



SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 34 be amended to read as follows:

- 1 Page 1, between lines 16 and 17, begin a new paragraph and insert:
2 "SECTION 2. IC 25-1-16.5-8, AS ADDED BY P.L.142-2023,
3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 UPON PASSAGE]: Sec. 8. (a) Not later than July 1, ~~2025~~, **2026**, each
5 public agency shall conduct a comprehensive review of all
6 **occupational licenses and** occupational regulations within the public
7 agency's jurisdiction. In conducting a review under this section, the
8 public agency shall do the following:
9 (1) Articulate with specificity the public health, safety, or welfare
10 objective served by the **occupational license or** occupational
11 regulation.
12 (2) Articulate the reason why the **occupational license or**
13 occupational regulation is necessary to serve the objective
14 specified under subdivision (1).
15 (3) Analyze, when information is readily available, the effects of
16 the **occupational license or** occupational regulation on the
17 following:
18 (A) Opportunities for workers.
19 (B) Consumer choices and costs.
20 (C) General unemployment.
21 (D) Market competition.
22 (E) Governmental costs.
23 (F) Any other effects identified by the public agency.
24 (4) Determine if other states have a similar **occupational license**
25 **or** occupational regulation and compare how other states regulate
26 the business or profession.
27 (b) If a public agency finds that an **occupational license or**

1 occupational regulation does not satisfy the standard set forth in section
2 7 of this chapter, the public agency shall:

- 3 (1) repeal or modify the occupational regulation, to the extent
- 4 permitted under the public agency's authority, to conform with the
- 5 standard set forth in section 7 of this chapter; or
- 6 (2) if an action under subdivision (1) is not within the public
- 7 agency's authority, recommend to the general assembly actions
- 8 necessary to repeal or modify the **occupational license or**
- 9 occupational regulation to conform to the standard set forth in
- 10 section 7 of this chapter.

11 (c) Not later than October 1, ~~2025~~, **2026**, each public agency shall:

- 12 (1) prepare a report identifying all actions that the public agency
- 13 has taken to conform with this section; and
- 14 (2) submit the report under subdivision (1) to the legislative
- 15 council in an electronic format under IC 5-14-6.

16 SECTION 3. IC 25-1-16.5-9, AS ADDED BY P.L.142-2023,
17 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 UPON PASSAGE]: Sec. 9. (a) After July 1, ~~2025~~, **2026**, a person who
19 engages in an occupation or profession to which an occupational
20 regulation applies may file a petition for repeal or modification of the
21 occupational regulation with the public agency having jurisdiction over
22 enforcement of the occupational regulation.

23 (b) Not later than ninety (90) days after a petition is filed under
24 subsection (a), the public agency shall either:

- 25 (1) repeal or modify the occupational regulation to conform to the
- 26 standard set forth in section 7 of this chapter; or
- 27 (2) state the basis on which the public agency has concluded that
- 28 the occupational regulation conforms to the standard set forth in
- 29 section 7 of this chapter."

30 Renumber all SECTIONS consecutively.
(Reference is to SB 34 as printed January 26, 2024.)

Senator ROGERS