



SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1169 be amended to read as follows:

- 1 Page 16, between lines 16 and 17, begin a new paragraph and insert:
2 "SECTION 41. IC 16-41-2-1, AS AMENDED BY P.L.112-2020,
3 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 UPON PASSAGE]: Sec. 1. (a) The state department may adopt rules
5 under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, that
6 establish reporting, monitoring, and preventive procedures for
7 communicable diseases.
8 (b) The state department shall publish a list of:
9 (1) reportable communicable diseases;
10 (2) other diseases or conditions that pose a serious health risk
11 based upon the characteristics of the disease or condition; and
12 (3) the control measures for the diseases and conditions;
13 on the state department's Internet web site. The state department is not
14 required to adopt rules under subsection (a) for the list described in this
15 subsection.
16 **(c) Notwithstanding subsection (a) or (b), the state department**
17 **may make recommendations to governmental entities relating to**
18 **COVID-19 (as defined in IC 16-28-11-8). However, nothing in this**
19 **section shall be construed to:**
20 **(1) require a governmental entity to adopt the recommended**
21 **reporting, monitoring, or preventive procedures for**
22 **COVID-19 (as defined in IC 16-28-11-8);**
23 **(2) give the state department authority to enforce subsection**
24 **(a) or (b) in relation to COVID-19 (as defined in**
25 **IC 16-28-11-8); or**
26 **(3) limit the authority of the state department to adopt and**

1 **enforce rules that establish recommended reporting,**
2 **monitoring, and preventive procedures for COVID-19 (as**
3 **defined in IC 16-28-11-8) during a disaster emergency**
4 **declared under IC 10-14-3-12.**

5 (⇆) **(d)** In updating the list described in subsection (b), the state
6 department:

- 7 (1) shall consider recommendations from:
 - 8 (A) the United States Centers for Disease Control and
 - 9 Prevention; and
 - 10 (B) the Council of State and Territorial Epidemiologists; and
- 11 (2) may consult with local health departments.

12 SECTION 42. IC 16-41-2-1.5 IS ADDED TO THE INDIANA
13 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
14 **[EFFECTIVE UPON PASSAGE]: Sec. 1.5. (a) Notwithstanding**
15 **section 1 of this chapter, the state department may adopt rules**
16 **under IC 4-22-2 that establish recommended reporting,**
17 **monitoring, and preventive procedures for COVID-19 (as defined**
18 **in IC 16-28-11-8).**

19 **(b) The state department shall publish a list of recommended**
20 **control measures for COVID-19 (as defined in IC 16-28-11-8).**

21 **(c) Nothing in this section shall be construed to:**

- 22 **(1) require a governmental entity to adopt the recommended**
23 **reporting, monitoring, or preventive procedures for**
24 **COVID-19 (as defined in IC 16-28-11-8);**
- 25 **(2) give the state department authority to enforce subsection**
26 **(a) or (b) in relation to COVID-19 (as defined in**
27 **IC 16-28-11-8); or**
- 28 **(3) limit the authority of the state department to adopt and**
29 **enforce rules that establish recommended reporting,**
30 **monitoring, and preventive procedures for COVID-19 (as**
31 **defined in IC 16-28-11-8) during a disaster emergency**
32 **declared under IC 10-14-3-12."**

33 Renumber all SECTIONS consecutively.
(Reference is to EHB 1169 as printed February 25, 2022.)

Senator DORIOT