Long

**YEA - 42**

Alting	Eckerty	Long	Schneider
Arnold	Ford	Merritt	Smith
Banks	Glick	Messmer	Steele
Bassler	Grooms	Miller, Pat	Stoops
Becker	Head	Miller, Pete	Tomes
Boots	Hershman	Mishler	Walker
Breaux	Holdman	Mrvan	Yoder
Buck	Kenley	Perfect	Young, M
Charbonneau	Kruse	Raatz	Zakas
Crider	Lanane	Randolph	
Delph	Leising	Rogers	

**NAY - 0**

<b>EXCUSED - 4</b>			
Brodin	Houchin	Niemeyer	Waltz

**NOT VOTING - 4**

Bray	Brown	Tallian	Taylor
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 04, 2016

2:23:38 PM

**Roll Call 328: Motion Passed**

<b>SB 167 - Kenley</b>	Yea	42
State higher education institutions	Nay	0
Concurrence Eligible for Action	Excused	4
	Not Voting	4

Presiding: Long

**YEA - 42**

Alting	Eckerty	Long	Schneider
Arnold	Ford	Merritt	Smith
Banks	Glick	Messmer	Steele
Bassler	Grooms	Miller, Pat	Stoops
Becker	Head	Miller, Pete	Tomes
Boots	Hershman	Mishler	Walker
Breaux	Holdman	Mrvan	Yoder
Buck	Kenley	Perfect	Young, M
Charbonneau	Kruse	Raatz	Zakas
Crider	Lanane	Randolph	
Delph	Leising	Rogers	

**NAY - 0**

<b>EXCUSED - 4</b>			
Brodin	Houchin	Niemeyer	Waltz

**NOT VOTING - 4**

Bray	Brown	Tallian	Taylor
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 04, 2016

2:26:43 PM

**Roll Call 330: Motion Passed**

<b>SB 216 - Hershman</b>	Yea	42
Traffic enforcement in residential complexes	Nay	0
Concurrence Eligible for Action	Excused	4
	Not Voting	4

Presiding: Long

**YEA - 42**

Alting	Eckerty	Long	Schneider
Arnold	Ford	Merritt	Smith
Banks	Glick	Messmer	Steele
Bassler	Grooms	Miller, Pat	Stoops
Becker	Head	Miller, Pete	Tomes
Boots	Hershman	Mishler	Walker
Breaux	Holdman	Mrvan	Yoder
Buck	Kenley	Perfect	Young, M
Charbonneau	Kruse	Raatz	Zakas
Crider	Lanane	Randolph	
Delph	Leising	Rogers	

**NAY - 0**

**EXCUSED - 4**

Brodin	Houchin	Niemeyer	Waltz
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**NOT VOTING - 4**

Bray	Brown	Tallan	Taylor
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 04, 2016

2:27:58 PM

**Roll Call 331: Motion Passed**

<b>SB 221 - Eckerty</b>	Yea	44
Securities and financial protection	Nay	0
Concurrence Eligible for Action	Excused	4
	Not Voting	2

Presiding: Long

**YEA - 44**

Alting	Delph	Leising	Rogers
Arnold	Eckerty	Long	Schneider
Banks	Ford	Merritt	Smith
Bassler	Glick	Messmer	Steele
Becker	Grooms	Miller, Pat	Stoops
Boots	Head	Miller, Pete	Tallan
Breaux	Hershman	Mishler	Tomes
Brown	Holdman	Mrvan	Walker
Buck	Kenley	Perfect	Yoder
Charbonneau	Kruse	Raatz	Young, M
Crider	Lanane	Randolph	Zakas

**NAY - 0**

**EXCUSED - 4**

Brodin	Houchin	Niemeyer	Waltz
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**NOT VOTING - 2**

Bray	Taylor
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 04, 2016

2:29:55 PM

**Roll Call 332: Motion Passed**

<b>SB 248 - Ford</b>	Yea	44
Driving privileges suspensions	Nay	0
Concurrence Eligible for Action	Excused	4
	Not Voting	2

Presiding: Long

**YEA - 44**

Alting	Delph	Leising	Rogers
Arnold	Eckerty	Long	Schneider
Banks	Ford	Merritt	Smith
Bassler	Glick	Messmer	Steele
Becker	Grooms	Miller, Pat	Stoops
Boots	Head	Miller, Pete	Tallan
Breaux	Hershman	Mishler	Tomes
Brown	Holdman	Mrvan	Walker
Buck	Kenley	Perfect	Yoder
Charbonneau	Kruse	Raatz	Young, M
Crider	Lanane	Randolph	Zakas

**NAY - 0**

**EXCUSED - 4**

Brodin	Houchin	Niemeyer	Waltz
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**NOT VOTING - 2**

Bray	Taylor
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 04, 2016

2:33:03 PM

**Roll Call 333: Motion Passed**

<b>SB 256 - Charbonneau</b>	Yea	43
Legitimate use of solid waste and waste tires	Nay	1
Concurrence Eligible for Action	Excused	4
	Not Voting	2

Presiding: Long

**YEA - 43**

Alting	Delph	Leising	Rogers
Arnold	Eckerty	Long	Schneider
Banks	Ford	Merritt	Smith
Bassler	Glick	Messmer	Steele
Becker	Grooms	Miller, Pat	Tallan
Boots	Head	Miller, Pete	Tomes
Breaux	Hershman	Mishler	Walker
Brown	Holdman	Mrvan	Yoder
Buck	Kenley	Perfect	Young, M
Charbonneau	Kruse	Raatz	Zakas
Crider	Lanane	Randolph	

**NAY - 1**

Stoops
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**EXCUSED - 4**

Brodin	Houchin	Niemeyer	Waltz
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**NOT VOTING - 2**

Bray	Taylor
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Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 04, 2016

2:36:34 PM

Roll Call 334: Motion Passed

<b>SB 304 - Kenley</b>	Yea	44
Property tax matters	Nay	0
Concurrence Eligible for Action	Excused	4
	Not Voting	2

Presiding: Long

YEA - 44

Alting	Delph	Leising	Rogers
Arnold	Eckerty	Long	Schneider
Banks	Ford	Merritt	Smith
Bassler	Glick	Messmer	Steele
Becker	Grooms	Miller, Pat	Stoops
Boots	Head	Miller, Pete	Tallian
Breaux	Hershman	Mishler	Tomes
Brown	Holdman	Mrvan	Walker
Buck	Kenley	Perfect	Yoder
Charbonneau	Kruse	Raatz	Young, M
Cridler	Lanane	Randolph	Zakas

NAY - 0

EXCUSED - 4

Broden	Houchin	Niemeyer	Waltz
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NOT VOTING - 2

Bray	Taylor
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Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 04, 2016

2:39:53 PM

Roll Call 335: Motion Passed

<b>SB 310 - Rogers</b>	Yea	44
Lake County pilot program and other local government matters	Nay	0
Concurrence Eligible for Action	Excused	4
	Not Voting	2

Presiding: Long

YEA - 44

Alting	Delph	Leising	Rogers
Arnold	Eckerty	Long	Schneider
Banks	Ford	Merritt	Smith
Bassler	Glick	Messmer	Steele
Becker	Grooms	Miller, Pat	Stoops
Boots	Head	Miller, Pete	Tallian
Breaux	Hershman	Mishler	Tomes
Brown	Holdman	Mrvan	Walker
Buck	Kenley	Perfect	Yoder
Charbonneau	Kruse	Raatz	Young, M
Cridler	Lanane	Randolph	Zakas

NAY - 0

EXCUSED - 4

Broden	Houchin	Niemeyer	Waltz
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NOT VOTING - 2

Bray	Taylor
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Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 04, 2016

2:41:32 PM

Roll Call 336: Motion Passed

<b>SB 321 - Miller, Pete</b>	Yea	44
Local government budgeting	Nay	0
Concurrence Eligible for Action	Excused	4
	Not Voting	2

Presiding: Long

YEA - 44

Alting	Delph	Leising	Rogers
Arnold	Eckerty	Long	Schneider
Banks	Ford	Merritt	Smith
Bassler	Glick	Messmer	Steele
Becker	Grooms	Miller, Pat	Stoops
Boots	Head	Miller, Pete	Tallian
Breaux	Hershman	Mishler	Tomes
Brown	Holdman	Mrvan	Walker
Buck	Kenley	Perfect	Yoder
Charbonneau	Kruse	Raatz	Young, M
Cridler	Lanane	Randolph	Zakas

NAY - 0

EXCUSED - 4

Broden	Houchin	Niemeyer	Waltz
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NOT VOTING - 2

Bray	Taylor
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Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 04, 2016

2:42:48 PM

Roll Call 337: Motion Passed

<b>SB 323 - Hershman</b>	Yea	44
Legislative studies	Nay	0
Concurrence Eligible for Action	Excused	4
	Not Voting	2

Presiding: Long

YEA - 44

Alting	Delph	Leising	Rogers
Arnold	Eckerty	Long	Schneider
Banks	Ford	Merritt	Smith
Bassler	Glick	Messmer	Steele
Becker	Grooms	Miller, Pat	Stoops
Boots	Head	Miller, Pete	Tallian
Breaux	Hershman	Mishler	Tomes
Brown	Holdman	Mrvan	Walker
Buck	Kenley	Perfect	Yoder
Charbonneau	Kruse	Raatz	Young, M
Cridler	Lanane	Randolph	Zakas

NAY - 0

EXCUSED - 4

Broden	Houchin	Niemeyer	Waltz
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NOT VOTING - 2

Bray	Taylor
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 04, 2016

2:56:38 PM

## Roll Call 338: Motion Passed

<b>SB 339 - Ford</b>	Yea	34
Daily fantasy sports	Nay	10
Concurrence Eligible for Action	Excused	4
	Not Voting	2

Presiding: Long

### YEA - 34

Alting	Crider	Lanane	Rogers
Arnold	Eckerty	Leising	Steele
Banks	Ford	Long	Stoops
Bassler	Glick	Merritt	Tomes
Becker	Grooms	Messmer	Walker
Boots	Head	Miller, Pete	Yoder
Breaux	Hershman	Mishler	Zakas
Buck	Kenley	Raatz	
Charbonneau	Kruse	Randolph	

### NAY - 10

Brown	Miller, Pat	Schneider	Young, M
Delph	Mrvan	Smith	
Holdman	Perfect	Tallian	

### EXCUSED - 4

Brodin	Houchin	Niemeyer	Waltz
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### NOT VOTING - 2

Bray	Taylor
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 04, 2016

2:58:35 PM

## Roll Call 339: Motion Passed

<b>SB 350 - Raatz</b>	Yea	44
Criminal history background checks for home health workers	Nay	0
Concurrence Eligible for Action	Excused	4
	Not Voting	2

Presiding: Long

### YEA - 44

Alting	Delph	Leising	Rogers
Arnold	Eckerty	Long	Schneider
Banks	Ford	Merritt	Smith
Bassler	Glick	Messmer	Steele
Becker	Grooms	Miller, Pat	Stoops
Boots	Head	Miller, Pete	Tallian
Breaux	Hershman	Mishler	Tomes
Brown	Holdman	Mrvan	Walker
Buck	Kenley	Perfect	Yoder
Charbonneau	Kruse	Raatz	Young, M
Crider	Lanane	Randolph	Zakas

### NAY - 0

### EXCUSED - 4

Brodin	Houchin	Niemeyer	Waltz
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### NOT VOTING - 2

Bray	Taylor
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 04, 2016

3:00:19 PM

## Roll Call 340: Motion Passed

<b>SB 375 - Hershman</b>	Yea	44
Prequalification for public works projects	Nay	0
Concurrence Eligible for Action	Excused	4
	Not Voting	2

Presiding: Long

### YEA - 44

Alting	Delph	Leising	Rogers
Arnold	Eckerty	Long	Schneider
Banks	Ford	Merritt	Smith
Bassler	Glick	Messmer	Steele
Becker	Grooms	Miller, Pat	Stoops
Boots	Head	Miller, Pete	Tallian
Breaux	Hershman	Mishler	Tomes
Brown	Holdman	Mrvan	Walker
Buck	Kenley	Perfect	Yoder
Charbonneau	Kruse	Raatz	Young, M
Crider	Lanane	Randolph	Zakas

### NAY - 0

### EXCUSED - 4

Brodin	Houchin	Niemeyer	Waltz
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### NOT VOTING - 2

Bray	Taylor
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 04, 2016

3:01:33 PM

## Roll Call 341: Motion Passed

<b>SB 380 - Mishler</b>	Yea	44
Redevelopment commissions	Nay	0
Concurrence Eligible for Action	Excused	4
	Not Voting	2

Presiding: Long

### YEA - 44

Alting	Delph	Leising	Rogers
Arnold	Eckerty	Long	Schneider
Banks	Ford	Merritt	Smith
Bassler	Glick	Messmer	Steele
Becker	Grooms	Miller, Pat	Stoops
Boots	Head	Miller, Pete	Tallian
Breaux	Hershman	Mishler	Tomes
Brown	Holdman	Mrvan	Walker
Buck	Kenley	Perfect	Yoder
Charbonneau	Kruse	Raatz	Young, M
Crider	Lanane	Randolph	Zakas

### NAY - 0

### EXCUSED - 4

Brodin	Houchin	Niemeyer	Waltz
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### NOT VOTING - 2

Bray	Taylor
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### Senate

**Roll Call 342: Motion Passed**

<b>SB 383 - Charbonneau</b>	Yea	43
System integrity adjustments	Nay	1
Concurrence Eligible for Action	Excused	4
	Not Voting	2

Presiding: Long

**YEA - 43**

Alting	Eckerty	Long	Schneider
Arnold	Ford	Merritt	Smith
Banks	Glick	Messmer	Steele
Bassler	Grooms	Miller, Pat	Stoops
Becker	Head	Miller, Pete	Tallian
Boots	Hershman	Mishler	Tomes
Breaux	Holdman	Mrvan	Walker
Buck	Kenley	Perfect	Yoder
Charbonneau	Kruse	Raatz	Young, M
Crider	Lanane	Randolph	Zakas
Delph	Leising	Rogers	

**NAY - 1**

Brown
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**EXCUSED - 4**

Brodin	Houchin	Niemeyer	Waltz
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**NOT VOTING - 2**

Bray	Taylor
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### Senate

**Roll Call 344: Motion Passed**

<b>SB 147 - Boots</b>	Yea	49
School emergency response systems	Nay	0
Concurrence Eligible for Action	Excused	0
	Not Voting	1

Presiding: Long

**YEA - 49**

Alting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Stoops
Bassler	Glick	Miller, Pat	Tallian
Becker	Grooms	Miller, Pete	Taylor
Boots	Head	Mishler	Tomes
Bray	Hershman	Mrvan	Walker
Breaux	Holdman	Niemeyer	Waltz
Brodin	Houchin	Perfect	Young, M
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Randolph	
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

**NAY - 0**

**EXCUSED - 0**

**NOT VOTING - 1**

Yoder
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### Senate

**Roll Call 345: Motion Passed**

<b>SB 183 - Bray</b>	Yea	48
Real property offenses	Nay	0
Concurrence Eligible for Action	Excused	0
	Not Voting	2

Presiding: Long

**YEA - 48**

Alting	Crider	Lanane	Randolph
Arnold	Delph	Leising	Rogers
Banks	Eckerty	Long	Schneider
Bassler	Ford	Merritt	Smith
Becker	Glick	Messmer	Steele
Boots	Grooms	Miller, Pat	Stoops
Bray	Head	Miller, Pete	Tallian
Breaux	Hershman	Mishler	Tomes
Brodin	Holdman	Mrvan	Walker
Brown	Houchin	Niemeyer	Waltz
Buck	Kenley	Perfect	Young, M
Charbonneau	Kruse	Raatz	Zakas

**NAY - 0**

**EXCUSED - 0**

**NOT VOTING - 2**

Taylor	Yoder
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### Senate

**Roll Call 346: Motion Passed**

<b>SB 255 - Charbonneau</b>	Yea	47
Underground petroleum storage tanks	Nay	0
Concurrence Eligible for Action	Excused	1
	Not Voting	2

Presiding: Long

**YEA - 47**

Alting	Delph	Leising	Rogers
Arnold	Eckerty	Long	Schneider
Banks	Ford	Merritt	Smith
Bassler	Glick	Messmer	Steele
Becker	Grooms	Miller, Pat	Stoops
Bray	Head	Miller, Pete	Tallian
Breaux	Hershman	Mishler	Tomes
Brodin	Holdman	Mrvan	Walker
Brown	Houchin	Niemeyer	Waltz
Buck	Kenley	Perfect	Young, M
Charbonneau	Kruse	Raatz	Zakas
Crider	Lanane	Randolph	

**NAY - 0**

**EXCUSED - 1**

Boots
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**NOT VOTING - 2**

Taylor	Yoder
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 07, 2016

2:37:40 PM

## Roll Call 347: Motion Passed

<b>SB 297 - Miller, Pat</b>	Yea	44
Opioid dependence treatment	Nay	4
Concurrence Eligible for Action	Excused	0
	Not Voting	2

Presiding: Long

### YEA - 44

Aiting	Crider	Lanane	Raatz
Arnold	Delph	Leising	Randolph
Bassler	Eckerty	Long	Rogers
Becker	Ford	Merritt	Smith
Boots	Glick	Messmer	Steele
Bray	Grooms	Miller, Pat	Stoops
Breaux	Head	Miller, Pete	Tallian
Brodén	Hershman	Mishler	Tomes
Brown	Holdman	Mrvan	Walker
Buck	Kenley	Niemeyer	Young, M
Charbonneau	Kruse	Perfect	Zakas

### NAY - 4

Banks	Houchin	Schneider	Waltz
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### EXCUSED - 0

### NOT VOTING - 2

Taylor	Yoder
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 07, 2016

2:39:01 PM

## Roll Call 348: Motion Passed

<b>SB 306 - Head</b>	Yea	48
Bond bank community funding	Nay	0
Concurrence Eligible for Action	Excused	0
	Not Voting	2

Presiding: Long

### YEA - 48

Aiting	Crider	Lanane	Randolph
Arnold	Delph	Leising	Rogers
Banks	Eckerty	Long	Schneider
Bassler	Ford	Merritt	Smith
Becker	Glick	Messmer	Steele
Boots	Grooms	Miller, Pat	Stoops
Bray	Head	Miller, Pete	Tallian
Breaux	Hershman	Mishler	Tomes
Brodén	Holdman	Mrvan	Walker
Brown	Houchin	Niemeyer	Waltz
Buck	Kenley	Perfect	Young, M
Charbonneau	Kruse	Raatz	Zakas

### NAY - 0

### EXCUSED - 0

### NOT VOTING - 2

Taylor	Yoder
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 07, 2016

2:40:37 PM

## Roll Call 349: Motion Passed

<b>SB 335 - Becker</b>	Yea	49
School corporation health insurance	Nay	0
Concurrence Eligible for Action	Excused	0
	Not Voting	1

Presiding: Long

### YEA - 49

Aiting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Stoops
Bassler	Glick	Miller, Pat	Tallian
Becker	Grooms	Miller, Pete	Taylor
Boots	Head	Mishler	Tomes
Bray	Hershman	Mrvan	Walker
Breaux	Holdman	Niemeyer	Waltz
Brodén	Houchin	Perfect	Young, M
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Randolph	
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

### NAY - 0

### EXCUSED - 0

### NOT VOTING - 1

Yoder
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 07, 2016

2:46:26 PM

## Roll Call 350: Motion Passed

<b>SB 366 - Brown L</b>	Yea	34
Solid waste management districts	Nay	16
Concurrence Eligible for Action	Excused	0
	Not Voting	0

Presiding: Long

### YEA - 34

Aiting	Delph	Merritt	Smith
Banks	Eckerty	Messmer	Steele
Bassler	Ford	Miller, Pat	Tallian
Boots	Grooms	Miller, Pete	Walker
Bray	Hershman	Mishler	Yoder
Brown	Holdman	Niemeyer	Young, M
Buck	Kenley	Perfect	Zakas
Charbonneau	Kruse	Raatz	
Crider	Long	Schneider	

### NAY - 16

Arnold	Glick	Leising	Stoops
Becker	Head	Mrvan	Taylor
Breaux	Houchin	Randolph	Tomes
Brodén	Lanane	Rogers	Waltz

### EXCUSED - 0

### NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 07, 2016

2:47:51 PM

Roll Call 351: Motion Passed

<b>SB 381 - Mishler</b>	Yea	48
Cigarette and tobacco taxes	Nay	2
Concurrence Eligible for Action	Excused	0
	Not Voting	0

Presiding: Long

YEA - 48

Aiting	Crider	Leising	Rogers
Arnold	Delph	Long	Schneider
Banks	Eckerty	Merritt	Smith
Bassler	Ford	Messmer	Steele
Becker	Glick	Miller, Pat	Tallan
Boots	Grooms	Miller, Pete	Taylor
Bray	Head	Mishler	Tomes
Breaux	Hershman	Mrvan	Walker
Brodin	Holdman	Niemeyer	Waltz
Brown	Houchin	Perfect	Yoder
Buck	Kenley	Raatz	Young, M
Charbonneau	Kruse	Randolph	Zakas

NAY - 2

Lanane	Stoops
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EXCUSED - 0

NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 08, 2016

2:58:03 PM

Roll Call 357: Motion Passed

<b>SB 214 - Hershman</b>	Yea	49
Controlled substances	Nay	0
Concurrence Eligible for Action	Excused	0
	Not Voting	1

Presiding: Long

YEA - 49

Aiting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Tallan
Bassler	Glick	Miller, Pat	Taylor
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mishler	Walker
Bray	Hershman	Mrvan	Waltz
Breaux	Holdman	Niemeyer	Yoder
Brodin	Houchin	Perfect	Young, M
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Randolph	
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

NAY - 0

EXCUSED - 0

NOT VOTING - 1

Stoops
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Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 08, 2016

2:59:29 PM

Roll Call 358: Motion Passed

<b>SB 305 - Head</b>	Yea	49
Department of child services matters	Nay	0
Concurrence Eligible for Action	Excused	0
	Not Voting	1

Presiding: Long

YEA - 49

Aiting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Tallan
Bassler	Glick	Miller, Pat	Taylor
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mishler	Walker
Bray	Hershman	Mrvan	Waltz
Breaux	Holdman	Niemeyer	Yoder
Brodin	Houchin	Perfect	Young, M
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Randolph	
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

NAY - 0

EXCUSED - 0

NOT VOTING - 1

Stoops
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Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 08, 2016

3:01:55 PM

Roll Call 359: Motion Passed

<b>SB 355 - Niemeyer</b>	Yea	48
Tax sales and tax sale properties	Nay	1
Concurrence Eligible for Action	Excused	0
	Not Voting	1

Presiding: Long

YEA - 48

Aiting	Crider	Leising	Rogers
Arnold	Delph	Long	Schneider
Banks	Eckerty	Merritt	Smith
Bassler	Ford	Messmer	Steele
Becker	Grooms	Miller, Pat	Tallan
Boots	Head	Miller, Pete	Taylor
Bray	Hershman	Mishler	Tomes
Breaux	Holdman	Mrvan	Walker
Brodin	Houchin	Niemeyer	Waltz
Brown	Kenley	Perfect	Yoder
Buck	Kruse	Raatz	Young, M
Charbonneau	Lanane	Randolph	Zakas

NAY - 1

Glick
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EXCUSED - 0

NOT VOTING - 1

Stoops
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 08, 2016

3:04:13 PM

## Roll Call 360: Conference Committee Report Passed

<b>SB 324 - Messmer</b>	Yea	49
Construction permits and regulation	Nay	0
Conference Committee Report #1	Excused	0
	Not Voting	1

Presiding: Long

### YEA - 49

Alting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Tallian
Bassler	Glick	Miller, Pat	Taylor
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mishler	Walker
Bray	Hershman	Mrvan	Waltz
Breaux	Holdman	Niemeyer	Yoder
Broden	Houchin	Perfect	Young, M
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Randolph	
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

### NAY - 0

### EXCUSED - 0

### NOT VOTING - 1

Stoops

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 08, 2016

3:06:02 PM

## Roll Call 361: Conference Committee Report Passed

<b>HB 1263 - Crider</b>	Yea	48
Health information, prescriptions and telemedicine	Nay	1
Conference Committee Report #1	Excused	0
	Not Voting	1

Presiding: Long

### YEA - 48

Alting	Crider	Lanane	Rogers
Arnold	Delph	Leising	Schneider
Banks	Eckerty	Long	Smith
Bassler	Ford	Merritt	Steele
Becker	Glick	Messmer	Tallian
Boots	Grooms	Miller, Pat	Taylor
Bray	Head	Miller, Pete	Tomes
Breaux	Hershman	Mishler	Walker
Broden	Holdman	Niemeyer	Waltz
Brown	Houchin	Perfect	Yoder
Buck	Kenley	Raatz	Young, M
Charbonneau	Kruse	Randolph	Zakas

### NAY - 1

Mrvan

### EXCUSED - 0

### NOT VOTING - 1

Stoops

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 08, 2016

3:13:27 PM

## Roll Call 362: Motion Passed

<b>SB 28 - Steele</b>	Yea	49
Medical malpractice	Nay	0
Concurrence Eligible for Action	Excused	1
	Not Voting	0

Presiding: Long

### YEA - 49

Alting	Eckerty	Merritt	Steele
Arnold	Ford	Messmer	Stoops
Banks	Glick	Miller, Pat	Tallian
Bassler	Grooms	Miller, Pete	Taylor
Becker	Head	Mishler	Tomes
Boots	Hershman	Mrvan	Walker
Bray	Holdman	Niemeyer	Waltz
Breaux	Houchin	Perfect	Yoder
Broden	Kenley	Raatz	Young, M
Brown	Kruse	Randolph	Zakas
Buck	Lanane	Rogers	
Charbonneau	Leising	Schneider	
Crider	Long	Smith	

### NAY - 0

### EXCUSED - 1

Delph

### NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 09, 2016

2:43:46 PM

## Roll Call 365: Motion Passed

<b>SB 30 - Miller, Pat</b>	Yea	49
Accident and sickness insurance claim denials	Nay	0
Concurrence Eligible for Action	Excused	0
	Not Voting	1

Presiding: Long

### YEA - 49

Alting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Stoops
Bassler	Glick	Miller, Pat	Tallian
Becker	Grooms	Miller, Pete	Taylor
Boots	Head	Mishler	Tomes
Bray	Hershman	Mrvan	Walker
Breaux	Holdman	Niemeyer	Waltz
Broden	Houchin	Perfect	Yoder
Brown	Kenley	Raatz	Zakas
Buck	Kruse	Randolph	
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

### NAY - 0

### EXCUSED - 0

### NOT VOTING - 1

Young, M

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 09, 2016

2:48:35 PM

**Roll Call 367: Conference Committee Report Passed**

<b>SB 177 - Messmer</b>	Yea	43
Alcoholic beverage matters	Nay	7
Conference Committee Report #1	Excused	0
	Not Voting	0

Presiding: Long

**YEA - 43**

Alting	Crider	Leising	Rogers
Arnold	Eckerty	Long	Schneider
Banks	Ford	Merritt	Steele
Bassler	Glick	Messmer	Stoops
Becker	Grooms	Miller, Pete	Tallan
Bray	Head	Mishler	Taylor
Breaux	Hershman	Mrvan	Tomes
Broden	Houchlin	Niemeyer	Waltz
Brown	Kenley	Perfect	Yoder
Buck	Kruse	Raatz	Zakas
Charbonneau	Lanane	Randolph	

**NAY - 7**

Boots	Holdman	Smith	Young, M
Delph	Miller, Pat	Walker	

EXCUSED - 0

NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 09, 2016

2:50:37 PM

**Roll Call 368: Conference Committee Report Passed**

<b>SB 187 - Merritt</b>	Yea	47
Overdose intervention drugs reporting and standing orders	Nay	3
Conference Committee Report #1	Excused	0
	Not Voting	0

Presiding: Long

**YEA - 47**

Alting	Crider	Merritt	Smith
Arnold	Delph	Messmer	Steele
Banks	Eckerty	Miller, Pat	Stoops
Bassler	Ford	Miller, Pete	Tallan
Becker	Grooms	Mishler	Taylor
Boots	Hershman	Mrvan	Tomes
Bray	Holdman	Niemeyer	Walker
Breaux	Kenley	Perfect	Waltz
Broden	Kruse	Raatz	Yoder
Brown	Lanane	Randolph	Young, M
Buck	Leising	Rogers	Zakas
Charbonneau	Long	Schneider	

**NAY - 3**

Glick	Head	Houchlin
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EXCUSED - 0

NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 09, 2016

3:40:30 PM

**Roll Call 374: Conference Committee Report Passed**

<b>HB 1231 - Tomes</b>	Yea	38
Hunting and property management	Nay	12
Conference Committee Report #1	Excused	0
	Not Voting	0

Presiding: Long

**YEA - 38**

Alting	Eckerty	Long	Steele
Arnold	Ford	Merritt	Tallan
Banks	Grooms	Messmer	Tomes
Bassler	Head	Miller, Pat	Walker
Becker	Hershman	Miller, Pete	Waltz
Boots	Holdman	Mishler	Yoder
Brown	Houchlin	Niemeyer	Young, M
Buck	Kenley	Raatz	Zakas
Charbonneau	Kruse	Schneider	
Delph	Leising	Smith	

**NAY - 12**

Bray	Crider	Mrvan	Rogers
Breaux	Glick	Perfect	Stoops
Broden	Lanane	Randolph	Taylor

EXCUSED - 0

NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 10, 2016

11:18:51 AM

**Roll Call 386: Conference Committee Report Passed**

<b>SB 234 - Lanane</b>	Yea	39
Education of coaches of student athletes	Nay	11
Conference Committee Report #1	Excused	0
	Not Voting	0

Presiding: Long

**YEA - 39**

Alting	Eckerty	Leising	Randolph
Arnold	Ford	Long	Rogers
Banks	Glick	Merritt	Smith
Bassler	Grooms	Messmer	Steele
Becker	Head	Miller, Pete	Stoops
Breaux	Hershman	Miller, Pete	Tallan
Broden	Holdman	Mishler	Taylor
Brown	Houchlin	Mrvan	Tomes
Buck	Kenley	Niemeyer	Zakas
Charbonneau	Kruse	Raatz	
Crider	Lanane		

**NAY - 11**

Banks	Delph	Schneider	Yoder
Boots	Kenley	Walker	Young, M
Bray	Perfect	Waltz	

EXCUSED - 0

NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 10, 2016

11:30:37 AM

**Roll Call 391: Conference Committee Report Passed**

<b>HB 1156 - Leising</b>	Yea	49
Dental hygienists	Nay	1
Conference Committee Report #1	Excused	0
	Not Voting	0

Presiding: Long

**YEA - 49**

Alting	Delph	Long	Steele
Arnold	Eckerty	Merritt	Stoops
Banks	Ford	Messmer	Tallian
Bassler	Glick	Miller, Pat	Taylor
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mishler	Walker
Bray	Hershman	Mrvan	Waltz
Breaux	Holdman	Perfect	Yoder
Brodan	Houchin	Raatz	Young, M
Brown	Kenley	Randolph	Zakas
Buck	Kruse	Rogers	
Charbonneau	Lanane	Schneider	
Crider	Leising	Smith	

**NAY - 1**

Niemeyer
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**EXCUSED - 0**

**NOT VOTING - 0**

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 10, 2016

11:37:47 AM

**Roll Call 395: Conference Committee Report Passed**

<b>HB 1298 - Bray</b>	Yea	49
Annexation	Nay	1
Conference Committee Report #1	Excused	0
	Not Voting	0

Presiding: Long

**YEA - 49**

Alting	Eckerty	Merritt	Steele
Arnold	Ford	Messmer	Stoops
Banks	Glick	Miller, Pat	Tallian
Bassler	Grooms	Miller, Pete	Taylor
Becker	Head	Mishler	Tomes
Bray	Hershman	Mrvan	Walker
Breaux	Holdman	Niemeyer	Waltz
Brodan	Houchin	Perfect	Yoder
Brown	Kenley	Raatz	Young, M
Buck	Kruse	Randolph	Zakas
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	
Delph	Long	Smith	

**NAY - 1**

Boots
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**EXCUSED - 0**

**NOT VOTING - 0**

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 10, 2016

1:49:53 PM

**Roll Call 398: Motion Passed**

<b>SB 80 - Head</b>	Yea	41
Ephedrine and pseudoephedrine	Nay	7
Concurrence Eligible for Action	Excused	0
	Not Voting	2

Presiding: Long

**YEA - 41**

Alting	Crider	Leising	Rogers
Arnold	Eckerty	Long	Smith
Bassler	Ford	Merritt	Steele
Becker	Glick	Messmer	Stoops
Boots	Grooms	Miller, Pat	Tallian
Bray	Head	Miller, Pete	Walker
Breaux	Hershman	Mishler	Waltz
Brodan	Holdman	Mrvan	Zakas
Brown	Houchin	Niemeyer	
Buck	Kruse	Perfect	
Charbonneau	Lanane	Raatz	

**NAY - 7**

Banks	Kenley	Tomes	Young, M
Delph	Schneider	Yoder	

**EXCUSED - 0**

**NOT VOTING - 2**

Randolph	Taylor
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 10, 2016

1:51:47 PM

**Roll Call 399: Conference Committee Report Passed**

<b>SB 14 - Head</b>	Yea	48
Various criminal law matters	Nay	0
Conference Committee Report #1	Excused	0
	Not Voting	2

Presiding: Long

**YEA - 48**

Alting	Crider	Lanane	Rogers
Arnold	Delph	Leising	Schneider
Banks	Eckerty	Long	Smith
Bassler	Ford	Merritt	Steele
Becker	Glick	Messmer	Stoops
Boots	Grooms	Miller, Pat	Tallian
Bray	Head	Miller, Pete	Tomes
Breaux	Hershman	Mishler	Walker
Brodan	Holdman	Mrvan	Waltz
Brown	Houchin	Niemeyer	Yoder
Buck	Kenley	Perfect	Young, M
Charbonneau	Kruse	Raatz	Zakas

**NAY - 0**

**EXCUSED - 0**

**NOT VOTING - 2**

Randolph	Taylor
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# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 10, 2016

2:22:09 PM

**Roll Call 400: Conference Committee Report Passed**

<b>SB 165 - Miller, Pat</b>	Yea	34
Healthy Indiana plan	Nay	16
Conference Committee Report #1	Excused	0
	Not Voting	0

Presiding: Long

**YEA - 34**

Alting	Eckerty	Leising	Ratz
Bassler	Ford	Long	Smith
Becker	Glick	Merritt	Steele
Boots	Grooms	Messmer	Tomes
Bray	Head	Miller, Pat	Walker
Brown	Hershman	Miller, Pete	Young, M
Buck	Holdman	Mishler	Zakas
Charbonneau	Kenley	Niemeyer	
Crider	Kruse	Perfect	

**NAY - 16**

Arnold	Delph	Randolph	Tallian
Banks	Houchin	Rogers	Taylor
Breaux	Lanane	Schneider	Waltz
Brodin	Mrvan	Stoops	Yoder

EXCUSED - 0

NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 10, 2016

3:20:33 PM

**Roll Call 404: Conference Committee Report Passed**

<b>HB 1087 - Yoder</b>	Yea	49
Bureau of motor vehicles omnibus bill	Nay	1
Conference Committee Report #1	Excused	0
	Not Voting	0

Presiding: Long

**YEA - 49**

Alting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Stoops
Bassler	Glick	Miller, Pat	Taylor
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mishler	Walker
Bray	Hershman	Mrvan	Waltz
Breaux	Holdman	Niemeyer	Yoder
Brodin	Houchin	Perfect	Young, M
Brown	Kenley	Ratz	Zakas
Buck	Kruse	Randolph	
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

**NAY - 1**

Tallian
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EXCUSED - 0

NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 10, 2016

3:12:28 PM

**Roll Call 402: Conference Committee Report Passed**

<b>HB 1005 - Kruse</b>	Yea	33
Career pathways program	Nay	17
Conference Committee Report #1	Excused	0
	Not Voting	0

Presiding: Long

**YEA - 33**

Banks	Eckerty	Merritt	Smith
Bassler	Ford	Messmer	Steele
Boots	Glick	Miller, Pat	Walker
Bray	Hershman	Miller, Pete	Yoder
Brown	Holdman	Mishler	Young, M
Buck	Houchin	Niemeyer	Zakas
Charbonneau	Kenley	Perfect	
Crider	Kruse	Ratz	
Delph	Long	Schneider	

**NAY - 17**

Alting	Grooms	Randolph	Tomes
Arnold	Head	Rogers	Waltz
Becker	Lanane	Stoops	
Breaux	Leising	Tallian	
Brodin	Mrvan	Taylor	

EXCUSED - 0

NOT VOTING - 0

# Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 10, 2016

3:22:34 PM

**Roll Call 405: Conference Committee Report Passed**

<b>HB 1215 - Crider</b>	Yea	47
Various tax matters	Nay	3
Conference Committee Report #1	Excused	0
	Not Voting	0

Presiding: Long

**YEA - 47**

Alting	Crider	Leising	Rogers
Arnold	Eckerty	Long	Smith
Banks	Ford	Merritt	Steele
Bassler	Glick	Messmer	Stoops
Becker	Grooms	Miller, Pat	Tallian
Boots	Head	Miller, Pete	Taylor
Bray	Hershman	Mishler	Tomes
Breaux	Holdman	Mrvan	Walker
Brodin	Houchin	Niemeyer	Waltz
Brown	Kenley	Perfect	Yoder
Buck	Kruse	Ratz	Zakas
Charbonneau	Lanane	Randolph	

**NAY - 3**

Delph	Schneider	Young, M
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EXCUSED - 0

NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 10, 2016

4:45:33 PM

Roll Call 408: Conference Committee Report Passed

<b>SB 330 - Mishler</b>	Yea	49
School funding	Nay	0
Conference Committee Report #1	Excused	0
	Not Voting	1

Presiding: Long

YEA - 49

Alting	Delph	Long	Smith
Arnold	Eckerty	Merritt	Steele
Banks	Ford	Messmer	Stoops
Bassler	Glick	Miller, Pat	Tallian
Becker	Grooms	Miller, Pete	Tomes
Boots	Head	Mishler	Walker
Bray	Hershman	Mrvan	Waltz
Breaux	Holdman	Niemeyer	Yoder
Brodén	Houchin	Perfect	Young, M
Brown	Kenley	Ratz	Zakas
Buck	Kruse	Randolph	
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	

NAY - 0

EXCUSED - 0

NOT VOTING - 1

Taylor
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Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 10, 2016

5:04:38 PM

Roll Call 409: Conference Committee Report Passed

<b>HB 1001 - Kenley</b>	Yea	46
Road funding	Nay	4
Conference Committee Report #1	Excused	0
	Not Voting	0

Presiding: Long

YEA - 46

Alting	Eckerty	Long	Smith
Arnold	Ford	Merritt	Steele
Bassler	Glick	Messmer	Stoops
Becker	Grooms	Miller, Pat	Tallian
Boots	Head	Miller, Pete	Taylor
Bray	Hershman	Mishler	Tomes
Breaux	Holdman	Mrvan	Walker
Brodén	Houchin	Niemeyer	Yoder
Brown	Kenley	Perfect	Young, M
Buck	Kruse	Ratz	Zakas
Charbonneau	Lanane	Randolph	
Crider	Leising	Rogers	

NAY - 4

Banks	Delph	Schneider	Waltz
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EXCUSED - 0

NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 10, 2016

5:06:24 PM

Roll Call 410: Conference Committee Report Passed

<b>HB 1161 - Boots</b>	Yea	49
Pension thirteenth checks and other distributions	Nay	0
Conference Committee Report #1	Excused	0
	Not Voting	1

Presiding: Long

YEA - 49

Alting	Eckerty	Merritt	Steele
Arnold	Ford	Messmer	Stoops
Banks	Glick	Miller, Pat	Tallian
Bassler	Grooms	Miller, Pete	Taylor
Becker	Head	Mishler	Tomes
Boots	Hershman	Mrvan	Walker
Bray	Holdman	Niemeyer	Waltz
Breaux	Houchin	Perfect	Yoder
Brodén	Kenley	Ratz	Young, M
Brown	Kruse	Randolph	Zakas
Buck	Lanane	Rogers	
Charbonneau	Leising	Schneider	
Delph	Long	Smith	

NAY - 0

EXCUSED - 0

NOT VOTING - 1

Crider
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Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 10, 2016

8:04:26 PM

Roll Call 414: Conference Committee Report Passed

<b>SB 308 - Hershman</b>	Yea	44
Various tax matters	Nay	6
Conference Committee Report #1	Excused	0
	Not Voting	0

Presiding: Long

YEA - 44

Alting	Delph	Leising	Schneider
Arnold	Eckerty	Long	Smith
Banks	Ford	Merritt	Steele
Bassler	Glick	Messmer	Tallian
Becker	Grooms	Miller, Pat	Taylor
Boots	Head	Miller, Pete	Tomes
Bray	Hershman	Mishler	Walker
Brown	Holdman	Niemeyer	Waltz
Buck	Houchin	Perfect	Yoder
Charbonneau	Kenley	Ratz	Young, M
Crider	Kruse	Rogers	Zakas

NAY - 6

Breaux	Lanane	Mrvan	Randolph
Brodén			Stoops

EXCUSED - 0

NOT VOTING - 0



Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 10, 2016

8:21:48 PM

Roll Call 419: Conference Committee Report Passed

<b>HB 1394 - Miller, Pete</b>	Yea	49
Various education matters	Nay	1
Conference Committee Report #1	Excused	0
	Not Voting	0

Presiding: Long

YEA - 49

Alting	Eckerty	Merritt	Steele
Arnold	Ford	Messmer	Stoops
Banks	Glick	Miller, Pat	Tallian
Bassler	Grooms	Miller, Pete	Taylor
Becker	Head	Mishler	Tomes
Bray	Hershman	Mrvan	Walker
Breaux	Holdman	Niemeyer	Waltz
Broden	Houchin	Perfect	Yoder
Brown	Kenley	Raatz	Young, M
Buck	Kruse	Randolph	Zakas
Charbonneau	Lanane	Rogers	
Crider	Leising	Schneider	
Delph	Long	Smith	

NAY - 1

Boots
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EXCUSED - 0

NOT VOTING - 0

Senate

SECOND REGULAR SESSION

119TH GENERAL ASSEMBLY

MAR 10, 2016

8:23:59 PM

Roll Call 420: Conference Committee Report Passed

<b>HB 1002 - Mishler</b>	Yea	48
Commission for higher education scholarship review and report	Nay	2
Conference Committee Report #1	Excused	0
	Not Voting	0

Presiding: Long

YEA - 48

Alting	Delph	Leising	Rogers
Arnold	Eckerty	Long	Smith
Banks	Ford	Merritt	Steele
Bassler	Glick	Messmer	Stoops
Becker	Grooms	Miller, Pat	Tallian
Bray	Head	Miller, Pete	Taylor
Breaux	Hershman	Mishler	Tomes
Broden	Holdman	Mrvan	Walker
Brown	Houchin	Niemeyer	Waltz
Buck	Kenley	Perfect	Yoder
Charbonneau	Kruse	Raatz	Young, M
Crider	Lanane	Randolph	Zakas

NAY - 2

Boots	Schneider
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EXCUSED - 0

NOT VOTING - 0