

HOUSE BILL No. 1396

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-23; IC 4-31; IC 4-35-7-12; IC 5-1-17; IC 5-1.2; IC 5-2-2; IC 5-10.3-7-2; IC 5-13-10.5-19; IC 5-28-15-13; IC 6-1.1; IC 6-6-9.7-7; IC 6-9; IC 8-9.5-9-2; IC 8-10-9-6; IC 8-16-15.5-3; IC 9-18.5; IC 13-25-1-6; IC 13-26; IC 14-8-2-61; IC 14-9-6; IC 14-10-1-1; IC 14-13; IC 14-20-15; IC 14-21; IC 14-25; IC 14-26-2-24; IC 15-19-2; IC 16-41-42.2-5; IC 20-34-6-1; IC 22-9-13; IC 25-0.5; IC 25-1; IC 25-20; IC 25-21.8-4-5; IC 25-22.5-1-2; IC 25-27.5-5; IC 25-34.5-3-7; IC 25-35.6; IC 27-1-15.7-6; IC 31-26; IC 32-21; IC 34-13-3; IC 34-30; IC 35-44.2-3-3; IC 35-52; IC 36-1; IC 36-7; IC 36-10-9-6.

Synopsis: Government boards, councils, and commissions. Repeals, merges, consolidates, or otherwise modifies various boards, commissions, committees, councils, authorities, and funds. Removes certain appointed members from various boards, commissions, and districts. Modifies the appointing authority for particular funds, boards, and councils.

Effective: Upon passage; July 1, 2024.

Bartels, Miller D

January 11, 2024, read first time and referred to Committee on Government and Regulatory Reform.



Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

HOUSE BILL No. 1396

A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning state and local administration and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 4-23-7.2-21 IS REPEALED [EFFECTIVE JULY
- 2 1, 2024]. ~~Sec. 21:~~ (a) An advisory committee is established to advise
- 3 the historical bureau in establishing an oral history of the general
- 4 assembly under section 20 of this chapter. The committee consists of
- 5 the following eight (8) members:
- 6 (1) One (1) member of the general assembly appointed by the
- 7 speaker of the house of representatives.
- 8 (2) One (1) member of the general assembly appointed by the
- 9 minority leader of the house of representatives.
- 10 (3) One (1) member of the general assembly appointed by the
- 11 president pro tempore of the senate.
- 12 (4) One (1) member of the general assembly appointed by the
- 13 minority leader of the senate.
- 14 (5) Four (4) members appointed by the governor as follows:
- 15 (A) One (1) member nominated by the Indiana library and
- 16 historical board.
- 17 (B) One (1) member nominated by the Indiana Historical



- 1 Society:
- 2 (C) One (1) member nominated by the Center for the Study of
- 3 History and Memory at Indiana University.
- 4 (D) One (1) member nominated by the board of trustees of The
- 5 History Museum in South Bend.
- 6 (b) The following apply to the governor's appointments under
- 7 subsection (a)(5):
- 8 (1) Not more than two (2) members appointed by the governor
- 9 may be members of the same political party.
- 10 (2) The appointments must be made so that the northern, central,
- 11 and southern regions of Indiana are represented on the committee.
- 12 (c) Members of the committee serve at the pleasure of the
- 13 appointing authority. If a vacancy occurs on the committee, the
- 14 appointing authority that appointed the member whose position is
- 15 vacant shall appoint an individual to fill the vacancy. An individual
- 16 appointed to fill a vacancy must have the qualifications that a member
- 17 appointed by the appointing authority must have.
- 18 (d) The:
- 19 (1) chairman of the legislative council, with the advice of the
- 20 vice-chairman, shall designate the chair; and
- 21 (2) vice-chairman of the legislative council, with the advice of the
- 22 chairman, shall designate a vice-chair;
- 23 of the committee from among the legislative members of the
- 24 committee. The chair and vice-chair of the committee serve at the
- 25 pleasure of the appointing authority.
- 26 (e) Each member of the committee is entitled to receive the same
- 27 per diem, mileage, and travel allowances paid to individuals who serve
- 28 as legislative and lay members, respectively, of interim study
- 29 committees established by the legislative council.
- 30 (f) The historical bureau shall provide staff support to the
- 31 committee.
- 32 (g) Expenses incurred by the committee to carry out its functions
- 33 must be paid from appropriations to the Indiana library and historical
- 34 board.
- 35 SECTION 2. IC 4-23-12 IS REPEALED [EFFECTIVE JULY 1,
- 36 2024]. (Indiana Commission for Arts and Humanities in Education).
- 37 SECTION 3. IC 4-23-30.2 IS REPEALED [EFFECTIVE JULY 1,
- 38 2024]. (Board for the Coordination of Programs Serving Vulnerable
- 39 Individuals).
- 40 SECTION 4. IC 4-23-35 IS ADDED TO THE INDIANA CODE AS
- 41 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
- 42 1, 2024]:



1 **Chapter 35. Indiana State Historical Records Advisory Board**
2 **Sec. 1. As used in this chapter, "board" refers to the Indiana**
3 **state historical records advisory board established by section 3 of**
4 **this chapter.**

5 **Sec. 2. As used in this chapter, "NHPRC" means the federal**
6 **National Historical Publications and Records Commission.**

7 **Sec. 3. The Indiana state historical records advisory board:**
8 **(1) initially established under Executive Order 06-01; and**
9 **(2) continued under Executive Order 13-13 and 17-06;**
10 **is established under the Indiana department of administration. The**
11 **board is a continuing board. The purpose of the board is to carry**
12 **out the duties under section 8 of this chapter.**

13 **Sec. 4. (a) The board consists of seven (7) voting members**
14 **appointed by the state archivist.**

15 **(b) At least four (4) members of the board must have recognized**
16 **experience in the administration of government records, historical**
17 **records, or archives.**

18 **(c) One (1) of the seven (7) members under subsection (a) must**
19 **be the state archivist. The remaining six (6) members are lay**
20 **members who:**

21 **(1) may be reappointed; and**

22 **(2) serve at the will of the state archivist.**

23 **There is no term limit for members of the board.**

24 **(d) The state archivist shall serve as state coordinator and chair**
25 **of the board.**

26 **Sec. 5. (a) The term of a member appointed under section 4(a)**
27 **of this chapter is three (3) years.**

28 **(b) The state archivist shall appoint a new member to fill a**
29 **vacancy on the board that occurs for any reason. A member**
30 **appointed under this subsection serves the remainder of the**
31 **unexpired term.**

32 **Sec. 6. (a) This section applies to a member of the board**
33 **appointed under Executive Order 06-01, 13-13, or 17-06.**

34 **(b) An individual who serves as a member of the board on June**
35 **30, 2024, is appointed by operation of law to serve the remainder**
36 **of the member's unexpired term. A subsequent vacancy shall be**
37 **filled by the state archivist under section 4(c) of this chapter.**

38 **(c) This section expires July 1, 2028.**

39 **Sec. 7. (a) The board shall meet at least quarterly at the call of**
40 **the chair.**

41 **(b) The chair may call additional meetings. There is no**
42 **maximum number of meetings that may be called by the chair.**



1 (c) A quorum consists of a simple majority of voting members.

2 Sec. 8. (a) The board shall serve as the central advisory body
3 for:

4 (1) historical records planning; and

5 (2) projects:

6 (A) funded by the NHPRC; and

7 (B) developed and carried out within the state.

8 (b) The board may do the following:

9 (1) Develop and submit to NHPRC state priorities for
10 historical records programs as part of a state plan.

11 (2) Solicit or develop proposals for NHPRC grant projects.

12 (3) Review proposals by institutions in the state and make
13 recommendations about the proposals to NHPRC.

14 (4) Work to preserve Indiana's documentary heritage.

15 (5) Promote practices that ensure preservation of, and access
16 to, the state's public and private records.

17 (6) Encourage adherence to archival and records management
18 principles through meetings and workshops.

19 (7) Survey repositories, support the state's records
20 management program, and promote the sharing of collection
21 information.

22 (8) Encourage the professional development of archivists,
23 curators, volunteers, and others dedicated to the task of
24 caring for the state's documentary heritage.

25 Sec. 9. (a) Each member of the board who is not a state
26 employee is not entitled to the minimum salary per diem provided
27 by IC 4-10-11-2.1(b). A member is, however, entitled to
28 reimbursement for expenses actually incurred in connection with
29 the member's duties as provided in the state policies and
30 procedures established by the Indiana department of
31 administration and approved by the budget agency.

32 (b) The expenses of the board shall be paid in the same manner
33 in which the board's expenses were paid under Executive Orders
34 06-01, 13-13, and 17-06.

35 (c) The Indiana department of administration shall staff the
36 board.

37 Sec. 10. The affirmative votes of a majority of the members
38 appointed to the board are required for the board to take action on
39 any measure, including final reports.

40 Sec. 11. (a) The board shall annually submit a report on its work
41 to the governor.

42 (b) A report under subsection (a) is a public record.



1 SECTION 5. IC 4-31-3-8, AS AMENDED BY P.L.256-2015,
 2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2024]: Sec. 8. The commission shall:

4 (1) prescribe the rules and conditions under which horse racing at
 5 a recognized meeting may be conducted;

6 (2) initiate safeguards as necessary to account for the amount of
 7 money wagered at each track or satellite facility in each wagering
 8 pool;

9 (3) require all permit holders to provide a photographic or
 10 videotape recording, approved by the commission, of the entire
 11 running of all races conducted by the permit holder;

12 (4) make annual reports concerning:

13 (A) the promotional actions taken and promotional initiatives
 14 established by the commission to promote the Indiana horse
 15 racing industry, including:

16 (i) a listing of the commission's promotional actions and
 17 promotional initiatives; and

18 (ii) an accounting of the money spent on each promotional
 19 action and promotional initiative;

20 (B) the competitive status of the Indiana horse racing industry
 21 as compared to the horse racing industries of other states and
 22 measured by purse, handle, and any other factors determined
 23 by the commission;

24 (C) the commission's operations; and

25 (D) the commission's recommendations;

26 to the governor and, in an electronic format under IC 5-14-6, to
 27 the general assembly;

28 (5) carry out the provisions of ~~IC 15-19-2~~, **IC 4-31-11-14.5**, after
 29 considering recommendations received from the ~~Indiana~~
 30 ~~standardbred advisory board under IC 15-19-2~~; **development**
 31 **committee under IC 4-31-11-9(c)**;

32 (6) develop internal procedures for accepting, recording,
 33 investigating, and resolving complaints from licensees and the
 34 general public;

35 (7) promote the Indiana horse racing industry, including its
 36 simulcast product; and

37 (8) annually post the following information on the commission's
 38 ~~Internet web site~~: **website**:

39 (A) A summary of the disciplinary actions taken by the
 40 commission in the preceding calendar year.

41 (B) A summary of the complaints received and resolved in the
 42 preceding calendar year.



1 SECTION 6. IC 4-31-3-9, AS AMENDED BY P.L.140-2013,
 2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2024]: Sec. 9. (a) Subject to section 14 of this chapter, the
 4 commission may:

5 (1) adopt rules under IC 4-22-2, including emergency rules under
 6 IC 4-22-2-37.1, to implement this article, including rules that
 7 prescribe:

8 (A) the forms of wagering that are permitted;

9 (B) the number of races;

10 (C) the procedures for wagering;

11 (D) the wagering information to be provided to the public;

12 (E) fees for the issuance and renewal of:

13 (i) permits under IC 4-31-5;

14 (ii) satellite facility licenses under IC 4-31-5.5; and

15 (iii) licenses for racetrack personnel and racing participants
 16 under IC 4-31-6;

17 (F) investigative fees;

18 (G) fines and penalties; and

19 (H) any other regulation that the commission determines is in
 20 the public interest in the conduct of recognized meetings and
 21 wagering on horse racing in Indiana;

22 (2) appoint employees and fix their compensation, subject to the
 23 approval of the budget agency under IC 4-12-1-13;

24 (3) enter into contracts necessary to implement this article; and

25 (4) receive and consider recommendations from ~~a~~ **the**
 26 development advisory committee established under IC 4-31-11.

27 (b) An emergency rule adopted by the commission under subsection
 28 (a) expires on the earlier of the following dates:

29 (1) The expiration date stated in the emergency rule.

30 (2) The date the emergency rule is amended or repealed by a later
 31 rule adopted under IC 4-22-2-24 through IC 4-22-2-36 or under
 32 IC 4-22-2-37.1.

33 SECTION 7. IC 4-31-9-10, AS AMENDED BY P.L.137-2022,
 34 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2024]: Sec. 10. (a) At the close of each day on which
 36 pari-mutuel wagering is conducted at a racetrack or satellite facility,
 37 the permit holder or satellite facility operator shall pay the breakage
 38 from each of the races on which wagers were taken on that day to the
 39 department of state revenue for deposit in the appropriate breed
 40 development fund as determined by the rules of the commission.

41 (b) Not later than March 15 of each year, each permit holder or
 42 satellite facility operator shall pay to the commission the balance of the



1 outs tickets from the previous calendar year. The commission shall
 2 distribute money received under this subsection to the ~~appropriate~~
 3 breed development fund. ~~as determined by the rules of the commission.~~

4 (c) The payment of the breakage under this section must be reported
 5 and remitted electronically through the department's online tax filing
 6 program.

7 SECTION 8. IC 4-31-11-1 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. As used in this
 9 chapter, "development committee" refers to ~~a~~ **the** breed development
 10 advisory committee established by the commission under section 3 of
 11 this chapter.

12 SECTION 9. IC 4-31-11-2 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. As used in this
 14 chapter, "development fund" refers to ~~a~~ **the** breed development fund
 15 established by the commission under section ~~10~~ **10.5** of this chapter.

16 SECTION 10. IC 4-31-11-3 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. The commission ~~may~~
 18 **shall** establish a ~~separate~~ breed development advisory committee. ~~for~~
 19 ~~each breed of horse that participates in racing meetings under this~~
 20 ~~article.~~

21 SECTION 11. IC 4-31-11-4, AS AMENDED BY P.L.168-2019,
 22 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2024]: Sec. 4. (a) ~~Each~~ **The** development committee consists
 24 of three (3) members appointed as follows:

25 (1) One (1) member appointed by the ~~governor,~~ **commission**, who
 26 shall chair the committee.

27 (2) Two (2) members appointed by the ~~governor.~~ **commission.**

28 (b) The members of ~~each~~ **the** development committee must be
 29 residents of Indiana who are knowledgeable in horse breeding and
 30 racing. No more than two (2) members of ~~each~~ **the** development
 31 committee may be members of the same political party.

32 (c) For a member to be eligible for an appointment and to continue
 33 to serve on ~~a~~ **the** development committee under subsection (a), the
 34 member must hold a valid current license issued by the commission.

35 SECTION 12. IC 4-31-11-5, AS AMENDED BY P.L.32-2021,
 36 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2024]: Sec. 5. A member of ~~a~~ **the** development committee
 38 serves a term of four (4) years. If a vacancy occurs on ~~a~~ **the**
 39 development committee due to the death, resignation, or removal of a
 40 member, a new member shall be appointed to serve for the remainder
 41 of the unexpired term in the same manner as the original member was
 42 appointed under section 4 of this chapter.



1 SECTION 13. IC 4-31-11-7 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. A member of ~~a~~ **the**
 3 development committee is not entitled to the minimum salary per diem
 4 provided by IC 4-10-11-2.1(b). However, a member is entitled to
 5 reimbursement for traveling expenses and other expenses actually
 6 incurred in connection with the member's duties, as provided in the
 7 state travel policies and procedures established by the department of
 8 administration and approved by the budget agency.

9 SECTION 14. IC 4-31-11-8 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. ~~Each~~ **The**
 11 development committee shall make recommendations to the
 12 commission concerning an Indiana sires racing program. If the
 13 commission establishes an Indiana sires racing program, only those
 14 horses that were sired by an Indiana stallion are eligible for races
 15 conducted under the program. Stallions residing in Indiana during the
 16 full length of the breeding season are eligible for registration as Indiana
 17 sires. The commission may charge a fee for registration of Indiana
 18 sires.

19 SECTION 15. IC 4-31-11-9 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) ~~Each~~ **The**
 21 development committee may make recommendations to the
 22 commission concerning:

- 23 (1) stakes races;
- 24 (2) futurity races;
- 25 (3) races only for horses owned by Indiana residents;
- 26 (4) races only for horses sired by stallions standing in Indiana;
- 27 (5) races only for horses foaled in Indiana; or
- 28 (6) races for any combination of horses described in subdivision
- 29 (3), (4), or (5).

30 Races described in subdivisions (3) through (6) may be for different
 31 distances and may be limited by the age, sex, or gait of the horse.

32 (b) ~~Each~~ **The** development committee may make recommendations
 33 to the commission concerning:

- 34 (1) cooperative arrangements with statewide breed associations;
 35 and
- 36 (2) distribution of money available in ~~a~~ **the** development fund in
 37 order to supplement a purse for a race at a county fair or
 38 agricultural exposition in Indiana.

39 **(c) The development committee shall make recommendations to**
 40 **the commission for the furtherance of the standardbred horse**
 41 **industry in Indiana.**

42 SECTION 16. IC 4-31-11-10 IS REPEALED [EFFECTIVE JULY



1, 2024]. ~~Sec. 10:~~ The commission may establish a separate breed development fund for each breed of horse that participates in racing meetings under this article. The development funds shall be administered by the commission.

SECTION 17. IC 4-31-11-10.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: **Sec. 10.5. (a) The commission shall establish a breed development fund.**

(b) The development fund consists of:

- (1) money received by the commission under section 14.5 of this chapter;**
- (2) breakage and outs paid into the fund under IC 4-31-9-10;**
- (3) appropriations by the general assembly;**
- (4) gifts;**
- (5) stakes payments;**
- (6) entry fees; and**
- (7) money paid into the fund under IC 4-35-7-12.**

(c) The money received by the commission under this chapter must be deposited in the fund.

(d) The commission shall pay any expense incurred in administering this chapter from the development fund.

(e) Money in the development fund is continuously appropriated to the commission to carry out the purposes of this chapter.

SECTION 18. IC 4-31-11-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 12. The treasurer of state shall invest the money in ~~each the~~ development fund not currently needed to meet obligations of that fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund.

SECTION 19. IC 4-31-11-13, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2024 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 13. The ~~auditor of state~~ **comptroller** and treasurer of state shall make payments from the development ~~funds fund~~ upon order of the commission. Money in ~~each the~~ fund is continuously appropriated to make these payments. ~~However, the auditor of state and treasurer of state may not transfer money from one (1) development fund to another development fund.~~

SECTION 20. IC 4-31-11-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 14. ~~A~~ **The** development fund does not revert to the state general fund at the end of a state fiscal year.



1 SECTION 21. IC 4-31-11-14.5 IS ADDED TO THE INDIANA
2 CODE AS A NEW SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2024]: **Sec. 14.5. (a) After considering the**
4 **recommendations of the development committee, the commission**
5 **may disburse money from the development fund for any purpose**
6 **described in this section.**

7 **(b) After considering the recommendations of the development**
8 **committee, the commission may:**

9 **(1) conduct educational, informational, and youth programs,**
10 **and sponsor and expend funds for any program and**
11 **advertising aimed at promoting the standardbred industry in**
12 **Indiana;**

13 **(2) employ persons to aid in general promotion or race**
14 **administration programs for the standardbred industry in**
15 **Indiana;**

16 **(3) prescribe standards for race programs and conditions of**
17 **racers, which may include types of races, length of races,**
18 **positioning of entries, or gait;**

19 **(4) disburse available money to supplement purses for any**
20 **individual race with a cooperating fair or standardbred race**
21 **meeting;**

22 **(5) disburse available money to supplement purses for races**
23 **having the requirement that the entries be owned by legal**
24 **residents of Indiana; and**

25 **(6) accept and disburse donations, contributions,**
26 **appropriations, or grants of money or real or personal**
27 **property.**

28 **(c) After considering the recommendations of the development**
29 **committee, the commission shall distribute available money so that**
30 **either:**

31 **(1) the division between the trotting and pacing gaits of the**
32 **standardbred horse is as near equal as possible in proportion**
33 **to entries received for any race program; or**

34 **(2) the entries may have been conceived by a stallion that**
35 **regularly stands within Indiana and that is listed in the**
36 **standardbred registry.**

37 **(d) The commission shall establish a standardbred registry.**

38 **(e) After considering the recommendations of the development**
39 **committee, the commission shall collect fees for the registration of**
40 **standardbred stallions in an amount established by the**
41 **commission. However, amounts collected may not exceed five**
42 **hundred dollars (\$500) per stallion.**



1 (f) After considering the recommendations of the development
2 committee, the commission shall establish purses for races or to
3 promote races if the races are open to only the offspring of
4 standardbred stallions registered under subsection (e).

5 (g) All money that is disbursed under this section must be
6 divided so that of all the money disbursed under this section in any
7 one (1) year:

8 (1) at least sixty percent (60%) is supplemented for use in
9 prescribed programs of county and 4-H fairs; and

10 (2) not more than forty percent (40%) is used to supplement
11 purses at the Indiana state fair.

12 SECTION 22. IC 4-31-11-15, AS AMENDED BY P.L.268-2017,
13 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2024]: Sec. 15. The commission shall use the development
15 funds fund to provide purses and other funding for the activities
16 described in section 9 of this chapter. The commission may pay:

17 (1) the operating costs of the development programs;

18 (2) other costs of administering this chapter; and

19 (3) costs incurred to promote the horse racing industry in Indiana;
20 from ~~one (1) or more of~~ the development funds. fund. However, the
21 amount used for each state fiscal year from ~~these the~~ development
22 funds fund to pay ~~these the~~ costs under this section may not exceed
23 four percent (4%) of the amount distributed to ~~those funds the~~
24 development fund during the immediately preceding state fiscal year
25 under IC 4-35-7-12.

26 SECTION 23. IC 4-35-7-12, AS AMENDED BY P.L.108-2019,
27 SECTION 76, AND AS AMENDED BY P.L.168-2019, SECTION 18,
28 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
29 [EFFECTIVE JULY 1, 2024]: Sec. 12. (a) The Indiana horse racing
30 commission shall enforce the requirements of this section.

31 (b) ~~Subject to section 12.5 of this chapter,~~ a licensee shall before the
32 fifteenth day of each month distribute for the support of the Indiana
33 horse racing industry ~~Subject to section 12.5 of this chapter, the~~
34 ~~percentage of~~ the adjusted gross receipts of the gambling game
35 wagering from the previous month at each casino operated by the
36 licensee that is determined under section 16 or 17 of this chapter. ~~with~~
37 ~~respect to adjusted gross receipts received after June 30, 2015.~~

38 (c) ~~The Indiana horse racing commission may not use any of the~~
39 ~~money distributed under this section for any administrative purpose or~~
40 ~~other purpose of the Indiana horse racing commission.~~

41 (d) (c) A licensee shall distribute the money devoted to horse racing
42 purses and to horsemen's associations under this subsection as follows:



1 (1) Five-tenths percent (0.5%) shall be transferred to horsemen's
 2 associations for equine promotion or welfare according to the
 3 ratios specified in subsection ~~(g)~~: (f).

4 (2) Two and five-tenths percent (2.5%) shall be transferred to
 5 horsemen's associations for backside benevolence according to
 6 the ratios specified in subsection ~~(g)~~: (f).

7 (3) Ninety-seven percent (97%) shall be distributed to promote
 8 horses and horse racing as provided in subsection ~~(f)~~: (e).

9 ~~(e)~~ (d) A horsemen's association shall expend the amounts
 10 distributed to the horsemen's association under subsection ~~(d)(1)~~ (c)(1)
 11 through ~~(d)(2)~~ (c)(2) for a purpose promoting the equine industry or
 12 equine welfare or for a benevolent purpose that the horsemen's
 13 association determines is in the best interests of horse racing in Indiana
 14 for the breed represented by the horsemen's association. Expenditures
 15 under this subsection are subject to the regulatory requirements of
 16 subsection ~~(h)~~: (g).

17 ~~(f)~~ (e) A licensee shall distribute the amounts described in
 18 subsection ~~(d)(3)~~ (c)(3) as follows:

19 (1) Forty-six percent (46%) for thoroughbred purposes as follows:

20 (A) Fifty-five percent (55%) for the following purposes:

21 (i) Ninety-seven percent (97%) for thoroughbred purses.

22 (ii) Two and four-tenths percent (2.4%) to the horsemen's
 23 association representing thoroughbred owners and trainers.

24 (iii) Six-tenths percent (0.6%) to the horsemen's association
 25 representing thoroughbred owners and breeders.

26 (B) Forty-five percent (45%) to the breed development fund
 27 established for thoroughbreds under ~~IC 4-31-11-10~~.
 28 **IC 4-31-11-10.5.** *Beginning the date that table games are*
 29 *authorized under section 19 of this chapter, the amounts*
 30 *distributed under this clause shall be further distributed for*
 31 *the following purposes:*

32 (i) *At least forty-one percent (41%) to the Indiana sired*
 33 *horses program.*

34 (ii) *The remaining amount for other purposes of the fund.*

35 (2) Forty-six percent (46%) for standardbred purposes as follows:

36 (A) Three hundred seventy-five thousand dollars (\$375,000)
 37 to the state fair commission to be used by the state fair
 38 commission to support standardbred racing and facilities at the
 39 state fairgrounds.

40 (B) One hundred twenty-five thousand dollars (\$125,000) to
 41 the state fair commission to be used by the state fair
 42 commission to make grants to county fairs and the department



1 of parks and recreation in Johnson County to support
 2 standardbred racing and facilities at county fair and county
 3 park tracks. The state fair commission shall establish a review
 4 committee to include the standardbred association board, the
 5 Indiana horse racing commission, the Indiana county fair
 6 association, and a member of the board of directors of a county
 7 park established under IC 36-10 that provides or intends to
 8 provide facilities to support standardbred racing, to make
 9 recommendations to the state fair commission on grants under
 10 this clause. A grant may be provided to the Johnson County
 11 fair or department of parks and recreation under this clause
 12 only if the county fair or department provides matching funds
 13 equal to one dollar (\$1) for every three dollars (\$3) of grant
 14 funds provided.

15 (C) Fifty percent (50%) of the amount remaining after the
 16 distributions under clauses (A) and (B) for the following
 17 purposes:

18 (i) Ninety-six and five-tenths percent (96.5%) for
 19 standardbred purses.

20 (ii) Three and five-tenths percent (3.5%) to the horsemen's
 21 association representing standardbred owners and trainers.

22 (D) Fifty percent (50%) of the amount remaining after the
 23 distributions under clauses (A) and (B) to the breed
 24 development fund established ~~for standardbreds~~ under
 25 ~~IC 4-31-11-10~~: **IC 4-31-11-10.5**.

26 (3) Eight percent (8%) for quarter horse purposes as follows:

27 (A) Seventy percent (70%) for the following purposes:

28 (i) Ninety-five percent (95%) for quarter horse purses.

29 (ii) Five percent (5%) to the horsemen's association
 30 representing quarter horse owners and trainers.

31 (B) Thirty percent (30%) to the breed development fund
 32 established ~~for quarter horses~~ under ~~IC 4-31-11-10~~:

33 **IC 4-31-11-10.5**.

34 Expenditures under this subsection are subject to the regulatory
 35 requirements of subsection ~~(h)~~: (g).

36 ~~(g)~~ (f) Money distributed under subsection ~~(d)(1)~~ (c)(1) and ~~(d)(2)~~
 37 (c)(2) shall be allocated as follows:

38 (1) Forty-six percent (46%) to the horsemen's association
 39 representing thoroughbred owners and trainers.

40 (2) Forty-six percent (46%) to the horsemen's association
 41 representing standardbred owners and trainers.

42 (3) Eight percent (8%) to the horsemen's association representing



1 quarter horse owners and trainers.

2 ~~(f)~~ (g) Money distributed under this section may not be expended
 3 unless the expenditure is for a purpose authorized in this section and is
 4 either for a purpose promoting the equine industry or equine welfare or
 5 is for a benevolent purpose that is in the best interests of horse racing
 6 in Indiana or the necessary expenditures for the operations of the
 7 horsemen's association required to implement and fulfill the purposes
 8 of this section. The Indiana horse racing commission may review any
 9 expenditure of money distributed under this section to ensure that the
 10 requirements of this section are satisfied. The Indiana horse racing
 11 commission shall adopt rules concerning the review and oversight of the
 12 money distributed under this section and shall adopt rules concerning
 13 the enforcement of this section. The following apply to a horsemen's
 14 association receiving a distribution of money under this section:

15 (1) The horsemen's association must annually file a report with
 16 the Indiana horse racing commission concerning the use of the
 17 money by the horsemen's association. The report must include
 18 information as required by the commission.

19 (2) The horsemen's association must register with the Indiana
 20 horse racing commission.

21 The state board of accounts shall audit the accounts, books, and records
 22 of the Indiana horse racing commission. Each horsemen's association,
 23 a licensee, and ~~any~~ association for backside benevolence *containing*
 24 *any information relating to the distribution of money under this section*
 25 *shall submit to an annual audit of their accounts, books, and records*
 26 *relating to the distribution of money under this section. The audit shall*
 27 *be performed by an independent public accountant, and the audit*
 28 *report shall be provided to the Indiana horse racing commission.*

29 ~~(f)~~ (h) The commission shall provide the Indiana horse racing
 30 commission with the information necessary to enforce this section.

31 ~~(f)~~ (i) The Indiana horse racing commission shall investigate any
 32 complaint that a licensee has failed to comply with the horse racing
 33 purse requirements set forth in this section. If, after notice and a
 34 hearing, the Indiana horse racing commission finds that a licensee has
 35 failed to comply with the purse requirements set forth in this section,
 36 the Indiana horse racing commission may:

37 (1) issue a warning to the licensee;

38 (2) impose a civil penalty that may not exceed one million dollars
 39 (\$1,000,000); or

40 (3) suspend a meeting permit issued under IC 4-31-5 to conduct
 41 a pari-mutuel wagering horse racing meeting in Indiana.

42 ~~(k)~~ (j) A civil penalty collected under this section must be deposited



- 1 in the state general fund.
- 2 SECTION 24. IC 5-1-17 IS REPEALED [EFFECTIVE JULY 1,
3 2024]. (Indiana Stadium and Convention Building Authority).
- 4 SECTION 25. IC 5-1.2-2-62, AS ADDED BY P.L.189-2018,
5 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2024]: Sec. 62. "Referenced statutes" means all statutes that
7 grant a power to or impose a duty on the authority, including but not
8 limited to this article, ~~IC 5-1-17~~; IC 5-1-17.5, IC 5-1.3, IC 8-9.5,
9 IC 8-14.5, IC 8-15, IC 8-15.5, and IC 8-16.
- 10 SECTION 26. IC 5-1.2-4-4, AS AMENDED BY P.L.135-2022,
11 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2024]: Sec. 4. (a) In addition to the powers listed in section 1
13 of this chapter, the authority may:
- 14 (1) enter into leases and issue bonds under terms and conditions
15 determined by the authority and use the proceeds of the bonds to:
16 (A) acquire obligations issued by any entity authorized to
17 acquire, finance, construct, or lease capital improvements
18 under ~~IC 5-1-17~~; **IC 5-1.2-17**;
19 (B) acquire any obligations issued by the northwest Indiana
20 regional development authority established by IC 36-7.5-2-1;
21 or
22 (C) carry out the purposes of IC 5-1-17.5 within a motorsports
23 investment district;
- 24 (2) at the request of the Indiana economic development
25 corporation established by IC 5-28-3-1, and subject to subsections
26 (b), (c), and (d), enter into leases and issue bonds under terms and
27 conditions determined by the authority payable solely from:
28 (A) revenues that are deposited in a local innovation
29 development district fund established under IC 36-7-32.5-19;
30 (B) revenues generated from a project under IC 36-7-32.5-19;
31 and
32 (C) appropriations from the general assembly; and
33 (3) perform any other functions determined by the authority to be
34 necessary or appropriate to carry out the purposes of this section.
- 35 (b) The proceeds of bonds issued under subsection (a)(2) may be
36 used to pay the costs of projects:
37 (1) described in IC 36-7-32.5-19; and
38 (2) located within or directly serving the innovation development
39 district in which the revenue was generated.
- 40 (c) Before the authority enters into leases or issues bonds under
41 subsection (a)(2), the proposed lease or issuance of bonds must be
42 reviewed by the budget committee.



1 (d) The authority may not issue more than one billion dollars
2 (\$1,000,000,000) of bonds under subsection (a)(2).

3 SECTION 27. IC 5-1.2-17 IS ADDED TO THE INDIANA CODE
4 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2024]:

6 **Chapter 17. Indiana Stadium and Convention Facilities**

7 **Sec. 1. As used in this chapter, "bonds" means bonds, notes,**
8 **commercial paper, or other evidences of indebtedness. The term**
9 **includes obligations (as defined in IC 8-9.5-9-3) and swap**
10 **agreements (as defined in IC 8-9.5-9-4).**

11 **Sec. 2. As used in this chapter, "capital improvement board"**
12 **refers to a capital improvement board of managers created by**
13 **IC 36-10-8 or IC 36-10-9.**

14 **Sec. 3. As used in this chapter, "stadium building entity" means**
15 **the Indiana stadium and convention building authority established**
16 **under IC 5-1-17-6 (before its repeal).**

17 **Sec. 4. As used in this chapter, "state agency" has the meaning**
18 **set forth in IC 5-1.2-2.**

19 **Sec. 5. The:**

- 20 (1) members of the authority;
21 (2) officers and employees of the authority; and
22 (3) public finance director;

23 **executing bonds, leases, obligations, or other agreements under this**
24 **chapter are not subject to personal liability or accountability by**
25 **reason of any act authorized by this chapter.**

26 **Sec. 6. After June 30, 2024, the following purposes are**
27 **transferred from the stadium building entity to the authority:**

- 28 (1) **Acquiring, financing, constructing, and leasing land and**
29 **capital improvements to or for the benefit of a capital**
30 **improvement board.**
31 (2) **Financing and constructing additional improvements to**
32 **capital improvements owned by the authority and leasing**
33 **them to or for the benefit of a capital improvement board.**
34 (3) **Acquiring land or all or a portion of one (1) or more**
35 **capital improvements from a capital improvement board by**
36 **purchase or lease and leasing the land or these capital**
37 **improvements back to the capital improvement board, with**
38 **any additional improvements that may be made to them.**
39 (4) **Acquiring all or a portion of one (1) or more capital**
40 **improvements from a capital improvement board by purchase**
41 **or lease to fund or refund indebtedness incurred on account**
42 **of those capital improvements to enable the capital**



1 improvement board to make a savings in debt service
 2 obligations or lease rental obligations or to obtain relief from
 3 covenants that the capital improvement board considers to be
 4 unduly burdensome.

5 **Sec. 7. (a) Under this chapter, the authority may also:**

6 (1) finance, improve, construct, reconstruct, renovate,
 7 purchase, lease, acquire, and equip land and capital
 8 improvements;

9 (2) lease the land or those capital improvements to a capital
 10 improvement board;

11 (3) sue, be sued, plead, and be impleaded;

12 (4) condemn, appropriate, lease, rent, purchase, and hold any
 13 real or personal property needed or considered useful in
 14 connection with capital improvements;

15 (5) acquire real or personal property by gift, devise, or
 16 bequest and hold, use, or dispose of that property for the
 17 purposes authorized by this chapter;

18 (6) after giving notice, enter upon any lots or lands for the
 19 purpose of surveying or examining them to determine the
 20 location of a capital improvement;

21 (7) design, order, contract for, and construct, reconstruct, and
 22 renovate any capital improvements or improvements thereto;

23 (8) employ managers, superintendents, architects, engineers,
 24 attorneys, auditors, clerks, construction managers, and other
 25 employees;

26 (9) make and enter into all contracts and agreements,
 27 including agreements to arbitrate, that are necessary or
 28 incidental to the performance of its duties and the execution
 29 of its powers under this chapter;

30 (10) acquire in the name of the authority by the exercise of the
 31 right of condemnation, in the manner provided in subsection
 32 (c), public or private lands, or rights in lands, rights-of-way,
 33 property, rights, easements, and interests, as it considers
 34 necessary for carrying out this chapter; and

35 (11) take any other action necessary to implement its purposes
 36 as set forth in section 6 of this chapter.

37 (b) The authority is subject to the provisions of 25 IAC 5
 38 concerning equal opportunities for minority business enterprises
 39 and women's business enterprises to participate in procurement
 40 and contracting processes. In addition, the authority shall set a
 41 goal for participation by minority business enterprises of fifteen
 42 percent (15%) and women's business enterprises of five percent



1 (5%), consistent with the goals of delivering the project on time
 2 and within the budgeted amount and, insofar as possible, using
 3 Indiana businesses for employees, goods, and services. In fulfilling
 4 the goal, the authority shall take into account historical precedents
 5 in the same market.

6 (c) If the authority is unable to agree with the owners, lessees,
 7 or occupants of any real property selected for the purposes of this
 8 chapter, the authority may proceed to procure the condemnation
 9 of the property under IC 32-24-1. The authority may not institute
 10 a proceeding until the authority has adopted a resolution that:

- 11 (1) describes the real property sought to be acquired and the
 12 purpose for which the real property is to be used;
 13 (2) declares that the public interest and necessity require the
 14 acquisition by the authority of the property involved; and
 15 (3) sets out any other facts that the authority considers
 16 necessary or pertinent.

17 The resolution is conclusive evidence of the public necessity of the
 18 proposed acquisition and shall be referred to the attorney general
 19 for action, in the name of the authority, in the circuit or superior
 20 court of the county in which the real property is located.

21 Sec. 8. (a) Bonds issued under IC 36-10-8 or IC 36-10-9 or prior
 22 law may be refunded as provided in this section.

23 (b) A capital improvement board may:

- 24 (1) lease all or a portion of land or a capital improvement or
 25 improvements to the authority, which may be at a nominal
 26 lease rental with a lease back to the capital improvement
 27 board, conditioned upon the authority assuming bonds issued
 28 under IC 36-10-8 or IC 36-10-9 or prior law and issuing its
 29 bonds to refund those bonds; and
 30 (2) sell all or a portion of land or a capital improvement or
 31 improvements to the authority for a price sufficient to provide
 32 for the refunding of those bonds and lease back the land or
 33 capital improvement or improvements from the authority.

34 Sec. 9. (a) Before a lease may be entered into by a capital
 35 improvement board under this chapter, the capital improvement
 36 board must find that the lease rental provided for is fair and
 37 reasonable.

38 (b) A lease or sublease of land or capital improvements from the
 39 authority, or from a state agency under section 24 of this chapter,
 40 to a capital improvement board:

- 41 (1) may not have a term exceeding forty (40) years;
 42 (2) may not require payment of lease rentals for a newly



1 **constructed capital improvement or for improvements to an**
2 **existing capital improvement until the capital improvement or**
3 **improvements thereto have been completed and are ready for**
4 **occupancy;**

5 **(3) may contain provisions:**

6 **(A) allowing the capital improvement board to continue to**
7 **operate an existing capital improvement until completion**
8 **of the improvements, reconstruction, or renovation of that**
9 **capital improvement or any other capital improvement;**
10 **and**

11 **(B) requiring payment of lease rentals for land, for an**
12 **existing capital improvement being used, reconstructed, or**
13 **renovated, or for any other existing capital improvement;**

14 **(4) may contain an option to renew the lease for the same or**
15 **shorter term on the conditions provided in the lease;**

16 **(5) must contain an option for the capital improvement board**
17 **to purchase the capital improvement upon the terms stated in**
18 **the lease:**

19 **(A) during the term of the lease for a price equal to the**
20 **amount required to pay all indebtedness incurred on**
21 **account of the capital improvement, including**
22 **indebtedness incurred for the refunding of that**
23 **indebtedness; or**

24 **(B) for one dollar (\$1) after the term of the lease, if all**
25 **indebtedness incurred on account of the capital**
26 **improvement, including indebtedness incurred for the**
27 **refunding of that indebtedness, is no longer outstanding;**

28 **(6) may be entered into before acquisition or construction of**
29 **a capital improvement;**

30 **(7) may provide that the capital improvement board shall**
31 **agree to:**

32 **(A) pay all taxes and assessments thereon;**

33 **(B) maintain insurance thereon for the benefit of the**
34 **authority;**

35 **(C) assume responsibility for utilities, repairs, alterations,**
36 **and any costs of operation; and**

37 **(D) pay a deposit or series of deposits to the authority from**
38 **any funds legally available to the capital improvement**
39 **board before the commencement of the lease to secure the**
40 **performance of the capital improvement board's**
41 **obligations under the lease;**

42 **(8) subject to IC 36-10-8-13 and IC 36-10-9-11, may provide**



- 1 that the lease rental payments by the capital improvement
 2 board shall be made from:
- 3 (A) proceeds of one (1) or more of the excise taxes as
 4 defined in IC 36-10-8 or IC 36-10-9;
- 5 (B) proceeds of the county supplemental auto rental excise
 6 tax imposed under IC 6-6-9.7;
- 7 (C) that part of the proceeds of the county food and
 8 beverage tax imposed under IC 6-9-35, which the capital
 9 improvement board or its designee receives pursuant
 10 thereto;
- 11 (D) revenue captured under IC 36-7-31;
- 12 (E) net revenues of the capital improvement;
- 13 (F) any other funds available to the capital improvement
 14 board; or
- 15 (G) any combination of the sources described in clauses (A)
 16 through (F);
- 17 (9) subject to subdivision (10), must provide that the capital
 18 improvement board is solely responsible for the operation and
 19 maintenance of the capital improvement upon completion of
 20 construction, including the negotiation and maintenance of
 21 agreements with tenants or users of the capital improvement;
- 22 (10) must provide that, during the term of the lease, the
 23 authority retains the right to approve any lease agreements
 24 and amendments to any lease agreements between the capital
 25 improvement board and any National Football League
 26 franchised professional football team that will use the capital
 27 improvement;
- 28 (11) must provide that:
- 29 (A) subject to the terms of the lease, the capital
 30 improvement board will retain all revenues from operation
 31 of the capital improvement; and
- 32 (B) the authority has no responsibility to fund the ongoing
 33 maintenance and operations of the capital improvement;
 34 and
- 35 (12) with respect to a capital improvement that is subject to
 36 the county admissions tax imposed by IC 6-9-13, must provide
 37 that upon request of the authority the capital improvement
 38 board will impose a fee:
- 39 (A) not to exceed three dollars (\$3), as determined by the
 40 authority, for each admission to a professional sporting
 41 event described in IC 6-9-13-1; and
- 42 (B) not to exceed one dollar (\$1), as determined by the



1 **authority, for each admission to any other event described**
 2 **in IC 6-9-13-1;**
 3 **and, so long as there are any current or future obligations**
 4 **owed by the capital improvement board to the authority or**
 5 **any state agency pursuant to a lease or other agreement**
 6 **entered into between the capital improvement board and the**
 7 **authority or any state agency under section 26 of this chapter,**
 8 **the capital improvement board or its designee shall deposit**
 9 **the revenues received from the fee imposed under this**
 10 **subdivision in a special fund, which may be used only for the**
 11 **payment of the obligations described in this subdivision.**

12 **(c) A capital improvement board may designate the authority as**
 13 **its agent to receive on behalf of the capital improvement board any**
 14 **of the revenues identified in subsection (b)(8).**

15 **(d) All information prepared by the capital improvement board**
 16 **or a political subdivision served by the capital improvement board**
 17 **with respect to a capital improvement proposed to be financed**
 18 **under this chapter, including a construction budget and timeline,**
 19 **must be provided to the budget director. Any information**
 20 **described in this subsection that was prepared before May 15,**
 21 **2005, must be provided to the budget director not later than May**
 22 **15, 2005.**

23 **Sec. 10. This chapter contains full and complete authority for**
 24 **leases between the authority and a capital improvement board. No**
 25 **law, procedure, proceedings, publications, notices, consents,**
 26 **approvals, orders, or acts by the board or the capital improvement**
 27 **board or any other officer, department, agency, or instrumentality**
 28 **of the state or any political subdivision is required to enter into any**
 29 **lease, except as prescribed in this chapter.**

30 **Sec. 11. If the lease provides for a capital improvement or**
 31 **improvements thereto to be constructed by the authority, the plans**
 32 **and specifications shall be submitted to and approved by all**
 33 **agencies designated by law to pass on plans and specifications for**
 34 **public buildings.**

35 **Sec. 12. The authority and a capital improvement board may**
 36 **enter into common wall (party wall) agreements or other**
 37 **agreements concerning easements or licenses. These agreements**
 38 **shall be recorded with the recorder of the county in which the**
 39 **capital improvement is located.**

40 **Sec. 13. (a) A capital improvement board may lease for a**
 41 **nominal lease rental, or sell to the authority, one (1) or more**
 42 **capital improvements or portions thereof or land upon which a**



1 capital improvement is located or is to be constructed.

2 (b) Any lease of all or a portion of a capital improvement by a
3 capital improvement board to the authority must be for a term
4 equal to the term of the lease of that capital improvement back to
5 the capital improvement board.

6 (c) A capital improvement board may sell property to the
7 authority.

8 **Sec. 14. (a)** Subject to subsection (h), the authority may issue
9 bonds for the purpose of obtaining money to pay the cost of:

10 (1) acquiring real or personal property, including existing
11 capital improvements;

12 (2) constructing, improving, reconstructing, or renovating one

13 (1) or more capital improvements; or

14 (3) funding or refunding bonds issued under IC 36-10-8 or
15 IC 36-10-9 or prior law.

16 (b) The bonds are payable from the lease rentals from the lease
17 of the capital improvements for which the bonds were issued,
18 insurance proceeds, and any other funds pledged or available.

19 (c) The bonds shall be authorized by a resolution of the board.

20 (d) The terms and form of the bonds shall either be set out in the
21 resolution or in a form of trust indenture approved by the
22 resolution.

23 (e) The bonds shall mature within forty (40) years.

24 (f) The board shall sell the bonds at public or private sale upon
25 the terms determined by the board.

26 (g) All money received from any bonds issued under this
27 chapter shall be applied to the payment of the cost of the
28 acquisition or construction, or both, of capital improvements, or
29 the cost of refunding or refinancing outstanding bonds, for which
30 the bonds are issued. The cost may include:

31 (1) planning and development of the facility and all buildings,
32 facilities, structures, and improvements related to it;

33 (2) acquisition of a site and clearing and preparing the site for
34 construction;

35 (3) equipment, facilities, structures, and improvements that
36 are necessary or desirable to make the capital improvement
37 suitable for use and operations;

38 (4) architectural, engineering, consultant, and attorney's fees;

39 (5) incidental expenses in connection with the issuance and
40 sale of bonds;

41 (6) reserves for principal and interest;

42 (7) interest during construction;



- 1 **(8) financial advisory fees;**
 2 **(9) insurance during construction;**
 3 **(10) municipal bond insurance, debt service reserve**
 4 **insurance, letters of credit, or other credit enhancement; and**
 5 **(11) in the case of refunding or refinancing, payment of the**
 6 **principal of, redemption premiums (if any) for, and interest**
 7 **on, the bonds being refunded or refinanced.**

8 **(h) The authority may not issue bonds under this chapter unless**
 9 **the authority first finds that the following conditions are met:**

10 **(1) The capital improvement board and the authority have**
 11 **entered into a written agreement concerning the terms of the**
 12 **financing of the facility. This agreement must include the**
 13 **following provisions:**

14 **(A) Notwithstanding any other law, if the capital**
 15 **improvement board selected a construction manager and**
 16 **an architect for a facility before May 15, 2005, the**
 17 **authority will contract with that construction manager and**
 18 **architect and use plans as developed by that construction**
 19 **manager and architect. In addition, any other agreements**
 20 **entered into by the capital improvement board or a**
 21 **political subdivision served by the capital improvement**
 22 **board with respect to the design and construction of the**
 23 **facility will be reviewed by the members of the authority.**
 24 **The members of the authority are not bound by any prior**
 25 **commitments of the capital improvement board or the**
 26 **political subdivision, other than the general project design,**
 27 **and will approve all contracts necessary for the design and**
 28 **construction of the facility.**

29 **(B) If before May 15, 2005, the capital improvement board**
 30 **acquired any land, plans, or other information necessary**
 31 **for the facility and the board had budgeted for these items,**
 32 **the capital improvement board will transfer the land,**
 33 **plans, or other information useful to the authority for a**
 34 **price not to exceed the lesser of:**

- 35 **(i) the actual cost to the capital improvement board; or**
 36 **(ii) three million five hundred thousand dollars**
 37 **(\$3,500,000).**

38 **(C) The capital improvement board agrees to take any**
 39 **legal action that the authority considers necessary to**
 40 **facilitate the financing of the facility, including entering**
 41 **into agreements during the design and construction of the**
 42 **facility or a sublease of a capital improvement to any state**



- 1 agency that is then leased by the authority to any state
 2 agency under section 24 of this chapter.
- 3 **(D) The capital improvement board is prohibited from**
 4 **taking any other action with respect to the financing of the**
 5 **facility without the prior approval of the authority. The**
 6 **authority is not bound by the terms of any agreement**
 7 **entered into by the capital improvement board with**
 8 **respect to the financing of the facility without the prior**
 9 **approval of the authority.**
- 10 **(E) As the project financier, the authority (or its successor**
 11 **agency) and the public finance director will be responsible**
 12 **for selecting all investment bankers, bond counsel, trustees,**
 13 **and financial advisors.**
- 14 **(F) The capital improvement board agrees to deliver to the**
 15 **authority the one hundred million dollars (\$100,000,000)**
 16 **that is owed to the capital improvement board, the**
 17 **consolidated city, or Marion County, pursuant to an**
 18 **agreement between the National Football League**
 19 **franchised professional football team and the capital**
 20 **improvement board, the consolidated city, or Marion**
 21 **County. This amount shall be applied to the cost of**
 22 **construction for the stadium part of the facility. This**
 23 **amount does not have to be delivered until a lease is**
 24 **entered into for the stadium between the authority and the**
 25 **capital improvement board.**
- 26 **(G) The authority agrees to consult with the staff of the**
 27 **capital improvement board on an as needed basis during**
 28 **the design and construction of the facility, and the capital**
 29 **improvement board agrees to make its staff available for**
 30 **this purpose.**
- 31 **(H) The authority, Marion County, the consolidated city,**
 32 **the capital improvement board and the National Football**
 33 **League franchised professional football team must commit**
 34 **to using their best efforts to assist and cooperate with one**
 35 **another to design and construct the facility on time and on**
 36 **budget.**
- 37 **(2) The capital improvement board and the National Football**
 38 **League franchised professional football team have entered**
 39 **into a lease for the stadium part of the facility that has been**
 40 **approved by the authority and has a term of at least thirty**
 41 **(30) years.**
- 42 **Sec. 15. (a) The following definitions apply throughout this**



1 **section:**

2 (1) "Contract" includes a lease or other agreement.

3 (2) "Contract limitation" refers to a bid specification, project
4 agreement, lease provision, or other contract document that
5 does any of the following:

6 (A) Requires a bidder, offeror, or contractor in any
7 contractor tier to enter into or adhere to an agreement
8 with a labor organization relating to a project.

9 (B) Prohibits a bidder, offeror, or contractor in any
10 contractor tier from entering into or adhering to an
11 agreement with a labor organization relating to a project.

12 (C) Discriminates against a bidder, offeror, or contractor
13 in any contractor tier for any of the following:

14 (i) Becoming or remaining a signatory to an agreement
15 with a labor organization relating to a project.

16 (ii) Refusing to become or remain a signatory to an
17 agreement with a labor organization relating to a
18 project.

19 (iii) Adhering or refusing to adhere to an agreement with
20 a labor organization relating to a project.

21 (3) "Project" refers to a project of the authority for the
22 construction of a facility and all buildings, facilities,
23 structures, and improvements related to that facility to be
24 financed in whole or in part from funds derived from the
25 establishment of a tax area under IC 36-7-31.5.

26 (4) "Public benefit" refers to a grant, a tax abatement, a tax
27 credit, or establishment or use of tax area revenues related to
28 a project.

29 (b) A contract relating to a project may not require a contractor
30 or subcontractor to enter into a contract limitation as a condition
31 of being awarded and performing work on the contract. Any such
32 provision is void.

33 (c) A public entity may not award a public benefit that is
34 conditioned upon a requirement that the person awarded the
35 public benefit include a contract limitation in a contract document
36 related to a project. Any such provision is void.

37 **Sec. 16. (a) This section applies to bids received with respect to**
38 **a capital improvement under this chapter:**

39 (1) that is constructed by, for, or on behalf of the authority;
40 and

41 (2) for which only one (1) bid was received from a responsible
42 bidder.



1 **(b) The board may attempt to negotiate a more advantageous**
 2 **proposal and contract with the bidder if the board determines that**
 3 **rebidding:**

- 4 **(1) is not practicable or advantageous; or**
 5 **(2) would adversely affect the construction schedule or budget**
 6 **of the project.**

7 **(c) The board shall prepare a bid file containing the following**
 8 **information:**

9 **(1) A copy of all documents that are included as part of the**
 10 **invitation for bids.**

11 **(2) A list of all persons to whom copies of the invitation for**
 12 **bids were given, including the following information:**

13 **(A) The name and address of each person who received an**
 14 **invitation for bids.**

15 **(B) The name of each bidder who responded and the dollar**
 16 **amount of the bid.**

17 **(C) A summary of the bid received.**

18 **(3) The basis on which the bid was accepted.**

19 **(4) Documentation of the board's negotiating process with the**
 20 **bidder. The documentation must include the following:**

21 **(A) A log of the dates and times of each meeting with the**
 22 **bidder.**

23 **(B) A description of the nature of all communications with**
 24 **the bidder.**

25 **(C) A copy of all written communications, including**
 26 **electronic communications, with the bidder.**

27 **(5) The entire contents of the contract file except for**
 28 **proprietary information included with the bid, such as trade**
 29 **secrets, manufacturing processes, and financial information**
 30 **that was not required to be made available for public**
 31 **inspection by the terms of the invitation for bids.**

32 **Sec. 17. This chapter contains full and complete authority for**
 33 **the issuance of bonds. No law, procedure, proceedings,**
 34 **publications, notices, consents, approvals, orders, or acts by the**
 35 **board or any other officer, department, agency, or instrumentality**
 36 **of the state or of any political subdivision is required to issue any**
 37 **bonds, except as prescribed in this chapter.**

38 **Sec. 18. Bonds issued under this chapter are legal investments**
 39 **for private trust funds and the funds of banks, trust companies,**
 40 **insurance companies, building and loan associations, credit unions,**
 41 **banks of discount and deposit, savings banks, loan and trust and**
 42 **safe deposit companies, rural loan and savings associations,**



1 guaranty loan and savings associations, mortgage guaranty
 2 companies, small loan companies, industrial loan and investment
 3 companies, and other financial institutions organized under
 4 Indiana law.

5 Sec. 19. (a) The authority may secure bonds issued under this
 6 chapter by a trust indenture between the authority and a corporate
 7 trustee, which may be any trust company or national or state bank
 8 within Indiana that has trust powers.

9 (b) The trust indenture may:

10 (1) pledge or assign lease rentals, receipts, and income from
 11 leased capital improvements, but may not mortgage land or
 12 capital improvements;

13 (2) contain reasonable and proper provisions for protecting
 14 and enforcing the rights and remedies of the bondholders,
 15 including covenants setting forth the duties of the authority
 16 and board;

17 (3) set forth the rights and remedies of bondholders and
 18 trustee; and

19 (4) restrict the individual right of action of bondholders.

20 (c) Any pledge or assignment made by the authority under this
 21 section is valid and binding from the time that the pledge or
 22 assignment is made, against all persons whether or not they have
 23 notice of the lien. Any trust indenture by which a pledge is created
 24 or an assignment made need not be filed or recorded. The lien is
 25 perfected against third parties by filing the trust indenture in the
 26 records of the board.

27 Sec. 20. If a capital improvement board exercises its option to
 28 purchase leased property, it may issue its bonds as authorized by
 29 statute.

30 Sec. 21. For purposes of this chapter, all:

31 (1) property owned by the authority;

32 (2) revenues of the authority; and

33 (3) bonds issued by the authority, the interest on the bonds,
 34 the proceeds received by a holder from the sale of bonds to
 35 the extent of the holder's cost of acquisition, proceeds received
 36 upon redemption before maturity, proceeds received at
 37 maturity, and the receipt of interest in proceeds;

38 are exempt from taxation in Indiana for all purposes except the
 39 financial institutions tax imposed under IC 6-5.5.

40 Sec. 22. Any action to contest the validity of bonds to be issued
 41 under this chapter may not be brought after the fifteenth day
 42 following:



1 (1) the receipt of bids for the bonds, if the bonds are sold at
2 public sale; or

3 (2) the publication one (1) time in a newspaper of general
4 circulation published in the county of notice of the execution
5 and delivery of the contract for the sale of bonds;

6 whichever occurs first.

7 **Sec. 23.** The authority shall not issue bonds in a principal
8 amount exceeding five hundred million dollars (\$500,000,000) to
9 finance any capital improvement in Marion County unless:

10 (1) on or before June 30, 2005, the county fiscal body:

11 (A) increases the rate of the tax authorized by IC 6-6-9.7
12 by the maximum amount authorized by IC 6-6-9.7-7(c);

13 (B) increases the rate of the tax authorized by IC 6-9-8 by
14 the maximum amount authorized by IC 6-9-8-3(d);

15 (C) increases the rate of tax authorized by IC 6-9-12 by the
16 maximum amount authorized by IC 6-9-12-5(b); and

17 (D) increases the rate of the tax authorized by IC 6-9-13 by
18 the maximum amount authorized by IC 6-9-13-2(b); and

19 (2) on or before October 1, 2005, the budget director makes a
20 determination under IC 36-7-31-14.1 to increase the amount
21 of money captured in a tax area established under IC 36-7-31
22 by up to eleven million dollars (\$11,000,000) per year,
23 commencing July 1, 2007.

24 **Sec. 24. (a)** Notwithstanding any other law, any capital
25 improvement that may be leased by the authority to a capital
26 improvement board under this chapter may also be leased by the
27 authority to any state agency to accomplish the purposes of this
28 chapter. Any lease between the authority and a state agency under
29 this chapter:

30 (1) must set forth the terms and conditions of the use and
31 occupancy under the lease;

32 (2) must set forth the amounts agreed to be paid at stated
33 intervals for the use and occupancy under the lease;

34 (3) must provide that the state agency is not obligated to
35 continue to pay for the use and occupancy under the lease but
36 is instead required to vacate the facility if it is shown that the
37 terms and conditions of the use and occupancy and the
38 amount to be paid for the use and occupancy are unjust and
39 unreasonable considering the value of the services and
40 facilities thereby afforded;

41 (4) must provide that the state agency is required to vacate
42 the facility if funds have not been appropriated or are not



- 1 available to pay any sum agreed to be paid for use and
 2 occupancy when due;
- 3 (5) may provide for such costs as maintenance, operations,
 4 taxes, and insurance to be paid by the state agency;
- 5 (6) may contain an option to renew the lease;
- 6 (7) may contain an option to purchase the facility for an
 7 amount equal to the amount required to pay the principal and
 8 interest of indebtedness of the authority incurred on account
 9 of the facility and expenses of the authority attributable to the
 10 facility;
- 11 (8) may provide for payment of sums for use and occupancy
 12 of an existing capital improvement being used by the state
 13 agency, but may not provide for payment of sums for use and
 14 occupancy of a new capital improvement until the
 15 construction of the capital improvement or portion thereof
 16 has been completed and the new capital improvement or a
 17 portion thereof is available for use and occupancy by the state
 18 agency; and
- 19 (9) may contain any other provisions agreeable to the
 20 authority and the state agency.
- 21 (b) Any state agency that leases a capital improvement from the
 22 authority under this chapter may sublease the capital improvement
 23 to a capital improvement board under the terms and conditions set
 24 forth in section 9(a) of this chapter, section 9(b)(1) through 9(b)(4)
 25 of this chapter, section 9(b)(6) through 9(b)(8) of this chapter, and
 26 section 9(c) of this chapter.
- 27 (c) Notwithstanding any other law, in anticipation of the
 28 construction of any capital improvement and the lease of that
 29 capital improvement by the authority to a state agency, the
 30 authority may acquire an existing facility owned by the state
 31 agency and then lease the facility to the state agency. A lease made
 32 under this subsection shall describe the capital improvement to be
 33 constructed and may provide for the payment of rent by the state
 34 agency for the use of the existing facility. If such rent is to be paid
 35 pursuant to the lease, the lease shall provide that upon completion
 36 of the construction of the capital improvement, the capital
 37 improvement shall be substituted for the existing facility under the
 38 lease. The rent required to be paid by the state agency pursuant to
 39 the lease shall not constitute a debt of the state for purposes of the
 40 Constitution of the State of Indiana. A lease entered into under this
 41 subsection is subject to the same requirements for a lease entered
 42 into under subsection (a) with respect to both the existing facility



1 and the capital improvement anticipated to be constructed.

2 (d) This chapter contains full and complete authority for leases
3 between the authority and a state agency and subleases between a
4 state agency and a capital improvement board. No laws,
5 procedures, proceedings, publications, notices, consents, approvals,
6 orders, or acts by the board, the governing body of any state
7 agency or the capital improvement board or any other officer,
8 department, agency, or instrumentality of the state or any political
9 subdivision is required to enter into any such lease or sublease,
10 except as prescribed in this chapter.

11 Sec. 25. In order to enable the authority to lease a capital
12 improvement or existing facility to a state agency under section 24
13 of this chapter, the governor may convey, transfer, or sell, with or
14 without consideration, real property (including the buildings,
15 structures, and improvements), title to which is held in the name of
16 the state, to the authority, without being required to advertise or
17 solicit bids or proposals, in order to accomplish the governmental
18 purposes of this chapter.

19 Sec. 26. If the authority enters into a lease with a capital
20 improvement board under section 9 of this chapter or a state
21 agency under section 24 of this chapter, which then enters into a
22 sublease with a capital improvement board under section 24(b) of
23 this chapter, and the rental payments owed by the capital
24 improvement board to the authority under the lease or to the state
25 agency under the sublease are payable from the taxes described in
26 section 23 of this chapter or from the taxes authorized under
27 IC 6-9-35, the budget director may choose the designee of the
28 capital improvement board, which shall receive and deposit the
29 revenues derived from such taxes. The designee shall hold the
30 revenues on behalf of the capital improvement board pursuant to
31 an agreement between the authority and the capital improvement
32 board or between a state agency and the capital improvement
33 board. The agreement shall provide for the application of the
34 revenues in a manner that does not adversely affect the validity of
35 the lease or the sublease, as applicable.

36 SECTION 28. IC 5-2-2 IS REPEALED [EFFECTIVE JULY 1,
37 2024]. (Law Enforcement Academy Building Commission).

38 SECTION 29. IC 5-10.3-7-2, AS AMENDED BY P.L.198-2016,
39 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2024]: Sec. 2. The following employees may not be members
41 of the fund:

42 (1) Officials of a political subdivision elected by vote of the



1 people, unless the governing body specifically provides for the
2 participation of locally elected officials.

3 (2) Employees occupying positions normally requiring
4 performance of service of less than six hundred (600) hours
5 during a year who:

6 (A) were hired before July 1, 1982; or

7 (B) are employed by a participating school corporation.

8 (3) Independent contractors or officers or employees paid wholly
9 on a fee basis.

10 (4) Employees who occupy positions that are covered by other
11 pension or retirement funds or plans, maintained in whole or in
12 part by appropriations by the state or a political subdivision,
13 except:

14 (A) the federal Social Security program; and

15 (B) the prosecuting attorneys retirement fund established by
16 IC 33-39-7-9.

17 ~~(5) Managers or employees of a license branch of the bureau of~~
18 ~~motor vehicles commission, except those persons who may be~~
19 ~~included as members under IC 9-14-10.~~

20 ~~(6) (5) Employees, except employees of a participating school~~
21 ~~corporation, hired after June 30, 1982, occupying positions~~
22 ~~normally requiring performance of service of less than one~~
23 ~~thousand (1,000) hours during a year.~~

24 ~~(7) (6) Persons who:~~

25 (A) are employed by the state;

26 (B) have been classified as federal employees by the Secretary
27 of Agriculture of the United States; and

28 (C) are covered by the federal Social Security program as
29 federal employees under 42 U.S.C. 410.

30 SECTION 30. IC 5-13-10.5-19, AS AMENDED BY THE
31 TECHNICAL CORRECTIONS BILL OF THE 2024 GENERAL
32 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2024]: Sec. 19. (a) This section applies after July 1, 2025, if:

34 (1) the:

35 (A) capital improvement board of managers; and

36 (B) a professional sports franchise that is part of the National
37 Basketball Association;

38 enter into a new agreement of at least twenty-five (25) years
39 before April 20, 2019;

40 (2) the increase in the tax rate imposed under IC 6-6-9.7-7(e) by
41 the city-county council continues in effect through December 31,
42 2040;



1 (3) the increase in the tax rate imposed under IC 6-9-13-2(c) by
 2 the city-county council continues in effect through December 31,
 3 2040; and

4 (4) the tax rate in effect under IC 6-9-8-3 is ten percent (10%).

5 (b) As used in this section, "capital improvement board" refers to a
 6 capital improvement board of managers established under IC 36-10-9.

7 (c) As used in this section, "restricted deposits" refers to any amount
 8 deposited into an excess revenues account established under an
 9 agreement described in ~~IC 5-1-17-28~~. **IC 5-1.2-17-26.**

10 (d) For each state fiscal year beginning after June 30, 2025, and
 11 ending before July 1, 2037, the state budget director shall, before
 12 August 1, certify the amount of restricted deposits for the state fiscal
 13 year to the treasurer of state.

14 (e) To qualify for an investment under this section, the capital
 15 improvement board must submit a request to the treasurer of state in
 16 the form and manner required by the treasurer of state. As part of the
 17 request, the capital improvement board shall include the agreement
 18 described in subsection (a)(1) and commit to repay the capital
 19 improvement board's obligation to the treasurer of state from:

20 (1) all restricted deposits as restricted deposits are available to the
 21 capital improvement board; and

22 (2) if, after the payment of all obligations owed by the capital
 23 improvement board to the office of management and budget under
 24 all subleases of capital improvements under ~~IC 5-1-17-26~~;
 25 **IC 5-1.2-17-24**, the restricted deposits are insufficient to fully
 26 repay the capital improvement board's obligation to the treasurer
 27 of state, each of the following, which shall be transferred to the
 28 treasurer of state until, in each case, the capital improvement
 29 board's obligation to the treasurer of state is fully paid:

30 (A) All county supplemental auto rental excise tax revenues
 31 collected under IC 6-6-9.7-7(b) and IC 6-6-9.7-7(c).

32 (B) All county innkeeper's tax revenues collected under
 33 IC 6-9-8-3(b) and IC 6-9-8-3(c).

34 (C) All county food and beverage tax revenues collected under
 35 IC 6-9-12-5(a) and IC 6-9-12-5(b).

36 If the capital improvement board fails to pay all of its obligations to the
 37 treasurer of state when due, the remaining amount owed shall be
 38 withheld by the ~~auditor of state~~ **comptroller** from any money available
 39 to the capital improvement board. The amount withheld shall be
 40 transferred to the treasurer of state to the credit of the capital
 41 improvement board.

42 (f) If the capital improvement board makes a request under



1 subsection (e), after review by the state budget committee, the treasurer
2 of state shall approve the request and enter into an agreement with the
3 capital improvement board under this section.

4 (g) After the capital improvement board and the treasurer of state
5 enter into an agreement under subsection (f), and after determining that
6 restricted deposits have been deposited as described in subsection (e),
7 the treasurer of state shall invest or reinvest funds from the state
8 general fund in obligations issued by the capital improvement board.
9 The terms of each investment and the capital improvement board's
10 obligation must include the following items:

11 (1) The duration of the agreement may begin not earlier than July
12 1, 2025, and terminate no later than July 1, 2037.

13 (2) Before September 1 of each state fiscal year of the agreement,
14 the treasurer of state shall invest or reinvest funds from the state
15 general fund in obligations issued by the capital improvement
16 board in amounts requested by the capital improvement board but
17 not to exceed the amount of restricted deposits certified by the
18 budget director for the state fiscal year to the capital improvement
19 board and the amount shall be included in the capital
20 improvement board's obligation under this section.

21 (3) In no event may the amount invested or reinvested under
22 subdivision (2) exceed the excess of the amount then on deposit
23 in the excess revenues account described in subsection (c) over
24 the aggregate of any prior investments by the treasurer of state,
25 including any accrued and unpaid interest on the prior
26 investments by the treasurer of state, but not including the
27 principal amount on any prior investments that have been repaid
28 by the capital improvement board.

29 (4) The rate of interest shall be set by the treasurer of state, at a
30 rate then currently applicable to a United States Treasury note that
31 has payment terms that are substantially the same as the
32 obligation being issued by the capital improvement board.

33 (5) The capital improvement board shall pay its total obligation,
34 with interest, to the treasurer of state no later than June 30, 2040.

35 (h) The capital improvement board may issue obligations under this
36 section by adoption of a resolution and, as set forth in IC 5-1-14, may
37 use any source of revenue to satisfy the obligation to the treasurer of
38 state under this section. This section constitutes complete authority for
39 the capital improvement board to issue obligations to the treasurer of
40 state.

41 (i) The capital improvement board's obligations to the treasurer of
42 state entered into under this section shall not be considered debt for



1 purposes of IC 36-1-15.

2 (j) This section expires on the later of:

3 (1) July 1, 2041; or

4 (2) the date on which all obligations owed by the capital
5 improvement board to the treasurer of state under this section are
6 paid in full.

7 SECTION 31. IC 5-28-15-13, AS AMENDED BY P.L.146-2018,
8 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2024]: Sec. 13. (a) There is established in each enterprise
10 zone an urban enterprise association (U.E.A.). The ~~twelve (12)~~ **ten (10)**
11 members of the U.E.A. shall be chosen as follows:

12 ~~(1) The governor shall appoint the following:~~

13 ~~(A) One (1) state legislator whose district includes all or part
14 of the enterprise zone.~~

15 ~~(B) One (1) representative of the corporation, who is not a
16 voting member of the U.E.A.~~

17 ~~(2) (1) The executive of the municipality in which the zone is
18 located shall appoint the following:~~

19 ~~(A) One (1) representative of the plan commission having
20 jurisdiction over the zone, if any exists.~~

21 ~~(B) One (1) representative of the municipality's department
22 that performs planning or economic development functions.~~

23 ~~(C) Two (2) representatives of businesses located in the zone,
24 one (1) of whom shall be from a manufacturing concern, if any
25 exists in the zone.~~

26 ~~(D) One (1) resident of the zone.~~

27 ~~(E) One (1) representative of organized labor from the
28 building trades that represent construction workers.~~

29 ~~(3) (2) The legislative body of the municipality in which the zone
30 is located shall appoint, by majority vote, the following:~~

31 ~~(A) One (1) member of the municipality's legislative body
32 whose district includes all or part of the zone.~~

33 ~~(B) One (1) representative of a business located in the zone.~~

34 ~~(C) Two (2) residents of the zone, who must not be members
35 of the same political party.~~

36 (b) Members of the U.E.A. serve four (4) year terms. The appointing
37 authority shall fill any vacancy for the balance of the vacated term.

38 (c) Members may be dismissed only by the appointing authority and
39 only for just cause.

40 (d) The members shall elect a chairperson, a vice chairperson, and
41 a secretary by majority vote. This election shall be held every two (2)
42 years in the same month as the first meeting or whenever a vacancy



1 occurs. The U.E.A. shall meet at least once every three (3) months. The
 2 secretary shall notify members of meetings at least two (2) weeks in
 3 advance of meetings. The secretary shall provide a list of members to
 4 each member and shall notify members of any changes in membership.

5 SECTION 32. IC 6-1.1-10-21, AS AMENDED BY P.L.192-2021,
 6 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2024]: Sec. 21. (a) The following tangible property is exempt
 8 from property taxation if it is owned by, or held in trust for the use of,
 9 a church or religious society:

10 (1) A building that is used for religious worship.

11 (2) The pews and furniture contained within a building that is
 12 used for religious worship.

13 (3) The tract of land upon which a building that is used for
 14 religious worship is situated.

15 (b) The following tangible property is exempt from property
 16 taxation if it is owned by, or held in trust for the use of, a church or
 17 religious society:

18 (1) A building that is used as a parsonage.

19 (2) The tract of land, not exceeding fifteen (15) acres, upon which
 20 a building that is used as a parsonage is situated.

21 (c) To obtain an exemption for parsonages, a church or religious
 22 society must provide the county assessor with an affidavit at the time
 23 the church or religious society applies for the exemptions. The affidavit
 24 must state that:

25 (1) all parsonages are being used to house one (1) of the church's
 26 or religious society's rabbis, priests, preachers, ministers, or
 27 pastors; and

28 (2) none of the parsonages are being used to make a profit.

29 The affidavit shall be signed under oath by the church's or religious
 30 society's head rabbi, priest, preacher, minister, or pastor.

31 (d) Property referred to in this section shall be assessed to the extent
 32 required under IC 6-1.1-11-9.

33 (e) This subsection applies to transactions occurring after December
 34 31, 2021. The sales disclosure form required under IC 6-1.1-5.5-5 shall
 35 include an attestation that property transferred under this subsection
 36 will continue to be used by a church or religious society for the same
 37 tax exempt purpose. A county assessor that reasonably suspects that the
 38 property transferred is no longer being used by a church or religious
 39 society for the same tax exempt purpose may request articles of
 40 incorporation or bylaws to confirm the attestation. The request for
 41 articles of incorporation or bylaws to confirm the attestation must:

42 (1) be made in writing; and



- 1 (2) include a written explanation of the assessor's reasonable
 2 suspicion describing why the assessor believes that the property
 3 transferred is no longer being used by the church or religious
 4 society for the same tax exempt purpose.
- 5 Notwithstanding ~~IC 6-1.1-11-4(c)~~, **IC 6-1.1-11-4(d)**, when exempt
 6 property owned by a church or religious society, as described in
 7 subsection (a), is transferred to another church or religious society to
 8 be used for the same exempt purpose, the transferee church or religious
 9 society is not required to file a certified exemption application with the
 10 county assessor of the county in which the property that is the subject
 11 of the exemption is located. If the property remains eligible for the
 12 exemption under this section after the transfer, the exempt status of the
 13 property carries over to the transferee church or religious society.
- 14 SECTION 33. IC 6-1.1-11-4, AS AMENDED BY P.L.174-2022,
 15 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2024]: Sec. 4. (a) The exemption application referred to in
 17 section 3 of this chapter is not required if the exempt property is owned
 18 by the United States, the state, an agency of this state, or a political
 19 subdivision (as defined in IC 36-1-2-13). However, this subsection
 20 applies only when the property is used, and in the case of real property
 21 occupied, by the owner.
- 22 (b) The exemption application referred to in section 3 of this chapter
 23 is not required if the exempt property is a cemetery:
- 24 (1) described by IC 6-1.1-2-7; or
 25 (2) maintained by a township executive under IC 23-14-68.
- 26 ~~(c) The exemption application referred to in section 3 of this chapter~~
 27 ~~is not required if the exempt property is owned by the bureau of motor~~
 28 ~~vehicles commission established under IC 9-14-9.~~
- 29 ~~(d)~~ (c) The exemption application referred to in section 3 or 3.5 of
 30 this chapter is not required if:
- 31 (1) the exempt property is:
- 32 (A) tangible property used for religious purposes described in
 33 IC 6-1.1-10-21;
 34 (B) tangible property owned by a church or religious society
 35 used for educational purposes described in IC 6-1.1-10-16;
 36 (C) other tangible property owned, occupied, and used by a
 37 person for educational, literary, scientific, religious, or
 38 charitable purposes described in IC 6-1.1-10-16; or
 39 (D) other tangible property owned by a fraternity or sorority
 40 (as defined in IC 6-1.1-10-24);
- 41 (2) the exemption application referred to in section 3 or 3.5 of this
 42 chapter was filed properly at least once for a religious use under



1 IC 6-1.1-10-21, an educational, literary, scientific, religious, or
 2 charitable use under IC 6-1.1-10-16, or use by a fraternity or
 3 sorority under IC 6-1.1-10-24; and

4 (3) the property continues to meet the requirements for an
 5 exemption under IC 6-1.1-10-16, IC 6-1.1-10-21, or
 6 IC 6-1.1-10-24.

7 ~~(e)~~ (d) If, after an assessment date, an exempt property is transferred
 8 or its use is changed resulting in its ineligibility for an exemption under
 9 IC 6-1.1-10, the county assessor shall terminate the exemption for the
 10 next assessment date. However, if the property remains eligible for an
 11 exemption under IC 6-1.1-10 following the transfer or change in use,
 12 the exemption shall be left in place for that assessment date. For the
 13 following assessment date, the person that obtained the exemption or
 14 the current owner of the property, as applicable, shall, under section 3
 15 of this chapter and except as provided in this section, file a certified
 16 application in duplicate with the county assessor of the county in which
 17 the property that is the subject of the exemption is located. In all cases,
 18 the person that obtained the exemption or the current owner of the
 19 property shall notify the county assessor for the county where the
 20 tangible property is located of the change in ownership or use in the
 21 year that the change occurs. The notice must be in the form prescribed
 22 by the department of local government finance.

23 ~~(f)~~ (e) If the county assessor discovers that title to or use of property
 24 granted an exemption under IC 6-1.1-10 has changed, the county
 25 assessor shall notify the persons entitled to a tax statement under
 26 IC 6-1.1-22-8.1 for the property of the change in title or use and
 27 indicate that the county auditor will suspend the exemption for the
 28 property until the persons provide the county assessor with an affidavit,
 29 signed under penalties of perjury, that identifies the new owners or use
 30 of the property and indicates whether the property continues to meet
 31 the requirements for an exemption under IC 6-1.1-10. Upon receipt of
 32 the affidavit, the county assessor shall reinstate the exemption under
 33 IC 6-1.1-15-12.1. However, a claim under IC 6-1.1-26-1.1 for a refund
 34 of all or a part of a tax installment paid and any correction of error
 35 under IC 6-1.1-15-12.1 must be filed not later than three (3) years after
 36 the taxes are first due.

37 ~~(g)~~ (f) This section shall not be construed to limit the authority of
 38 the county property tax assessment board of appeals to review the
 39 ongoing eligibility of a property for an exemption. A county property
 40 tax assessment board of appeals shall disapprove an exemption
 41 application in any year following the initial approval of the application
 42 if the property is not eligible for an exemption.



1 SECTION 34. IC 6-1.1-35.7-4, AS AMENDED BY P.L.174-2022,
 2 SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2024]: Sec. 4. (a) A township assessor, a county assessor, an
 4 employee of the township assessor or county assessor, or an appraiser:

- 5 (1) must be competent to perform a particular assessment;
 6 (2) must acquire the necessary competency to perform the
 7 assessment; or
 8 (3) shall contract with an appraiser who demonstrates competency
 9 to do the assessment.

10 (b) If a taxpayer has reason to believe that the township assessor, the
 11 county assessor, an employee of the township assessor or county
 12 assessor, or an appraiser has violated subsection (a) or section 3 of this
 13 chapter, the taxpayer may submit a written complaint to the
 14 department. The department shall respond in writing to the complaint
 15 within thirty (30) days.

16 (c) The department may not review a written complaint submitted
 17 under subsection (b) if the complaint is related to a matter that is under
 18 appeal.

19 (d) The department may revoke the certification of a township
 20 assessor, a county assessor, an employee of the township assessor or
 21 county assessor, or an appraiser under 50 IAC 15 for gross
 22 incompetence in the performance of an assessment.

23 (e) An individual whose certification is revoked by the department
 24 under subsection (d) may appeal the department's decision to the
 25 certification appeal board established under subsection (f). A decision
 26 of the certification appeal board may be appealed to the tax court in the
 27 same manner that a final determination of the department may be
 28 appealed under IC 33-26.

29 (f) The certification appeal board is established for the sole purpose
 30 of conducting appeals under this section. The board consists of the
 31 following seven (7) members:

- 32 (1) Two (2) representatives of the department appointed by the
 33 commissioner of the department;
 34 (2) Two (2) individuals appointed by the governor. The
 35 individuals must be township or county assessors;
 36 (3) Two (2) individuals appointed by the governor. The
 37 individuals must be licensed appraisers;
 38 (4) One (1) individual appointed by the governor. The individual
 39 must be a resident of Indiana.

40 The commissioner of the department shall designate a member
 41 appointed under subdivision (1) as the chairperson of the board. Not
 42 more than four (4) members of the board may be members of the same



1 political party. Each member of the board serves at the pleasure of the
2 appointing authority.

3 (g) The certification appeal board shall meet as often as is necessary
4 to properly perform its duties. Each member of the board is entitled to
5 the following:

6 (1) The salary per diem provided under IC 4-10-11-2.1(b);

7 (2) Reimbursement for traveling expenses as provided under
8 IC 4-13-1-4;

9 (3) Other expenses actually incurred in connection with the
10 member's duties as provided in the state policies and procedures
11 established by the Indiana department of administration and
12 approved by the budget agency.

13 (f) An individual who wishes to appeal under subsection (e) shall
14 submit an appeal to the department. The department shall
15 transmit the appeal to the office of administrative law proceedings,
16 which shall conduct the appeal under IC 4-15-10.5-12. A decision
17 of the office of administrative law proceedings may be appealed to
18 the tax court in the same manner that a final determination of the
19 department may be appealed under IC 33-26.

20 SECTION 35. IC 6-6-9.7-7, AS AMENDED BY P.L.156-2020,
21 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2024]: Sec. 7. (a) The city-county council of a county that
23 contains a consolidated city may adopt an ordinance to impose an
24 excise tax, known as the county supplemental auto rental excise tax,
25 upon the rental of passenger motor vehicles and trucks in the county for
26 periods of less than thirty (30) days. The ordinance must specify that
27 the tax expires December 31, 2027.

28 (b) Except as provided in subsections (c) and (f), the county
29 supplemental auto rental excise tax that may be imposed upon the
30 rental of a passenger motor vehicle or truck equals two percent (2%) of
31 the gross retail income received by the retail merchant for the rental.

32 (c) On or before June 30, 2005, the city-county council may, by
33 ordinance adopted by a majority of the members elected to the
34 city-county council, increase the tax imposed under subsection (a) from
35 two percent (2%) to four percent (4%). The ordinance must specify
36 that:

37 (1) if on December 31, 2027, there are obligations owed by the
38 capital improvement board of managers to the Indiana stadium
39 and convention building authority or any state agency under
40 IC 5-1-17-26 (**before its repeal**), the original two percent (2%)
41 rate imposed under subsection (a) continues to be levied after its
42 original expiration date set forth in subsection (a) and through



1 December 31, 2040; and

2 (2) the additional rate authorized under this subsection expires on:

3 (A) January 1, 2041;

4 (B) January 1, 2010, if on that date there are no obligations
5 owed by the capital improvement board of managers to the
6 Indiana stadium and convention building authority or to any
7 state agency under IC 5-1-17-26 (**before its repeal**); or

8 (C) October 1, 2005, if on that date there are no obligations
9 owed by the capital improvement board of managers to the
10 Indiana stadium and convention building authority or to any
11 state agency under a lease or a sublease of an existing capital
12 improvement entered into under IC 5-1-17 (**before its repeal**),
13 unless waived by the budget director.

14 (d) The amount collected from that portion of county supplemental
15 auto rental excise tax imposed under:

16 (1) subsection (b) and collected after December 31, 2027;

17 (2) subsection (c); and

18 (3) subsection (f);

19 shall, in the manner provided by section 11 of this chapter, be
20 distributed to the capital improvement board of managers operating in
21 a consolidated city or its designee. So long as there are any current or
22 future obligations owed by the capital improvement board of managers
23 to the Indiana stadium and convention building finance authority
24 created by ~~IC 5-1-17~~ **under IC 5-1.2-17** or any state agency pursuant
25 to a lease or other agreement entered into between the capital
26 improvement board of managers and the Indiana stadium and
27 convention building finance authority or any state agency under
28 ~~IC 5-1-17-26~~, **IC 5-1.2-17-24**, the capital improvement board of
29 managers or its designee shall deposit the revenues received under this
30 subsection in a special fund, which may be used only for the payment
31 of the obligations described in this subsection.

32 (e) After January 1, 2013, and before March 1, 2013, the city-county
33 council may, by ordinance adopted by a majority of the members
34 elected to the city-county council, increase the tax rate imposed under
35 subsection (a) by not more than two percent (2%). The amount
36 collected from an increase adopted under this subsection shall be
37 deposited in the sports and convention facilities operating fund
38 established by IC 36-7-31-16. An increase in the tax rate under this
39 subsection continues in effect unless the increase is rescinded.
40 However, any increase in the tax rate under this subsection may not
41 continue in effect after December 31, 2040.

42 (f) The county supplemental auto rental excise tax does not apply to



1 the sharing of passenger motor vehicles or trucks through a peer to peer
 2 vehicle sharing program (as defined in IC 24-4-9.2-4) in the county
 3 unless the city-county council adopts an ordinance, by a majority of the
 4 members elected to the city-county council, to impose the tax as
 5 provided in this section. The city-county council may adopt an
 6 ordinance to impose the county supplemental auto rental excise tax on
 7 the sharing of passenger motor vehicles or trucks registered in the
 8 county for purposes of IC 6-6-5 through a peer to peer vehicle sharing
 9 program. The amount of the tax is equal to:

- 10 (1) the gross retail income received by the peer to peer vehicle
 11 sharing program (as defined in IC 24-4-9.2-4) for the sharing of
 12 the passenger motor vehicle or truck; multiplied by
 13 (2) one percent (1%).

14 The ordinance must specify that the ordinance expires December 31,
 15 2027.

16 (g) If a city-county council adopts an ordinance under subsection
 17 (a), (c), (e), or (f), the city-county council shall immediately send a
 18 certified copy of the ordinance to the commissioner of the department
 19 of state revenue.

20 (h) If a city-county council adopts an ordinance under subsection
 21 (a), (c), (e), or (f) on or before the fifteenth day of a month, the county
 22 supplemental auto rental excise tax applies to auto rentals after the last
 23 day of the month in which the ordinance is adopted. If the city-county
 24 council adopts an ordinance under subsection (a), (c), (e), or (f) after
 25 the fifteenth day of a month, the county supplemental auto rental excise
 26 tax applies to auto rentals after the last day of the month following the
 27 month in which the ordinance is adopted.

28 SECTION 36. IC 6-9-8-3, AS AMENDED BY P.L.109-2019,
 29 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2024]: Sec. 3. (a) The tax imposed by section 2 of this chapter
 31 shall be at the rate of:

- 32 (1) before January 1, 2028, five percent (5%) on the gross income
 33 derived from lodging income only, plus an additional one percent
 34 (1%) if the fiscal body adopts an ordinance under subsection (b),
 35 plus an additional three percent (3%) if the fiscal body adopts an
 36 ordinance under subsection (d);
 37 (2) after December 31, 2027, and before January 1, 2041, five
 38 percent (5%), plus an additional one percent (1%) if the fiscal
 39 body adopts an ordinance under subsection (b), plus an additional
 40 three percent (3%) if the fiscal body adopts an ordinance under
 41 subsection (d); and
 42 (3) after December 31, 2040, five percent (5%).



1 (b) In any year subsequent to the initial year in which a tax is
 2 imposed under section 2 of this chapter, the fiscal body may, by
 3 ordinance adopted by at least two-thirds (2/3) of the members elected
 4 to the fiscal body, increase the tax imposed by section 2 of this chapter
 5 from five percent (5%) to six percent (6%). The ordinance must specify
 6 that the increase in the tax authorized under this subsection expires
 7 December 31, 2040.

8 (c) The amount collected from an increase adopted under subsection
 9 (b) shall be transferred to the capital improvement board of managers
 10 established by IC 36-10-9-3. The board shall deposit the revenues
 11 received under this subsection in a special fund. Money in the special
 12 fund may be used only for the payment of obligations incurred to
 13 expand a convention center, including:

- 14 (1) principal and interest on bonds issued to finance or refinance
 15 the expansion of a convention center; and
 16 (2) lease agreements entered into to expand a convention center.

17 (d) On or before June 30, 2005, the fiscal body may, by ordinance
 18 adopted by a majority of the members elected to the fiscal body,
 19 increase the tax imposed by section 2 of this chapter by an additional
 20 three percent (3%) to a total rate of eight percent (8%) (or nine percent
 21 (9%) if the fiscal body has adopted an ordinance under subsection (b)
 22 and that rate remains in effect). The ordinance must specify that the
 23 increase in the tax authorized under this subsection expires on:

- 24 (1) January 1, 2041;
 25 (2) January 1, 2010, if on that date there are no obligations owed
 26 by the capital improvement board of managers to the authority
 27 created by IC 5-1-17 (**before its repeal**) or to any state agency
 28 under IC 5-1-17-26 (**before its repeal**); or
 29 (3) October 1, 2005, if on that date there are no obligations owed
 30 by the capital improvement board of managers to the Indiana
 31 stadium and convention building authority or to any state agency
 32 under a lease or a sublease of an existing capital improvement
 33 entered into under IC 5-1-17 (**before its repeal**), unless waived
 34 by the budget director.

35 If the fiscal body adopts an ordinance under this subsection, it shall
 36 immediately send a certified copy of the ordinance to the commissioner
 37 of the department of state revenue, and the increase in the tax imposed
 38 under this chapter applies to transactions that occur after June 30,
 39 2005.

40 (e) Before September 1, 2009, the fiscal body may, by ordinance
 41 adopted by a majority of the members elected to the fiscal body,
 42 increase the tax rate under this chapter by not more than one percent



1 (1%). If the fiscal body adopts an ordinance under this subsection:

2 (1) it shall immediately send a certified copy of the ordinance to
3 the commissioner of the department of state revenue; and

4 (2) the tax applies to transactions after the last day of the month
5 in which the ordinance is adopted, if the city-county council
6 adopts the ordinance on or before the fifteenth day of a month. If
7 the city-county council adopts the ordinance after the fifteenth
8 day of a month, the tax applies to transactions after the last day of
9 the month following the month in which the ordinance is adopted.

10 The increase in the tax imposed under this subsection continues in
11 effect unless the increase is rescinded.

12 (f) The amount collected from an increase adopted under:

13 (1) subsection (b) and collected after December 31, 2027; and

14 (2) subsection (d);

15 shall be transferred to the capital improvement board of managers
16 established by IC 36-10-9-3 or its designee. So long as there are any
17 current or future obligations owed by the capital improvement board of
18 managers to the Indiana ~~stadium and convention building finance~~
19 ~~authority created by IC 5-1-17~~ **under IC 5-1.2-17** or any state agency
20 pursuant to a lease or other agreement entered into between the capital
21 improvement board of managers and the Indiana ~~stadium and~~
22 ~~convention building finance~~ authority or any state agency pursuant to
23 ~~IC 5-1-17-26; IC 5-1.2-17-24~~, the capital improvement board of
24 managers or its designee shall deposit the revenues received under this
25 subsection in a special fund, which may be used only for the payment
26 of the obligations described in this subsection.

27 (g) The amount collected from an increase adopted under subsection
28 (e) shall be deposited in the sports and convention facilities operating
29 fund established by IC 36-7-31-16.

30 SECTION 37. IC 6-9-12-5, AS AMENDED BY P.L.214-2005,
31 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2024]: Sec. 5. (a) Subject to subsection (b), the county food
33 and beverage tax imposed on a food or beverage transaction described
34 in section 3 of this chapter equals one percent (1%) of the gross retail
35 income received by the retail merchant from the transaction. The tax
36 authorized under this subsection expires January 1, 2041.

37 (b) On or before June 30, 2005, the city-county council of a county
38 may, by a majority vote of the members elected to the city-county
39 council, adopt an ordinance that increases the tax imposed under this
40 chapter by an additional rate of one percent (1%) to a total rate of two
41 percent (2%). The ordinance must specify that the increase in the tax
42 authorized under this subsection expires on:



- 1 (1) January 1, 2041;
- 2 (2) January 1, 2010, if on that date there are no obligations owed
- 3 by the capital improvement board of managers to the authority
- 4 created by IC 5-1-17 (**before its repeal**) or to any state agency
- 5 under IC 5-1-17-26 (**before its repeal**); or
- 6 (3) October 1, 2005, if on that date there are no obligations owed
- 7 by the capital improvement board of managers to the Indiana
- 8 stadium and convention building authority or to any state agency
- 9 under a lease or a sublease of an existing capital improvement
- 10 entered into under IC 5-1-17 (**before its repeal**), unless waived
- 11 by the budget director.

12 If a city-county council adopts an ordinance under this subsection, it
 13 shall immediately send a certified copy of the ordinance to the
 14 commissioner of the department of state revenue, and the increase in
 15 the tax imposed under this chapter applies to transactions that occur
 16 after June 30, 2005.

17 (c) For purposes of this chapter, the gross retail income received by
 18 the retail merchant from a transaction that is subject to the tax imposed
 19 by this chapter does not include the amount of tax imposed on the
 20 transaction under IC 6-2.5.

21 SECTION 38. IC 6-9-12-8, AS AMENDED BY THE TECHNICAL
 22 CORRECTIONS BILL OF THE 2024 GENERAL ASSEMBLY, IS
 23 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]:
 24 Sec. 8. The amounts received from the county food and beverage tax
 25 shall be paid monthly by the treasurer of the state to the treasurer of the
 26 capital improvement board of managers of the county or its designee
 27 upon warrants issued by the ~~auditor~~ of state **comptroller**. So long as
 28 there are any current or future obligations owed by the capital
 29 improvement board of managers to the Indiana ~~stadium and convention~~
 30 **building finance** authority ~~created by IC 5-1-17~~ **under IC 5-1.2-17** or
 31 any state agency pursuant to a lease or other agreement entered into
 32 between the capital improvement board of managers and the Indiana
 33 ~~stadium and convention building finance~~ authority or any state agency
 34 under ~~IC 5-1-17-26~~, **IC 5-1.2-17-24**, the capital improvement board of
 35 managers or its designee shall deposit the revenues received from that
 36 portion of the county food and beverage tax imposed under:

- 37 (1) section 5(a) of this chapter for revenue received after
- 38 December 31, 2027; and
- 39 (2) section 5(b) of this chapter;
- 40 in a special fund, which may be used only for the payment of the
- 41 obligations described in this section.

42 SECTION 39. IC 6-9-13-1, AS AMENDED BY P.L.109-2019,



1 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2024]: Sec. 1. (a) Except as provided in subsection (b), the
3 city-county council of a county that contains a consolidated first class
4 city may adopt an ordinance to impose an excise tax, known as the
5 county admissions tax, for the privilege of attending, before January 1,
6 2041, any event and, after December 31, 2040, any professional
7 sporting event:

8 (1) held in a facility financed in whole or in part by:

9 (A) bonds or notes issued under IC 18-4-17 (before its repeal
10 on September 1, 1981), IC 36-10-9, or IC 36-10-9.1; or

11 (B) a lease or other agreement under ~~IC 5-1-17~~ IC 5-1.2-17 or
12 IC 36-7-31.5; and

13 (2) to which tickets are offered for sale to the public by:

14 (A) the box office of the facility; or

15 (B) an authorized agent of the facility.

16 (b) The excise tax imposed under subsection (a) does not apply to
17 the following:

18 (1) An event sponsored by an educational institution or an
19 association representing an educational institution.

20 (2) An event sponsored by a religious organization.

21 (3) An event sponsored by an organization that is considered a
22 charitable organization by the Internal Revenue Service for
23 federal tax purposes.

24 (4) An event sponsored by a political organization.

25 (c) If a city-county council adopts an ordinance under subsection
26 (a), it shall immediately send a certified copy of the ordinance to the
27 commissioner of the department of state revenue.

28 (d) If a city-county council adopts an ordinance under subsection (a)
29 or section 2 of this chapter prior to June 1, the county admissions tax
30 applies to admission charges collected after June 30 of the year in
31 which the ordinance is adopted. If the city-county council adopts an
32 ordinance under subsection (a) or section 2 of this chapter on or after
33 June 1, the county admissions tax applies to admission charges
34 collected after the last day of the month in which the ordinance is
35 adopted.

36 SECTION 40. IC 6-9-13-2, AS AMENDED BY P.L.109-2019,
37 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2024]: Sec. 2. (a) Except as provided in subsection (b), the
39 county admissions tax equals five percent (5%) of the price for
40 admission to any event described in section 1 of this chapter.

41 (b) On or before June 30, 2005, the city-county council may, by
42 ordinance adopted by a majority of the members elected to the



1 city-county council, increase the county admissions tax from five
 2 percent (5%) to six percent (6%) of the price for admission to any event
 3 described in section 1 of this chapter.

4 (c) After January 1, 2013, and before March 1, 2013, the city-county
 5 council may, by ordinance adopted by a majority of the members
 6 elected to the city-county council, increase the county admissions tax
 7 rate by not more than four percent (4%) of the price for admission to
 8 any event described in section 1 of this chapter. If the city-county
 9 council adopts an ordinance under this subsection:

10 (1) the city-county council shall immediately send a certified copy
 11 of the ordinance to the commissioner of the department of state
 12 revenue; and

13 (2) the tax applies to transactions after the last day of the month
 14 in which the ordinance is adopted, if the city-county council
 15 adopts the ordinance on or before the fifteenth day of a month. If
 16 the city-county council adopts the ordinance after the fifteenth
 17 day of a month, the tax applies to transactions after the last day of
 18 the month following the month in which the ordinance is adopted.

19 The increase in the tax imposed under this subsection continues in
 20 effect unless the increase is rescinded. However, any increase in the tax
 21 rate under this subsection may not continue in effect after December
 22 31, 2040.

23 (d) The amount collected from that portion of the county admissions
 24 tax imposed under:

25 (1) subsection (a) and collected after December 31, 2027; and

26 (2) subsection (b);

27 shall be distributed to the capital improvement board of managers or its
 28 designee. So long as there are any current or future obligations owed
 29 by the capital improvement board of managers to the Indiana ~~stadium~~
 30 ~~and convention building finance~~ authority ~~created by IC 5-1-17 under~~
 31 **IC 5-1.2-17** or any state agency pursuant to a lease or other agreement
 32 entered into between the capital improvement board of managers and
 33 the Indiana ~~stadium and convention building finance~~ authority or any
 34 state agency under ~~IC 5-1-17-26~~, **IC 5-1.2-17-24**, the capital
 35 improvement board of managers or its designee shall deposit the
 36 revenues received from that portion of the county admissions tax
 37 imposed under subsection (b) in a special fund, which may be used
 38 only for the payment of the obligations described in this subsection.

39 (e) The amount collected from an increase adopted under subsection
 40 (c) shall be deposited in the sports and convention facilities operating
 41 fund established by IC 36-7-31-16.

42 SECTION 41. IC 6-9-35-3, AS ADDED BY P.L.214-2005,



1 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 2024]: Sec. 3. As used in this chapter, "authority" refers to the
 3 Indiana ~~stadium and convention building finance~~ **finance** authority. ~~created by~~
 4 ~~IC 5-1-17.~~

5 SECTION 42. IC 6-9-35-5, AS ADDED BY P.L.214-2005,
 6 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2024]: Sec. 5. (a) Except as provided in subsection (d), the
 8 fiscal body of a county may adopt an ordinance not later than June 30,
 9 2005, to impose an excise tax, known as the food and beverage tax, on
 10 those transactions described in sections 8 and 9 of this chapter that
 11 occur anywhere within the county.

12 (b) Except as provided in subsection (d), if the county in which the
 13 municipality is located has adopted an ordinance imposing an excise
 14 tax under subsection (a), the fiscal body of a municipality may adopt
 15 an ordinance not later than September 30, 2005, to impose an excise
 16 tax, known as the food and beverage tax, on those transactions
 17 described in sections 8 and 9 of this chapter that occur anywhere within
 18 the municipality.

19 (c) The rate of the tax imposed under this chapter equals one percent
 20 (1%) of the gross retail income on the transaction. With respect to an
 21 excise tax in the municipalities set forth in IC 6-9-27-1(1)
 22 (Mooresville), IC 6-9-27-1(3) (Plainfield), IC 6-9-27-1(4)
 23 (Brownsburg), IC 6-9-27-1(5) (Avon), and IC 6-9-27-1(6)
 24 (Martinsville), the excise tax imposed by the county is in addition to
 25 the food and beverage tax imposed by those municipalities. With
 26 respect to an excise tax imposed by a county under subsection (a), the
 27 excise tax imposed by a municipality under subsection (b) is in
 28 addition to the food and beverage tax imposed by the county in which
 29 the municipality is located. For purposes of this chapter, the gross retail
 30 income received by the retail merchant from such a transaction does
 31 not include the amount of tax imposed on the transaction under
 32 IC 6-2.5, IC 6-9-27, or this chapter.

33 (d) If the Marion County city-county council does not adopt all the
 34 ordinances required to be adopted by it under IC 5-1-17-25 (**repealed**)
 35 on or before June 30, 2005, the counties and municipalities described
 36 in section 1 of this chapter are no longer subject to the provisions of
 37 this chapter. In that event, the fiscal body of the county or municipality
 38 may not adopt an ordinance to impose the excise tax authorized by this
 39 chapter, and any ordinance adopted by the fiscal body under subsection
 40 (a) or (b) is no longer effective.

41 SECTION 43. IC 6-9-35-12, AS AMENDED BY THE
 42 TECHNICAL CORRECTIONS BILL OF THE 2024 GENERAL



1 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 2024]: Sec. 12. (a) As long as there are any current or future
 3 obligations owed by the capital improvement board to the authority or
 4 any state agency under a lease or other agreement entered into between
 5 the capital improvement board and the authority or any state agency
 6 pursuant to ~~IC 5-1-17-26~~, **IC 5-1.2-17-24**, fifty percent (50%) of the
 7 amounts received from the taxes imposed under this chapter by
 8 counties shall be paid monthly by the county treasurer, if the tax is
 9 being paid to the county treasurer, to the treasurer of state. This amount
 10 plus fifty percent (50%) of the amounts received by the state from the
 11 taxes imposed under this chapter by counties shall be paid monthly by
 12 the treasurer of state to the treasurer of the capital improvement board
 13 or its designee upon warrants issued by the ~~auditor of state~~
 14 **comptroller**. The remainder that is received by the state shall be paid
 15 monthly by the treasurer of state to the county fiscal officer upon
 16 warrants issued by the ~~auditor of state~~ **comptroller**. In any state fiscal
 17 year, if the total amount of the taxes imposed under this chapter by all
 18 the counties and paid to the treasurer of the capital improvement board
 19 or its designee under this subsection equals five million dollars
 20 (\$5,000,000), the entire remainder of the taxes imposed by a county
 21 under this chapter during that state fiscal year shall be retained by the
 22 county treasurer or paid by the treasurer of state to the fiscal officer of
 23 the county, upon warrants issued by the ~~auditor of state~~ **comptroller**.

24 (b) If there are then existing no obligations of the capital
 25 improvement board described in subsection (a), the entire amount
 26 received from the taxes imposed by a county under this chapter shall
 27 be paid monthly by the treasurer of state to the county fiscal officer
 28 upon warrants issued by the ~~auditor of state~~ **comptroller**.

29 (c) The entire amount of the taxes paid to the treasurer of the capital
 30 improvement board or its designee under subsection (a) shall be
 31 deposited in a special fund and used only for the payment or to secure
 32 the payment of obligations of the capital improvement board described
 33 in subsection (a). If the taxes are not used for the payment or to secure
 34 the payment of obligations of the capital improvement board described
 35 in subsection (a), the taxes shall be returned by the capital
 36 improvement board to the treasurer of state who shall return the taxes
 37 to the respective counties that contributed the taxes.

38 (d) The entire amount received from the taxes imposed by a
 39 municipality under this chapter shall be paid monthly by the treasurer
 40 of state to the municipality's fiscal officer upon warrants issued by the
 41 ~~auditor of state~~ **comptroller**.

42 SECTION 44. IC 8-9.5-9-2, AS AMENDED BY P.L.189-2018,



1 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2024]: Sec. 2. As used in this chapter, "authority" means:

3 (1) an authority or agency established under IC 8-1-2.2 or
4 IC 8-9.5 through IC 8-23;

5 (2) when acting under a referenced statute (as defined in
6 IC 5-1.2-2), the Indiana finance authority established by
7 IC 5-1.2-3;

8 (3) only in connection with a program established under
9 IC 5-1.2-10, the bank established under IC 5-1.5;

10 (4) a fund or program established under IC 5-1.2-10;

11 (5) the Indiana housing and community development authority
12 established by IC 5-20-1; **or**

13 (6) the authority established under IC 5-1.2-3. ~~or~~

14 ~~(7) the authority established under IC 5-1-17.~~

15 SECTION 45. IC 8-10-9-6 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. (a) The district shall

17 be governed by a board of directors consisting of ~~seven (7)~~ **five (5)**
18 members, four (4) of whom are appointed by the executive of the city
19 in which the district is formed, ~~two (2) of whom are appointed by the~~
20 ~~governor~~, and one (1) of whom is appointed by the legislative body of
21 the city in which the district is formed.

22 (b) Members of the board serve terms of three (3) years. A member's
23 term may be extended by any partial term to which the member was
24 appointed to fill a vacancy.

25 (c) ~~Five (5)~~ **Three (3)** members of the board of directors must be
26 qualified electors of the city in which the district is formed. Two (2)
27 members need not be residents of the city in which the district is
28 formed but shall be representatives of property owners of land that
29 borders waterways within the district. One (1) of the two (2) members
30 shall be among the members appointed by the mayor. ~~and one (1) shall~~
31 ~~be among the members appointed by the governor.~~

32 (d) The appointing authority shall fill all vacancies of members
33 appointed by that authority.

34 SECTION 46. IC 8-16-15.5-3, AS ADDED BY P.L.185-2018,
35 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2024]: Sec. 3. (a) The bridge authority shall be composed of
37 the following five (5) individuals:

38 (1) Three (3) members appointed by the ~~governor~~, **fiscal body (as**
39 **defined in IC 36-1-2-6) of Posey County**, no more than two (2)
40 of whom may be from the same political party.

41 (2) One (1) member appointed by the appropriate county
42 executive of Posey County.



- 1 (3) One (1) member appointed by the appropriate town executive
 2 of New Harmony.
- 3 (b) Except as provided in subsection (c), all members must be
 4 residents of Posey County and at least eighteen (18) years of age.
- 5 (c) If the bridge authority:
 6 (1) forms a joint authority between:
 7 (A) the state and Illinois; or
 8 (B) the state and an Illinois entity; or
 9 (2) enters into an agreement with an Illinois entity to jointly act in
 10 implementing this chapter;
 11 the bridge authority may determine the membership and term of office
 12 for any bridge authority member representing Illinois or an Illinois
 13 entity.
- 14 (d) Each bridge authority member, before beginning the member's
 15 duties, shall execute a bond payable to the state. The bond must:
 16 (1) be in the sum of fifteen thousand dollars (\$15,000);
 17 (2) be conditioned upon the member's faithful performance of the
 18 duties of the member's office; and
 19 (3) account for all monies and property that may come into the
 20 member's possession or under the member's control.
 21 The cost of the bond shall be paid by the bridge authority.
- 22 (e) If a member ceases to be qualified under this section, the
 23 member forfeits the member's office.
- 24 (f) Bridge authority members are not entitled to salaries but may
 25 seek reimbursement for expenses incurred in the performance of their
 26 duties.
- 27 SECTION 47. IC 9-18.5-26-3, AS AMENDED BY P.L.256-2017,
 28 SECTION 147, IS AMENDED TO READ AS FOLLOWS
 29 [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) The fee for a Lewis and Clark
 30 expedition license plate is twenty-five dollars (\$25).
 31 (b) The fee described in subsection (a) shall be collected by the
 32 bureau and deposited in the ~~Lewis and Clark expedition state general~~
 33 ~~fund. established by section 4 of this chapter.~~
- 34 SECTION 48. IC 9-18.5-26-4 IS REPEALED [EFFECTIVE JULY
 35 1, 2024]. Sec. 4. (a) ~~The Lewis and Clark expedition fund is~~
 36 ~~established.~~
 37 (b) ~~The treasurer of state shall invest the money in the fund not~~
 38 ~~currently needed to meet the obligations of the fund in the same~~
 39 ~~manner as other public funds are invested. Interest that accrues from~~
 40 ~~these investments shall be deposited in the fund. Money in the fund is~~
 41 ~~continuously appropriated for the purposes of this section.~~
 42 (c) ~~The bureau shall administer the fund. Expenses of administering~~



1 the fund shall be paid from money in the fund:

2 (d) The bureau shall distribute at least one (1) time each month the
3 money from the fund to the Lewis and Clark expedition commission
4 established by IC 14-20-15.

5 (e) Money in the fund at the end of a state fiscal year does not revert
6 to the state general fund:

7 SECTION 49. IC 9-18.5-28-5, AS ADDED BY P.L.198-2016,
8 SECTION 327, IS AMENDED TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) The capital projects fund is
10 established.

11 (b) The treasurer of state shall invest the money in the capital
12 projects fund not currently needed to meet the obligations of the capital
13 projects fund in the same manner as other public funds are invested.
14 Money in the fund is continuously appropriated for the purposes of this
15 section.

16 (c) The budget director shall administer the capital projects fund.
17 Expenses of administering the capital projects fund shall be paid from
18 money in the capital projects fund.

19 (d) On:

20 (1) June 30 of every year; or

21 (2) any other date designated by the budget director;

22 an amount designated by the budget director shall be transferred from
23 the fund to the state general fund, a capital improvement board of
24 managers created by IC 36-10-9, or the designee chosen by the budget
25 director under ~~IC 5-1-17-28~~. **IC 5-1.2-17-26.**

26 (e) Money in the fund at the end of a state fiscal year does not revert
27 to the state general fund.

28 SECTION 50. IC 13-25-1-6, AS AMENDED BY P.L.68-2016,
29 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2024]: Sec. 6. (a) The commission shall do the following:

31 (1) Encourage and support the development of emergency
32 planning efforts to provide:

33 (A) state government entities;

34 (B) local governments; and

35 (C) the public;

36 with information concerning potential chemical hazards in
37 Indiana.

38 (2) Assist the state in complying with the requirements of SARA.

39 (3) Design and supervise the operation of emergency planning
40 districts in Indiana.

41 (4) Gather and distribute information needed for effective
42 emergency response planning.



1 (5) Appoint the members of the local emergency planning
2 committee of each emergency planning district.

3 **(6) Perform the following duties assigned to the hazard**
4 **mitigation council under Executive Order 17-02:**

5 **(A) Assist in the development, maintenance, and**
6 **implementation of a state hazard mitigation plan.**

7 **(B) Assist in the development, maintenance, and**
8 **implementation of guidance and informational materials**
9 **to support hazard mitigation efforts of local and state**
10 **government and private entities.**

11 **(C) Solicit, review, and identify hazard mitigation projects**
12 **for funding under Section 404 of the Robert T. Stafford**
13 **Disaster Relief and Emergency Assistance Act (P.L.**
14 **93-288), as amended, and Sections 553 and 554 of the**
15 **National Flood Insurance Reform Act (P.L. 103-325).**

16 **(D) Foster and promote, where appropriate, hazard**
17 **mitigation principles and practices within local and state**
18 **government and the general public.**

19 (b) A local emergency planning committee shall do the following:

20 (1) Satisfy the requirements of SARA.

21 (2) Prepare and submit a roster of committee members to the
22 commission at least one (1) time each year.

23 (3) Meet at least two (2) times, on separate days, every six (6)
24 months.

25 (4) Each year, prepare and submit a report to the commission that
26 describes the expenditures of the local emergency planning
27 committee in the preceding year that were paid for with the
28 money distributed under IC 13-25-2-10.6.

29 (c) A local emergency planning committee member may appoint a
30 designee to act on the committee member's behalf under this chapter.

31 An appointment under this subsection must:

32 (1) be in writing;

33 (2) specify the duration of the appointment; and

34 (3) be submitted to the committee at least two (2) calendar days
35 before the first meeting that the designee attends on behalf of the
36 member.

37 (d) For purposes of Article 2, Section 9 of the Constitution of the
38 State of Indiana, membership on a local emergency planning committee
39 is not a lucrative office.

40 (e) The members of a local emergency planning committee shall
41 elect officers of the local emergency planning committee from among
42 its members.



1 (f) The commission may appoint the number of members of a local
 2 emergency planning committee that the commission considers
 3 appropriate. The members of a local emergency planning committee
 4 must include representatives of each of the following:

5 (1) State and local officials.

6 (2) Law enforcement, emergency management, firefighting,
 7 emergency medical services, health, local environmental,
 8 hospital, and transportation personnel.

9 (3) Broadcast and print media.

10 (4) Community groups.

11 (5) Owners and operators of facilities subject to IC 13-25-2-10.

12 (g) The commission may revise its appointment of members of a
 13 local emergency planning committee under subsection (a)(5).
 14 Interested persons, including a county executive, may petition the
 15 commission to modify the membership of a local emergency planning
 16 committee.

17 (h) A local emergency planning committee is a county board of the
 18 county identified in one (1) of the following:

19 (1) If the emergency planning district of the local emergency
 20 planning committee is wholly within the boundaries of one (1)
 21 county, the local emergency planning committee is a county board
 22 of the county in which the emergency planning district is located.

23 (2) If the emergency planning district of the local emergency
 24 planning committee includes more than one (1) county, the local
 25 emergency planning committee is a county board of only one (1)
 26 of the counties, and the county of which the local emergency
 27 planning committee is a county board must be determined by
 28 agreement of the counties included in the emergency planning
 29 district.

30 (i) The commission may not establish an emergency planning
 31 district that includes more than one (1) county unless all the counties
 32 to be included in the emergency planning district have agreed which of
 33 the counties will be the county of which the local emergency planning
 34 committee will be a county board under subsection (h)(2).

35 SECTION 51. IC 13-26-4-4 IS REPEALED [EFFECTIVE JULY 1,
 36 2024]. ~~Sec. 4. (a) If:~~

37 ~~(1) a district will include territory in more than one (1) county;~~

38 ~~(2) a county executive has filed a petition for a district including~~
 39 ~~territory owned, leased, or controlled by the department of natural~~
 40 ~~resources; or~~

41 ~~(3) the department of natural resources has filed a petition;~~

42 ~~the order establishing the district may provide that the governor~~



1 appoints any number of trustees, but less than one-half (1/2) of the
2 total:

3 (b) If a district contains or a proposed district will contain a state
4 correctional facility, the department, when:

5 (1) issuing an order establishing the district under IC 13-26-2-10;
6 or

7 (2) approving or modifying a petition filed by the district's board
8 of trustees under IC 13-26-1-2;

9 may allow for the appointment of one (1) member of the board of
10 trustees of the district by the commissioner of the department of
11 correction:

12 SECTION 52. IC 13-26-4-6, AS AMENDED BY P.L.181-2018,
13 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2024]: Sec. 6. (a) Except as provided in subsection (b)(5), an
15 appointed trustee does not have to be a resident of the district.

16 (b) An appointed trustee must:

17 (1) own real property within the district;

18 (2) be a trustee appointed under section 4 or 5 of this chapter;

19 (3) be an elected official who represents a political subdivision
20 that has territory in the district;

21 (4) be a ratepayer of the district; or

22 (5) with respect to a district in which a majority of ratepayers and
23 property owners are not individuals, be an individual who is
24 registered to vote at an address that is located in the district.

25 SECTION 53. IC 14-8-2-61 IS REPEALED [EFFECTIVE JULY 1,
26 2024]. Sec. 61. "Council", for purposes of IC 14-21-1, has the meaning
27 set forth in IC 14-21-1-5.

28 SECTION 54. IC 14-9-6 IS REPEALED [EFFECTIVE JULY 1,
29 2024]. (Advisory Council).

30 SECTION 55. IC 14-10-1-1, AS AMENDED BY P.L.78-2019,
31 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2024]: Sec. 1. The natural resources commission is
33 established. The commission consists of ~~twelve (12)~~ **eleven (11)**
34 members as follows:

35 (1) The commissioner of the Indiana department of transportation
36 or the commissioner's designee.

37 (2) The commissioner of the department of environmental
38 management or the commissioner's designated deputy.

39 (3) The director of the office of tourism development or the
40 director's designee (before July 1, 2020) or the director of the
41 Indiana destination development corporation or the director's
42 designee (after June 30, 2020).



- 1 (4) The director of the department.
- 2 ~~(5) The chairperson of the advisory council established by~~
- 3 ~~IC 14-9-6-1.~~
- 4 ~~(6) (5) The president of the Indiana academy of science or the~~
- 5 ~~president's designee.~~
- 6 ~~(7) (6) Six (6) citizen members appointed by the governor, at least~~
- 7 ~~two (2) of whom must have knowledge, experience, or education~~
- 8 ~~in the environment or in natural resource conservation. Not more~~
- 9 ~~than three (3) citizen members may be of the same political party.~~
- 10 SECTION 56. IC 14-13-2-7, AS AMENDED BY P.L.104-2022,
- 11 SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 12 JULY 1, 2024]: Sec. 7. (a) **This section applies before January 1,**
- 13 **2025.**
- 14 (b) The commission has:
- 15 (1) before July 1, 2012, five (5) members appointed by the
- 16 governor; ~~and~~
- 17 (2) after June 30, 2012, nine (9) members appointed by the
- 18 governor; ~~and~~
- 19 **(3) after December 31, 2024, nine (9) members appointed**
- 20 **under section 7.5 of this chapter.**
- 21 ~~(b) (c)~~ (c) The following requirements apply to the governor's
- 22 appointments under subsection ~~(a)(1)~~: **(b)(1)**:
- 23 (1) One (1) member must be a representative of the department of
- 24 natural resources. The member may not be an employee or elected
- 25 official of a city, town, or county governmental unit.
- 26 (2) The remaining four (4) members must meet the following
- 27 requirements:
- 28 (A) Four (4) members must reside in a:
- 29 (i) city;
- 30 (ii) town; or
- 31 (iii) township (if the member resides in an unincorporated
- 32 area of the county);
- 33 that borders the Little Calumet River.
- 34 (B) At least three (3) of the members must have a background
- 35 in:
- 36 (i) construction;
- 37 (ii) project management; or
- 38 (iii) flood control;
- 39 or a similar professional background.
- 40 (C) A member may not be an employee or elected official of
- 41 a city, town, or county governmental unit.
- 42 ~~(e) (d)~~ (d) The following apply to the membership of the commission



- 1 after June 30, 2012:
- 2 (1) Before August 1, 2012, the governor shall appoint four (4)
- 3 additional members to the commission for four (4) year terms as
- 4 follows:
- 5 (A) One (1) member nominated by the mayor of the city of
- 6 Hammond.
- 7 (B) One (1) member nominated by the mayor of the city of
- 8 Gary.
- 9 (C) Two (2) members nominated by the board of county
- 10 commissioners of Lake County.
- 11 (2) Notwithstanding section 8 of this chapter, the term of the
- 12 member described in subsection ~~(b)(1)~~ **(c)(1)** expires January 7,
- 13 2013. The governor shall appoint one (1) member nominated by
- 14 the department of natural resources for a four (4) year term
- 15 beginning January 7, 2013.
- 16 (3) Notwithstanding section 8 of this chapter, the terms of the
- 17 members described in subsection ~~(b)(2)~~ **(c)(2)** expire January 1,
- 18 2014. The governor shall appoint for four (4) year terms
- 19 beginning January 1, 2014, four (4) members, each of whom must
- 20 have been nominated by the executive of a municipality located
- 21 in the watershed other than a city described in subdivision (1).
- 22 (4) A member appointed to succeed a member appointed under
- 23 subdivision (1) or (2) must be nominated by the nominating
- 24 authority that nominated the member's predecessor, and a member
- 25 appointed to succeed a member appointed under subdivision (3)
- 26 must be nominated by the executive of a municipality located in
- 27 the watershed other than a city described in subdivision (1).
- 28 ~~(d)~~ **(e)** The following apply to a member appointed under subsection
- 29 ~~(e)~~ **(d)** and to any member appointed to succeed a member appointed
- 30 under subsection ~~(e)~~ **(d)**:
- 31 (1) After July 31, 2012, not more than five (5) members of the
- 32 commission may belong to the same political party.
- 33 (2) Each member must have a background in:
- 34 (A) construction;
- 35 (B) project management;
- 36 (C) flood control; or
- 37 (D) a similar professional background.
- 38 (3) A member may not be an employee or elected official of a
- 39 city, town, or county governmental unit.
- 40 (4) The members:
- 41 (A) appointed under subsection ~~(e)(3)~~ **(d)(3)**; or
- 42 (B) appointed to succeed members appointed under subsection



- 1 ~~(c)(3)~~; **(d)(3)**;
 2 must be from different municipalities.
 3 (5) Neither the two (2) members appointed under subsection
 4 ~~(c)(1)(C)~~ **(d)(1)(C)** nor any two (2) members appointed to
 5 succeed them may be from the same district created under
 6 IC 36-2-2-4(b).
 7 **(f) This section expires July 1, 2025.**
 8 SECTION 57. IC 14-13-2-7.5 IS ADDED TO THE INDIANA
 9 CODE AS A NEW SECTION TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2024]: **(a) This section applies after June 30,**
 11 **2024.**
 12 **(b) The terms of all members appointed under section 7(b)(2),**
 13 **7(d), or 7(e) of this chapter expire December 31, 2024. This**
 14 **subsection expires July 1, 2025.**
 15 **(c) After December 31, 2024, the commission has nine (9)**
 16 **members appointed as follows:**
 17 **(1) One (1) member must be a representative of the**
 18 **department of natural resources. The member may not be an**
 19 **employee or elected official of a city, town, or county**
 20 **governmental unit. The director of the department of natural**
 21 **resources shall appoint a member under this subdivision.**
 22 **(2) The mayor of the city of Hammond shall appoint one (1)**
 23 **member.**
 24 **(3) The mayor of the city of Gary shall appoint one (1)**
 25 **member.**
 26 **(4) The board of county commissioners of Lake County shall**
 27 **appoint two (2) members.**
 28 **(5) The board of county commissioners of Lake County shall**
 29 **appoint two (2) members that have been nominated by the**
 30 **executive of a municipality located in the watershed other**
 31 **than:**
 32 **(A) a city described in subdivisions (2) and (3); and**
 33 **(B) a city from which a member was nominated under**
 34 **subdivision (6).**
 35 **(6) The board of county commissioners of Porter County shall**
 36 **appoint two (2) members that have been nominated by the**
 37 **executive of a municipality located in the watershed other**
 38 **than:**
 39 **(A) a city described in subdivisions (2) and (3); and**
 40 **(B) a city from which a member was nominated under**
 41 **subdivision (5).**
 42 **(d) The following apply to a member appointed under**



- 1 subsection (c):
 2 (1) Not more than five (5) members of the commission may
 3 belong to the same political party.
 4 (2) Each member appointed under subsection (c):
 5 (A) must have a background in:
 6 (i) construction;
 7 (ii) project management;
 8 (iii) flood control; or
 9 (iv) a similar professional background; and
 10 (B) may not be an employee or elected official of a city,
 11 town, or county governmental unit.
 12 (3) The members appointed under subsection (c)(5) and (c)(6)
 13 must be from different municipalities.
 14 (4) Neither of the two (2) members appointed under
 15 subsection (c)(4) may be from the same district created under
 16 IC 36-2-2-4(b).
 17 (e) A member appointed to succeed a member appointed under
 18 subsection (c) must be nominated and appointed in the same
 19 manner that the member's predecessor was nominated and
 20 appointed under subsection (c).

21 SECTION 58. IC 14-13-5-4, AS AMENDED BY P.L.78-2019,
 22 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2024]: Sec. 4. The commission consists of the following
 24 ~~fifteen (15)~~ members:

- 25 (1) ~~Eight (8)~~ **Six (6)** members who serve four (4) year terms as
 26 follows:
 27 (A) Two (2) residents of Jeffersonville appointed by the
 28 executive of Jeffersonville.
 29 (B) Two (2) residents of Clarksville appointed by the
 30 executive of Clarksville.
 31 (C) Two (2) residents of New Albany appointed by the
 32 executive of New Albany.
 33 ~~(D) One (1) resident of Clark County appointed by the~~
 34 ~~governor.~~
 35 ~~(E) One (1) resident of Floyd County appointed by the~~
 36 ~~governor.~~
 37 (2) The executive of Jeffersonville.
 38 (3) The executive of New Albany.
 39 (4) The president of the legislative body of Clarksville.
 40 (5) ~~The director of the office of tourism development or the~~
 41 ~~director's designee (before July 1, 2020) or the director of the~~
 42 ~~Indiana destination development corporation or the director's~~



- 1 designee (after June 30, 2020); who serves as a nonvoting
 2 member.
- 3 (6) The director of the department or the director's designee, who
 4 serves as a nonvoting member.
- 5 (7) The commissioner of the Indiana department of transportation
 6 or the commissioner's designee, who serves as a nonvoting
 7 member.
- 8 (8) The president of the Indiana economic development
 9 corporation or the president's designee, who serves as a nonvoting
 10 member.
- 11 SECTION 59. IC 14-20-15 IS REPEALED [EFFECTIVE JULY 1,
 12 2024]. (Lewis and Clark Bicentennial Commission).
- 13 SECTION 60. IC 14-21-1-5 IS REPEALED [EFFECTIVE JULY 1,
 14 2024]. Sec. 5: As used in this chapter, "council" refers to the advisory
 15 council established by IC 14-9-6-1.
- 16 SECTION 61. IC 14-21-1-12 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 12. The division shall
 18 do the following:
- 19 (1) Develop a program of historical, architectural, and
 20 archeological research and development, including continuing
 21 surveys, excavations, scientific recording, interpretation, and
 22 publication of the state's historical, architectural, and
 23 archeological resources.
- 24 (2) Prepare a preservation plan for the state that establishes
 25 planning guidelines to encourage the continuous maintenance and
 26 integrity of historic sites and historic structures. However, the
 27 plan is not effective until the plan has been
- 28 (A) presented to the council for review and comment; and
 29 (B) approved by the review board after public hearing.
- 30 (3) Undertake the action necessary to qualify the state for
 31 participation in sources of federal aid to further the purposes
 32 stated in subdivisions (1) and (2).
- 33 (4) Provide information on historic sites and structures within
 34 Indiana to federal, state, and local governmental agencies, private
 35 individuals, and organizations.
- 36 (5) Advise and coordinate the activities of local historical
 37 associations, historic district commissions, historic commissions,
 38 and other interested groups or persons.
- 39 (6) Provide technical and financial assistance to local historical
 40 associations, historic district commissions, historic commissions,
 41 and other interested groups or persons.
- 42 (7) Review environmental impact statements as required by



1 federal and state law for actions significantly affecting historic
2 properties.

3 SECTION 62. IC 14-21-1-13, AS AMENDED BY P.L.2-2007,
4 SECTION 169, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2024]: Sec. 13. The division may do the
6 following:

7 (1) Recommend the purchase, lease, or gift of historic property of
8 archeological importance and make recommendations to the
9 director ~~council~~, and commission regarding policies affecting the
10 operation and administration of these sites and structures by the
11 section of historic sites of the division of state museums and
12 historic sites.

13 (2) Prepare and review planning and research studies relating to
14 archeology.

15 (3) Conduct a program of education in archeology, either within
16 the division or in conjunction with a postsecondary educational
17 institution.

18 (4) Inspect and supervise an archeological field investigation
19 authorized by this chapter.

20 SECTION 63. IC 14-25-2-2.5, AS AMENDED BY P.L.3-2008,
21 SECTION 102, IS AMENDED TO READ AS FOLLOWS
22 [EFFECTIVE JULY 1, 2024]: Sec. 2.5. (a) As used in this chapter,
23 "water utility" means:

24 (1) a public utility (as defined in IC 8-1-2-1(a));

25 (2) a municipally owned utility (as defined in IC 8-1-2-1(h));

26 (3) a not-for-profit utility (as defined in IC 8-1-2-125(a));

27 (4) a cooperatively owned corporation;

28 (5) a conservancy district established under IC 14-33; or

29 (6) a regional water district established under IC 13-26;

30 that provides water service to the public.

31 (b) A person that seeks to contract with the commission for the
32 provision of certain minimum quantities of stream flow or the sale of
33 water on a unit pricing basis under section 2 of this chapter must
34 submit a request to the commission and the department. The
35 commission shall not make a determination as to whether to enter into
36 a contract with the person making the request until:

37 (1) the procedures set forth in this section have been followed;
38 and

39 (2) the commission has reviewed and considered each report
40 submitted to the commission under subsection (i).

41 (c) Not later than thirty (30) days after receiving a request under
42 subsection (b), the department shall provide, by certified mail, written



- 1 notice of the request to the following:
- 2 (1) Each person with whom the commission holds a contract for:
- 3 (A) the provision of certain minimum quantities of stream
- 4 flow; or
- 5 (B) the sale of water on a unit pricing basis;
- 6 as of the date of the request.
- 7 (2) The executive and legislative body of each:
- 8 (A) county;
- 9 (B) municipality, if any; and
- 10 (C) conservancy district established under IC 14-33, if any;
- 11 in which the water sought in the request would be used.
- 12 (3) The executive and legislative body of each:
- 13 (A) county;
- 14 (B) municipality, if any; and
- 15 (C) conservancy district established under IC 14-33, if any;
- 16 in which the affected reservoir is located.
- 17 (d) Not later than seven (7) days after receiving a notice from the
- 18 department under subsection (c), each person described in subsection
- 19 (c)(1) shall, by certified mail, provide written notice of the request to
- 20 each:
- 21 (1) water utility; or
- 22 (2) other person;
- 23 that contracts with the person described in subsection (c)(1) for the
- 24 purchase of water for resale. Each person to whom notice is mailed
- 25 under this subsection is in turn responsible for providing written notice
- 26 by certified mail to each water utility or other person that purchases
- 27 water from that person for resale. A water utility or another person
- 28 required to provide notice under this subsection shall mail the required
- 29 notice not later than seven (7) days after it receives notice of the
- 30 request from the water utility or other person from whom it purchases
- 31 water for resale.
- 32 (e) At the same time that:
- 33 (1) a person described in subsection (c)(1); or
- 34 (2) a water utility or another person described in subsection (d);
- 35 mails any notice required under subsection (d), it shall also mail to the
- 36 department, by certified mail, a list of the names and addresses of each
- 37 water utility or other person to whom it has mailed the notice under
- 38 subsection (d).
- 39 (f) In addition to the mailed notice required under subsection (c), the
- 40 department shall publish notice of the request, in accordance with
- 41 IC 5-3-1, in each county:
- 42 (1) in which a person described in section (c)(1) is located;



- 1 (2) in which the affected reservoir is located;
 2 (3) in which the water sought in the request would be used; and
 3 (4) in which a water utility or other person included in a list
 4 received by the department under subsection (e) is located.
 5 Notwithstanding IC 5-3-1-6, in each county in which publication is
 6 required under this subsection, notice shall be published in at least one
 7 (1) general circulation newspaper in the county. The department may,
 8 in its discretion, publish public notices in a qualified publication (as
 9 defined in IC 5-3-1-0.7) or additional newspapers to provide
 10 supplementary notification to the public. The cost of publishing
 11 supplementary notification is a proper expenditure of the department.
 12 (g) A notice required to be mailed or published under this section
 13 must:
 14 (1) identify the person making the request;
 15 (2) include a brief description of:
 16 (A) the nature of the pending request; and
 17 (B) the process by which the commission will determine
 18 whether to enter into a contract with the person making the
 19 request;
 20 (3) set forth the date, time, and location of the public meeting
 21 required under subsection (h); and
 22 (4) in the case of a notice that is required to be mailed under
 23 subsection (c)(1) or (d), a statement of the recipient's duty to in
 24 turn provide notice to any:
 25 (A) water utility; or
 26 (B) other person;
 27 that purchases water for resale from the recipient, in accordance
 28 with subsection (d).
 29 (h) The ~~advisory council established by IC 14-9-6-1~~ **department**
 30 shall hold a public meeting in each county in which notice is published
 31 under subsection (f). A public meeting required under this subsection
 32 must include the following:
 33 (1) A presentation by the department describing:
 34 (A) the nature of the pending request; and
 35 (B) the process by which the commission will determine
 36 whether to enter into a contract with the person making the
 37 request.
 38 (2) An opportunity for public comment on the pending request.
 39 The ~~advisory council~~ **department** may appoint a hearing officer to
 40 assist with a public meeting held under this subsection.
 41 (i) Not later than thirty (30) days after a public meeting is held
 42 under subsection (h), the ~~advisory council~~ **department** shall submit to



1 the commission a report summarizing the public meeting.
 2 SECTION 64. IC 14-25-7-10, AS AMENDED BY P.L.127-2022,
 3 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2024]: Sec. 10. (a) The commission shall administer this
 5 chapter.
 6 (b) The deputy director for the bureau of resource management shall
 7 serve as technical secretary to the commission. The deputy director
 8 shall perform the duties that are required by this chapter or that the
 9 commission directs.
 10 (c) ~~The advisory council established by IC 14-9-6-1 shall serve in~~
 11 ~~an advisory capacity to the commission with respect to the~~
 12 ~~implementation of the commission's powers and duties; including the~~
 13 ~~drafting of rules and development of inventories, assessments, and~~
 14 ~~plans.~~
 15 (d) ~~For the time that the advisory council is involved in the drafting~~
 16 ~~of rules, the membership of the council shall be augmented as follows:~~
 17 ~~(1) Two (2) members of the senate, not more than one (1) of~~
 18 ~~whom may be of the same political party, shall be appointed for~~
 19 ~~a term of two (2) years by the president pro tempore of the senate.~~
 20 ~~(2) Two (2) members of the house of representatives, not more~~
 21 ~~than one (1) of whom may be of the same political party, shall be~~
 22 ~~appointed for a term of two (2) years by the speaker of the house~~
 23 ~~of representatives.~~
 24 ~~These members are entitled to travel expenses and a per diem~~
 25 ~~allowance as determined by the budget agency for members of boards~~
 26 ~~and commissions generally.~~
 27 (e) (c) The department shall provide professional, technical, and
 28 clerical personnel, equipment, supplies, and support services
 29 reasonably required to assist the commission in the exercise of the
 30 commission's powers and duties under this chapter. The department
 31 shall include money for this purpose in the regular operating budget
 32 requests of the department.
 33 SECTION 65. IC 14-25-7-12.5, AS ADDED BY P.L.189-2015,
 34 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2024]: Sec. 12.5. (a) The department shall cooperate with the
 36 United States Geological Survey to establish a program under which
 37 volunteers may monitor the water resource and provide monitoring data
 38 to the commission, the department, and the United States Geological
 39 Survey. Data derived from the voluntary monitoring conducted under
 40 the program may be:
 41 (1) collected and disseminated by the commission under section
 42 12(1) of this chapter; and



- 1 (2) used by the commission in conducting the continuing
 2 assessment of the availability of the water resource under section
 3 11(1) of this chapter.
- 4 (b) The department may cooperate with other local, state, and
 5 federal governmental agencies in implementing this section.
- 6 (c) The commission, under IC 4-22-2 and section 10(a) of this
 7 chapter, may adopt rules concerning the administration of this section.
 8 ~~Section 10(c) and 10(d) of this chapter does not apply to the adoption~~
 9 ~~of rules under this subsection.~~
- 10 SECTION 66. IC 14-26-2-24, AS ADDED BY P.L.6-2008,
 11 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2024]: Sec. 24. (a) Relying on recommendations of the
 13 department, ~~and the advisory council established by IC 14-9-6-1,~~ the
 14 commission shall adopt, under IC 4-22-7-7(a)(5)(A), and maintain a
 15 nonrule policy statement that lists the public freshwater lakes in
 16 Indiana. For each public freshwater lake the statement must include the
 17 following information:
- 18 (1) The name of the lake.
- 19 (2) The county and specific location within the county where the
 20 lake is located.
- 21 (b) A person may obtain administrative review from the commission
 22 for the listing or nonlisting of a lake as a public freshwater lake through
 23 a licensure action, status determination, or enforcement action under
 24 IC 4-21.5.
- 25 SECTION 67. IC 15-19-2 IS REPEALED [EFFECTIVE JULY 1,
 26 2024]. (Indiana Standardbred Advisory Board).
- 27 SECTION 68. IC 16-41-42.2-5, AS AMENDED BY P.L.29-2016,
 28 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2024]: Sec. 5. (a) The spinal cord and brain injury research
 30 board is established for the purpose of administering the fund. The
 31 board is composed of eleven (11) members.
- 32 (b) The following six (6) members of the board shall be appointed
 33 by the ~~governor:~~ **state health commissioner:**
- 34 (1) One (1) member who has a spinal cord or head injury or who
 35 has a family member with a spinal cord or head injury.
- 36 (2) One (1) member who is a physician licensed under IC 25-22.5
 37 who has specialty training in neuroscience and surgery.
- 38 (3) One (1) member who is a physiatrist holding a board
 39 certification from the American Board of Physical Medicine and
 40 Rehabilitation.
- 41 (4) One (1) member representing the technical life sciences
 42 industry.



- 1 (5) One (1) member who is a physical therapist licensed under
 2 IC 25-27 who treats individuals with traumatic spinal cord
 3 injuries or brain injuries.
- 4 (6) One (1) member who owns or operates a facility that provides
 5 long term activity based therapy services at affordable rates to
 6 individuals with traumatic spinal cord injuries or brain injuries.
- 7 (c) Five (5) members of the board shall be appointed as follows:
- 8 (1) One (1) member representing Indiana University to be
 9 appointed by Indiana University.
- 10 (2) One (1) member representing Purdue University to be
 11 appointed by Purdue University.
- 12 (3) One (1) member representing the National Spinal Cord Injury
 13 Association to be appointed by the National Spinal Cord Injury
 14 Association.
- 15 (4) One (1) member representing the largest freestanding
 16 rehabilitation hospital for brain and spinal cord injuries in Indiana
 17 to be appointed by the Rehabilitation Hospital of Indiana located
 18 in Indianapolis.
- 19 (5) One (1) member representing the Brain Injury Association of
 20 America to be appointed by the Brain Injury Association of
 21 Indiana.
- 22 (d) The term of a member is four (4) years. A member serves until
 23 a successor is appointed and qualified. If a vacancy occurs on the board
 24 before the end of a member's term, the appointing authority appointing
 25 the vacating member shall appoint an individual to serve the remainder
 26 of the vacating member's term.
- 27 (e) A majority of the members appointed to the board constitutes a
 28 quorum. The affirmative votes of a majority of the members are
 29 required for the board to take action on any measure.
- 30 (f) Each member of the board is entitled to the minimum salary per
 31 diem provided by IC 4-10-11-2.1(b). The member is also entitled to
 32 reimbursement for traveling expenses as provided under IC 4-13-1-4
 33 and other expenses actually incurred in connection with the member's
 34 duties as provided in the state policies and procedures established by
 35 the Indiana department of administration and approved by the budget
 36 agency.
- 37 (g) The board shall annually elect a chairperson who shall be the
 38 presiding officer of the board. The board may establish other officers
 39 and procedures as the board determines necessary.
- 40 (h) The board shall meet at least two (2) times each year. The
 41 chairperson may call additional meetings.
- 42 (i) The state department shall provide staff for the board. The state



1 department shall maintain a registry of the members of the board. An
 2 appointing authority shall provide written confirmation of an
 3 appointment to the board to the state department in the form and
 4 manner specified by the state department.

5 (j) The board shall do the following:

6 (1) Consider policy matters relating to spinal cord and brain
 7 injury research projects and programs under this chapter.

8 (2) Consider research applications and make grants for approved
 9 research projects under this chapter.

10 (3) Consider applications and make grants to health care clinics
 11 that:

12 (A) are exempt from federal income taxation under Section
 13 501 of the Internal Revenue Code;

14 (B) employ physical therapists licensed under IC 25-27; and

15 (C) provide in Indiana long term activity based therapy
 16 services at affordable rates to individuals with spinal cord
 17 injuries or brain injuries that require extended post acute care.

18 (4) Consider the application's efficacy in providing significant and
 19 sustained improvement to individuals with spinal cord injuries or
 20 brain injuries.

21 (5) Formulate policies and procedures concerning the operation
 22 of the board.

23 (6) Review and authorize spinal cord and brain injury research
 24 projects and programs to be financed under this chapter. For
 25 purposes of this subdivision, the board may establish an
 26 independent scientific advisory panel composed of scientists and
 27 clinicians who are not members of the board to review proposals
 28 submitted to the board and make recommendations to the board.
 29 Collaborations are encouraged with other Indiana-based
 30 researchers as well as researchers located outside Indiana,
 31 including researchers in other countries.

32 (7) Review and approve progress and final research reports on
 33 projects authorized under this chapter, including any other
 34 information the board has required to be submitted as a condition
 35 of receiving a grant.

36 (8) Review and make recommendations concerning the
 37 expenditure of money from the fund.

38 (9) Take other action necessary for the purpose stated in
 39 subsection (a).

40 (10) Provide to the governor, the general assembly, and the
 41 legislative council an annual report not later than January 30 of
 42 each year showing the status of funds appropriated under this



1 chapter. The report to the general assembly and the legislative
2 council must be in an electronic format under IC 5-14-6.

3 (k) A member of the board is exempt from civil liability arising or
4 thought to arise from an action taken in good faith as a member of the
5 board.

6 (l) The department shall annually present to the board a financial
7 statement that includes the following information for the current and
8 previous fiscal year:

- 9 (1) The amount of money deposited into the fund.
- 10 (2) The amount of money expended from the fund.
- 11 (3) The amount of money, including any reserves, available for
12 grants from the fund.

13 SECTION 69. IC 20-34-6-1, AS AMENDED BY P.L.83-2018,
14 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2024]: Sec. 1. (a) By July 1 of each year, each school
16 corporation shall submit a report to the department detailing the
17 following information for the current school year for each school in the
18 school corporation and for the entire school corporation:

- 19 (1) The number of arrests of students on school corporation
20 property, including arrests made by law enforcement officers,
21 security guards, school safety specialists, and other school
22 corporation employees, and any citizen arrests.
- 23 (2) The offenses for which students were arrested on school
24 corporation property.
- 25 (3) The number of contacts with law enforcement personnel from
26 a school corporation employee that have resulted in arrests of
27 students not on school corporation property.
- 28 (4) Statistics concerning the age, race, and gender of students
29 arrested on school corporation property and categorizing the
30 statistics by offenses.
- 31 (5) Whether the school corporation has established and employs
32 a school corporation police department under IC 20-26-16, and if
33 so, report:
 - 34 (A) the number of officers in the school corporation police
35 department; and
 - 36 (B) the training the officers must complete.
- 37 (6) If the school corporation employs private security guards to
38 enforce rules or laws on school property, a detailed explanation
39 of the use of private security guards by the school corporation.
- 40 (7) If the school corporation has an agreement with a local law
41 enforcement agency regarding procedures to arrest students on
42 school property, a detailed explanation of the use of the local law



1 enforcement agency by the school corporation.

2 (8) The number of reported bullying incidents involving a student
3 of the school corporation by category. However, nothing in this
4 subdivision may be construed to require all bullying incidents to
5 be reported to a law enforcement agency.

6 (b) By August 1 of each year, the department shall submit a report
7 to:

8 (1) the legislative council;

9 (2) the ~~board for the coordination of programs serving vulnerable~~
10 ~~individuals established by IC 4-23-30.2-8;~~ **civil rights**
11 **commission;** and

12 (3) the criminal justice institute;

13 providing a summary of the reports submitted to the department under
14 subsection (a). The report to the legislative council must be in an
15 electronic format under IC 5-14-6.

16 (c) By August 1 of each year, the department must post the reports
17 described in subsections (a) and (b) on the department's ~~internet web~~
18 ~~site.~~ **website.**

19 (d) Information reported under subsection (a)(8) may not be used in
20 the calculation of a school corporation's improvement under
21 IC 20-31-8.

22 SECTION 70. IC 22-9-13 IS ADDED TO THE INDIANA CODE
23 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2024]:

25 **Chapter 13. Coordination of Programs Serving Vulnerable**
26 **Individuals**

27 **Sec. 1. As used in this chapter, "director" refers to the director**
28 **appointed under section 7 of this chapter.**

29 **Sec. 2. As used in this chapter, "disproportionality" refers to a**
30 **situation in which members of a particular race or ethnic group in**
31 **the United States are represented at a percentage higher or lower**
32 **than the percentage of the general public that the particular race**
33 **or ethnic group comprises.**

34 **Sec. 3. As used in this chapter, "strength based" refers to a**
35 **perspective that recognizes that:**

36 (1) every individual, group, family, and community has
37 strengths that should be considered by service providers when
38 developing services for a client;

39 (2) a service provider can best serve a client by collaborating
40 with the client to develop the client's strengths;

41 (3) service providers should work with a client to ensure that
42 every environment in which the client receives services has



1 adequate resources to meet the needs of the client; and
 2 (4) a service plan for a client should not be based on
 3 diagnostic assessments of client deficits or needs but on a
 4 practice that uses the assessment process to discover strengths
 5 and engage clients in collaborative planning.

6 Sec. 4. As used in this chapter, "vulnerable population"
 7 includes:

8 (1) individuals receiving services:

9 (A) under IC 12;

10 (B) from the department of child services established by
 11 IC 31-25-1-1;

12 (C) through the criminal justice system or the juvenile
 13 justice system;

14 (D) from the department of education as students who are
 15 at risk or exceptional learners; and

16 (E) from the department of workforce development;

17 (2) young persons of color; and

18 (3) other individuals recognized by the commission as
 19 members of a vulnerable population.

20 Sec. 5. As used in this chapter, "wraparound services" refers to
 21 support networks that are characterized by the creation of
 22 constructive relationships to assist recipients of services, families
 23 of recipients of services, and others using a strength based
 24 philosophy to guide service planning.

25 Sec. 6. As used in this chapter, "young person of color" refers
 26 to an individual who is less than eighteen (18) years of age and is
 27 identified as one (1) of the following:

28 (1) Black or African-American.

29 (2) Hispanic or Latino.

30 (3) Asian.

31 (4) American Indian.

32 (5) Alaska Native.

33 (6) Native Hawaiian or other Pacific Islander.

34 Sec. 7. (a) The commission shall appoint a director to coordinate
 35 programs serving vulnerable individuals. The director:

36 (1) serves at the pleasure of the commission; and

37 (2) is entitled to a salary to be determined by the budget
 38 agency with the approval of the governor.

39 (b) The director, with the approval of the governor and the
 40 budget agency, and on the advice of the commission, may appoint
 41 staff necessary to fulfill the duties of this chapter.

42 (c) The director shall assist the commission in carrying out the



1 duties under section 8 of this chapter.

2 **Sec. 8. The commission has the following duties:**

3 **(1) Oversee the implementation of the recommendations made**
 4 **by the commission on disproportionality in youth services,**
 5 **including the ongoing review and evaluation of recommended**
 6 **programs, practices, and procedures described in the report**
 7 **as mandated by P.L.234-2007.**

8 **(2) Suggest policy, program, and legislative changes related to**
 9 **services provided to members of a vulnerable population to**
 10 **accomplish the following:**

11 **(A) Enhance the quality of and access to services with**
 12 **positive outcomes for vulnerable populations.**

13 **(B) Reduce disproportionality of young persons of color in**
 14 **youth services by changing or eliminating policies that**
 15 **contribute to poor outcomes for young persons of color.**

16 **(3) Oversee and coordinate the review, evaluation, and**
 17 **development of consistent statewide standards for the use of**
 18 **risk and needs assessment tools that are culturally sensitive**
 19 **and promote objectivity in decision making at service delivery**
 20 **points in systems serving members of a vulnerable population.**

21 **(4) Work collaboratively within and across state and local**
 22 **agencies to create a central data warehouse to serve as a**
 23 **statewide system for standardized, disaggregated, race**
 24 **specific data collection that has rapid accessibility and**
 25 **accountability measures for comparative use across service**
 26 **systems and geographic areas. The data system should include**
 27 **the following:**

28 **(A) Establishing measures to ensure the collection of**
 29 **consistent information to allow comparative racial and age**
 30 **data that are program based and outcome oriented.**

31 **(B) Recommending consistent, standardized reporting**
 32 **measurements.**

33 **(C) Working with agency participants to develop**
 34 **implementation plans that achieve consistency in:**

35 **(i) data collection;**

36 **(ii) program development and evaluation;**

37 **(iii) staff training; and**

38 **(iv) annual reporting.**

39 **(5) Work collaboratively within and across state and local**
 40 **agencies and programs to achieve consistent statewide**
 41 **standards for mandatory, ongoing cultural competency**
 42 **training and professional practice standards for government**



- 1 employees, school personnel, service providers, and
2 professionals in systems serving members of a vulnerable
3 population.
- 4 (6) Work collaboratively within and across state and local
5 agencies and programs to develop and monitor a strategic
6 plan to recruit and retain diverse professionals and staff level
7 employees throughout all service delivery systems. The
8 strategic plan developed must include provisions to ensure
9 that bilingual training is available.
- 10 (7) Work collaboratively within and across state and local
11 agencies to identify existing and to recommend new early
12 intervention and preventive programming services for
13 members of a vulnerable population. Intervention and
14 preventive programming should be sensitive to race and
15 should include culturally sensitive, evidence based
16 programming or measures involving the following:
- 17 (A) Strength based approaches to engage and promote
18 positive outcomes.
 - 19 (B) Community based, wraparound services.
 - 20 (C) Educational advocacy and support services.
 - 21 (D) School based referrals to mental health care.
 - 22 (E) Programming that supports collaborative relationships
23 among community, faith based, private, and public
24 organizations.
 - 25 (F) Home based prevention services in the child welfare
26 system.
 - 27 (G) Transitional services for foster youth.
 - 28 (H) Child and family teams for youth in system care.
 - 29 (I) Other early intervention and preventive programming
30 services.
- 31 (8) Work with local officials and the Indiana criminal justice
32 institute to develop local juvenile justice councils and support
33 the development of strategies to reduce disproportionality and
34 disparity at the county level.
- 35 (9) Suggest policy development and fiscal planning efforts to
36 achieve blended or braided funding for services delivered to
37 members of a vulnerable population.
- 38 (10) Monitor and support ongoing implementation of agency
39 efforts to reduce disproportionality and enhance quality of
40 services to members of a vulnerable population.
- 41 (11) Report plans and progress to the governor, the legislative
42 council, and the public at least semiannually. A report to the



1 legislative council under this subdivision must be in an
2 electronic format under IC 5-14-6.

3 (12) Coordinate program review and fiscal planning by
4 participant agencies.

5 (13) Direct service delivery providers to collect and report
6 disaggregated data based on race and ethnicity by geographic
7 and program areas.

8 **Sec. 9. To carry out this chapter, the commission may do the**
9 **following:**

10 (1) Request any governmental entity that has an interest in or
11 is involved in the delivery of human services to attend and
12 participate in any meetings of the board that the board
13 determines to be beneficial and necessary to achieve the goal
14 of effective coordination and delivery of human services to
15 members of a vulnerable population.

16 (2) Seek the cooperation of all agencies, departments, and
17 institutions of state government to eliminate any duplication
18 or overlap that may exist in the administration of programs
19 delivery service to members of a vulnerable population.

20 (3) Upon the request of one (1) of the members of the
21 commission, review the status of eligible recipients of services
22 to determine whether an individual recipient is under the
23 jurisdiction of the proper agency of state government.
24 Following a review under this subdivision, the commission
25 may suggest the transfer of an individual recipient to the
26 jurisdiction of another state agency if permitted by law.

27 (4) Create task forces to study issues and provide information
28 to the commission as needed. Members appointed to task
29 forces created under this subdivision serve without
30 compensation.

31 **Sec. 10. The commission shall provide quarterly reports to the**
32 **governor, the general assembly, and the Indiana criminal justice**
33 **institute on the progress of the commission under this chapter and**
34 **on issues affecting the provision of services to members of a**
35 **vulnerable population. The report to the general assembly must be**
36 **in an electronic format under IC 5-14-6.**

37 SECTION 71. IC 25-0.5-4-13 IS REPEALED [EFFECTIVE JULY
38 1, 2024]. Sec. 13. The committee of hearing aid dealer examiners (IC
39 25-20-1-1.5) is a board under IC 25-1-4.

40 SECTION 72. IC 25-0.5-5-13 IS REPEALED [EFFECTIVE JULY
41 1, 2024]. Sec. 13. The Indiana professional licensing agency shall
42 perform administrative functions, duties, and responsibilities for the



1 committee of hearing aid dealer examiners (IC 25-20) under
2 IC 25-1-5-3(a).

3 SECTION 73. IC 25-0.5-10-13 IS REPEALED [EFFECTIVE JULY
4 1, 2024]. ~~Sec. 13. The committee of hearing aid dealer examiners (IC~~
5 ~~25-20-1-1.5) is a board under IC 25-1-8-6.~~

6 SECTION 74. IC 25-1-9-2, AS AMENDED BY P.L.36-2022,
7 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2024]: Sec. 2. (a) As used in this chapter, "practitioner" means
9 an individual who holds:

- 10 (1) an unlimited license, certificate, or registration;
- 11 (2) a limited or probationary license, certificate, or registration;
- 12 (3) a temporary license, certificate, registration, or permit;
- 13 (4) an intern permit; or
- 14 (5) a provisional license;

15 issued by the board regulating the profession in question. ~~including a~~
16 ~~certificate of registration issued under IC 25-20.~~

17 (b) The term includes an individual who held:

- 18 (1) an unlimited license, certificate, or registration;
- 19 (2) a limited or probationary license, certificate, or registration;
- 20 (3) a temporary license, certificate, registration, or permit;
- 21 (4) an intern permit; or
- 22 (5) a provisional license;

23 issued by the board regulating the profession in question, including a
24 certificate of registration issued under IC 25-20 (**before its repeal**),
25 when the alleged violation of this chapter occurred.

26 SECTION 75. IC 25-1-10.3-5, AS ADDED BY P.L.128-2022,
27 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2024]: Sec. 5. (a) As used in this chapter, except as provided
29 in subsection (b), "practitioner" means an individual who holds a
30 license issued by a board described in IC 25-0.5-11. ~~including a~~
31 ~~certificate of registration issued under IC 25-20.~~

32 (b) The term does not include a veterinarian licensed under
33 IC 25-38.1.

34 SECTION 76. IC 25-20 IS REPEALED [EFFECTIVE JULY 1,
35 2024]. (Hearing Aid Dealers).

36 SECTION 77. IC 25-21.8-4-5, AS ADDED BY P.L.267-2017,
37 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2024]: Sec. 5. This article does not prohibit the following:

- 39 (1) An individual who has a license, registration, certificate, or
40 permit from the state from acting within the scope of the
41 individual's license, registration, certificate, or permit.
- 42 (2) An individual who participates in an approved training



- 1 program for the purpose of acquiring a license, registration,
 2 certificate, or permit from the state from performing activities
 3 within the scope of the approved training program.
- 4 (3) A student of an approved massage therapy school from
 5 performing massage therapy under the supervision of the
 6 approved massage therapy school, if the student does not profess
 7 to be a licensed massage therapist.
- 8 (4) An individual's practice in one (1) or more of the following
 9 areas that does not involve intentional soft tissue manipulation:
- 10 (A) Alexander Technique.
 11 (B) Feldenkrais.
 12 (C) Reiki.
 13 (D) Therapeutic Touch.
- 14 (5) An individual's practice in which the individual provides
 15 service marked bodywork approaches that involve intentional soft
 16 tissue manipulation, including:
- 17 (A) Rolfing;
 18 (B) Trager Approach;
 19 (C) Polarity Therapy;
 20 (D) Ortho-bionomy; and
 21 (E) Reflexology;
- 22 if the individual is approved by a governing body based on a
 23 minimum level of training, demonstration of competency, and
 24 adherence to ethical standards.
- 25 (6) The practice of massage therapy by a person either actively
 26 licensed as a massage therapist in another state or currently
 27 certified by the National Certification Board of Therapeutic
 28 Massage and Bodywork or other national certifying body if the
 29 person's state does not license massage therapists, if the
 30 individual is performing duties for a non-Indiana based team or
 31 organization, or for a national athletic event held in Indiana, so
 32 long as the individual restricts the individual's practice to the
 33 individual's team or organization during the course of the
 34 individual's or the individual's team's or the individual's
 35 organization's stay in Indiana or for the duration of the event.
- 36 (7) Massage therapists from other states or countries providing
 37 educational programs in Indiana for a period not to exceed thirty
 38 (30) days within a calendar year.
- 39 (8) An employee of a physician or a group of physicians from
 40 performing an act, a duty, or a function to which the exception
 41 described in ~~IC 25-22.5-1-2(a)(20)~~ **IC 25-22.5-1-2(a)(19)** applies.
- 42 (9) An employee of a chiropractor from performing an act, duty,



- 1 or function authorized under IC 25-10-1-13.
- 2 (10) An employee of a podiatrist or a group of podiatrists from
- 3 performing an act, duty, or function to which the exception
- 4 described in IC 25-29-1-0.5(a)(13) applies.
- 5 (11) A dramatic portrayal or some other artistic performance or
- 6 expression involving the practice of massage therapy.
- 7 (12) The practice of massage therapy by a member of an
- 8 emergency response team during a period of active emergency
- 9 response.
- 10 SECTION 78. IC 25-22.5-1-2, AS AMENDED BY P.L.128-2022,
- 11 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 12 JULY 1, 2024]: Sec. 2. (a) This article, as it relates to the unlawful or
- 13 unauthorized practice of medicine or osteopathic medicine, does not
- 14 apply to any of the following:
- 15 (1) A student in training in a medical school approved by the
- 16 board, or while performing duties as an intern or a resident in a
- 17 hospital under the supervision of the hospital's staff or in a
- 18 program approved by the medical school.
- 19 (2) A person who renders service in case of emergency where no
- 20 fee or other consideration is contemplated, charged, or received.
- 21 (3) A paramedic (as defined in IC 16-18-2-266), an advanced
- 22 emergency medical technician (as defined in IC 16-18-2-6.5), an
- 23 emergency medical technician (as defined in IC 16-18-2-112), or
- 24 a person with equivalent certification from another state who
- 25 renders advanced life support (as defined in IC 16-18-2-7), or
- 26 basic life support (as defined in IC 16-18-2-33.5):
- 27 (A) during a disaster emergency declared by the governor
- 28 under IC 10-14-3-12 in response to an act that the governor in
- 29 good faith believes to be an act of terrorism (as defined in
- 30 IC 35-31.5-2-329); and
- 31 (B) in accordance with the rules adopted by the Indiana
- 32 emergency medical services commission or the disaster
- 33 emergency declaration of the governor.
- 34 (4) Commissioned medical officers or medical service officers of
- 35 the armed forces of the United States, the United States Public
- 36 Health Service, and medical officers of the United States
- 37 Department of Veterans Affairs in the discharge of their official
- 38 duties in Indiana.
- 39 (5) An individual who is not a licensee who resides in another
- 40 state or country and is authorized to practice medicine or
- 41 osteopathic medicine there, who is called in for consultation by an
- 42 individual licensed to practice medicine or osteopathic medicine



- 1 in Indiana.
- 2 (6) A person administering a domestic or family remedy to a
- 3 member of the person's family.
- 4 (7) A member of a church practicing the religious tenets of the
- 5 church if the member does not make a medical diagnosis,
- 6 prescribe or administer drugs or medicines, perform surgical or
- 7 physical operations, or assume the title of or profess to be a
- 8 physician.
- 9 (8) A school corporation and a school employee who acts under
- 10 IC 34-30-14 (or IC 34-4-16.5-3.5 before its repeal).
- 11 (9) A chiropractor practicing the chiropractor's profession under
- 12 IC 25-10 or to an employee of a chiropractor acting under the
- 13 direction and supervision of the chiropractor under IC 25-10-1-13.
- 14 (10) A dental hygienist practicing the dental hygienist's profession
- 15 under IC 25-13.
- 16 (11) A dentist practicing the dentist's profession under IC 25-14.
- 17 ~~(12) A hearing aid dealer practicing the hearing aid dealer's~~
- 18 ~~profession under IC 25-20.~~
- 19 ~~(13)~~ **(12)** A nurse practicing the nurse's profession under
- 20 IC 25-23. However, a certified registered nurse anesthetist (as
- 21 defined in IC 25-23-1-1.4) may administer anesthesia if the
- 22 certified registered nurse anesthetist acts under the direction of
- 23 and in the immediate presence of a physician.
- 24 ~~(14)~~ **(13)** An optometrist practicing the optometrist's profession
- 25 under IC 25-24.
- 26 ~~(15)~~ **(14)** A pharmacist practicing the pharmacist's profession
- 27 under IC 25-26.
- 28 ~~(16)~~ **(15)** A physical therapist practicing the physical therapist's
- 29 profession under IC 25-27.
- 30 ~~(17)~~ **(16)** A podiatrist practicing the podiatrist's profession under
- 31 IC 25-29.
- 32 ~~(18)~~ **(17)** A psychologist practicing the psychologist's profession
- 33 under IC 25-33.
- 34 ~~(19)~~ **(18)** A speech-language pathologist or audiologist practicing
- 35 the pathologist's or audiologist's profession under IC 25-35.6.
- 36 ~~(20)~~ **(19)** An employee of a physician or group of physicians who
- 37 performs an act, a duty, or a function that is customarily within
- 38 the specific area of practice of the employing physician or group
- 39 of physicians, if the act, duty, or function is performed under the
- 40 direction and supervision of the employing physician or a
- 41 physician of the employing group within whose area of practice
- 42 the act, duty, or function falls. An employee may not make a



1 diagnosis or prescribe a treatment and must report the results of
 2 an examination of a patient conducted by the employee to the
 3 employing physician or the physician of the employing group
 4 under whose supervision the employee is working. An employee
 5 may not administer medication without the specific order of the
 6 employing physician or a physician of the employing group.
 7 Unless an employee is licensed or registered to independently
 8 practice in a profession described in subdivisions (9) through
 9 ~~(18)~~, **(17)**, nothing in this subsection grants the employee
 10 independent practitioner status or the authority to perform patient
 11 services in an independent practice in a profession.
 12 ~~(21)~~ **(20)** A hospital licensed under IC 16-21 or IC 12-25.
 13 ~~(22)~~ **(21)** A health care organization whose members,
 14 shareholders, or partners are individuals, partnerships,
 15 corporations, facilities, or institutions licensed or legally
 16 authorized by this state to provide health care or professional
 17 services as:
 18 (A) a physician;
 19 (B) a psychiatric hospital;
 20 (C) a hospital;
 21 (D) a health maintenance organization or limited service
 22 health maintenance organization;
 23 (E) a health facility;
 24 (F) a dentist;
 25 (G) a registered or licensed practical nurse;
 26 (H) a certified nurse midwife or a certified direct entry
 27 midwife;
 28 (I) an optometrist;
 29 (J) a podiatrist;
 30 (K) a chiropractor;
 31 (L) a physical therapist; or
 32 (M) a psychologist.
 33 ~~(23)~~ **(22)** A physician assistant practicing the physician assistant
 34 profession under IC 25-27.5.
 35 ~~(24)~~ **(23)** A physician providing medical treatment under section
 36 2.1 of this chapter.
 37 ~~(25)~~ **(24)** An attendant who provides attendant care services (as
 38 defined in IC 16-18-2-28.5).
 39 ~~(26)~~ **(25)** A personal services attendant providing authorized
 40 attendant care services under IC 12-10-17.1.
 41 ~~(27)~~ **(26)** A respiratory care practitioner practicing the
 42 practitioner's profession under IC 25-34.5.



1 (b) A person described in subsection (a)(9) through ~~(a)(18)~~ **(a)(17)**
 2 is not excluded from the application of this article if:

3 (1) the person performs an act that an Indiana statute does not
 4 authorize the person to perform; and

5 (2) the act qualifies in whole or in part as the practice of medicine
 6 or osteopathic medicine.

7 (c) An employment or other contractual relationship between an
 8 entity described in subsection ~~(a)(21)~~ **(a)(20)** through ~~(a)(22)~~ **(a)(21)**
 9 and a licensed physician does not constitute the unlawful practice of
 10 medicine or osteopathic medicine under this article if the entity does
 11 not direct or control independent medical acts, decisions, or judgment
 12 of the licensed physician. However, if the direction or control is done
 13 by the entity under IC 34-30-15 (or IC 34-4-12.6 before its repeal), the
 14 entity is excluded from the application of this article as it relates to the
 15 unlawful practice of medicine or osteopathic medicine.

16 (d) This subsection does not apply to a prescription or drug order for
 17 a legend drug that is filled or refilled in a pharmacy owned or operated
 18 by a hospital licensed under IC 16-21. A physician licensed in Indiana
 19 who permits or authorizes a person to fill or refill a prescription or drug
 20 order for a legend drug except as authorized in IC 16-42-19-11 through
 21 IC 16-42-19-19 is subject to disciplinary action under IC 25-1-9. A
 22 person who violates this subsection commits the unlawful practice of
 23 medicine or osteopathic medicine under this chapter.

24 (e) A person described in subsection (a)(8) shall not be authorized
 25 to dispense contraceptives or birth control devices.

26 (f) Nothing in this section allows a person to use words or
 27 abbreviations that indicate or induce an individual to believe that the
 28 person is engaged in the practice of medicine or osteopathic medicine.

29 SECTION 79. IC 25-27.5-5-1, AS AMENDED BY P.L.247-2019,
 30 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2024]: Sec. 1. (a) This chapter does not apply to the practice
 32 of other health care professionals set forth under IC 25-22.5-1-2(a)(1)
 33 through ~~IC 25-22.5-1-2(a)(19)~~. **IC 25-22.5-1-2(a)(18)**.

34 (b) This chapter does not exempt a physician assistant from the
 35 requirements of IC 16-41-35-29.

36 SECTION 80. IC 25-27.5-5-2, AS AMENDED BY P.L.247-2019,
 37 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2024]: Sec. 2. (a) A physician assistant:

39 (1) must engage in a dependent practice with a collaborating
 40 physician; and

41 (2) may not be independent from the collaborating physician,
 42 including any of the activities of other health care providers set



1 forth under IC 25-22.5-1-2(a)(1) through ~~IC 25-22.5-1-2(a)(19)~~.

2 **IC 25-22.5-1-2(a)(18).**

3 A physician assistant may perform, under a collaborative agreement,
4 the duties and responsibilities that are delegated by the collaborating
5 physician and that are within the collaborating physician's scope of
6 practice, including prescribing and dispensing drugs and medical
7 devices. A patient may elect to be seen, examined, and treated by the
8 collaborating physician.

9 (b) If a physician assistant determines that a patient needs to be
10 examined by a physician, the physician assistant shall immediately
11 notify the collaborating physician or physician designee.

12 (c) If a physician assistant notifies the collaborating physician that
13 the physician should examine a patient, the collaborating physician
14 shall:

15 (1) schedule an examination of the patient unless the patient
16 declines; or

17 (2) arrange for another physician to examine the patient.

18 (d) A collaborating physician or physician assistant who does not
19 comply with subsections (b) and (c) is subject to discipline under
20 IC 25-1-9.

21 (e) A physician assistant's collaborative agreement with a
22 collaborating physician must:

23 (1) be in writing;

24 (2) include all the tasks delegated to the physician assistant by the
25 collaborating physician;

26 (3) set forth the collaborative agreement for the physician
27 assistant, including the emergency procedures that the physician
28 assistant must follow; and

29 (4) specify the protocol the physician assistant shall follow in
30 prescribing a drug.

31 (f) The physician shall submit the collaborative agreement to the
32 board. The physician assistant may prescribe a drug under the
33 collaborative agreement unless the board denies the collaborative
34 agreement. Any amendment to the collaborative agreement must be
35 resubmitted to the board, and the physician assistant may operate under
36 any new prescriptive authority under the amended collaborative
37 agreement unless the agreement has been denied by the board.

38 (g) A physician or a physician assistant who violates the
39 collaborative agreement described in this section may be disciplined
40 under IC 25-1-9.

41 SECTION 81. IC 25-34.5-3-7, AS AMENDED BY P.L.11-2023,
42 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2024]: Sec. 7. This article does not affect the applicability of
 2 ~~IC 25-22.5-1-2(a)(20)~~. **IC 25-22.5-1-2(a)(19)**.

3 SECTION 82. IC 25-35.6-1-4, AS AMENDED BY P.L.149-2022,
 4 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2024]: Sec. 4. Nothing in this article shall be construed as
 6 preventing or restricting the following:

7 (1) A physician or surgeon from engaging in the practice of
 8 medicine in this state, or a person under the supervision and
 9 control of a physician or surgeon from conducting hearing testing,
 10 provided such a person is not called an audiologist.

11 (2) ~~Any hearing aid dealer from:~~

12 (A) ~~engaging in the testing of hearing and other practices and~~
 13 ~~procedures necessary for the business for which the dealer is~~
 14 ~~registered in this state under IC 25-20-1; and~~

15 (B) ~~using the title hearing aid specialist or any similar title or~~
 16 ~~description of service.~~

17 (3) ~~(2)~~ Any person licensed or registered in this state by any other
 18 law from engaging in the profession or occupation for which the
 19 person is licensed or registered.

20 (4) ~~(3)~~ A person employed as a speech-language pathologist or
 21 audiologist by the government of the United States, if such person
 22 performs speech-language pathology or audiology services solely
 23 within the confines or under the jurisdiction of the governmental
 24 organization by which the person is employed. However, such
 25 person may, without obtaining a license under this article, consult
 26 with or disseminate the person's research findings and other
 27 scientific information to speech-language pathologists and
 28 audiologists outside the jurisdiction of the organization by which
 29 the person is employed. Such person may also offer instruction
 30 and lectures to the public without being licensed under this
 31 article. Such person may additionally elect to be subject to this
 32 article.

33 (5) ~~(4)~~ The activities and services of persons pursuing a course of
 34 study leading to a degree in speech-language pathology or
 35 audiology at a postsecondary educational institution, if:

36 (A) such activities and services constitute a part of a
 37 supervised course of study;

38 (B) such person is designated speech-language pathology or
 39 audiology intern, speech-language pathology or audiology
 40 trainee, or by other such titles clearly indicating the training
 41 status appropriate to the person's level of training; and

42 (C) the person works only under the supervision of a



- 1 speech-language pathologist or audiologist licensed under this
 2 article.
- 3 ~~(6)~~ (5) The activities and services of persons fulfilling the clinical
 4 experience requirement of section 5(2)(B)(ii) or 6(3)(B) of this
 5 chapter, if such activities and services constitute a part of the
 6 experience required for that section's fulfillment.
- 7 ~~(7)~~ (6) The performance of pure tone air conduction testing by an
 8 industrial audiometric technician, as defined by federal law, who
 9 is working in an industrial hearing conservation program directed
 10 by a physician or an audiologist.
- 11 ~~(8)~~ (7) The performance of speech-language pathology or
 12 audiology services in this state by any person not a resident of this
 13 state who is not licensed under this article, if such services are
 14 performed:
- 15 (A) under IC 25-35.6-5; or
 16 (B) for no more than five (5) days in any calendar year and in
 17 cooperation with a speech-language pathologist or audiologist
 18 licensed under this article, and if such person meets the
 19 qualifications and requirements for application for licensure
 20 described in section 5(1) and 5(2) or 6(1) and 6(2) of this
 21 chapter.
- 22 However, a person not a resident of this state who is not licensed
 23 under this article or practicing under IC 25-35.6-5, but who is
 24 licensed under the law of another state which has established
 25 licensure requirements at least equivalent to those established by
 26 section 5 or 6 of this chapter or who is the holder of a certificate
 27 of clinical competence in speech-language pathology or audiology
 28 or its equivalent issued by a nationally recognized association for
 29 speech-language or hearing, may offer speech-language pathology
 30 or audiology services in this state for no more than one hundred
 31 eighty (180) days in any calendar year, if such services are
 32 performed in cooperation with a speech-language pathologist or
 33 audiologist licensed under this article.
- 34 SECTION 83. IC 25-35.6-4-1 IS REPEALED [EFFECTIVE JULY
 35 1, 2024]. Sec. 1. ~~(a) This section does not apply to a prescription or~~
 36 ~~order by a person who:~~
- 37 ~~(1) is licensed, certified, registered, or regulated by a board listed~~
 38 ~~in IC 25-1-9-1; and~~
- 39 ~~(2) has authority to issue a prescription or order for a hearing aid.~~
- 40 ~~(b) A person may not sell, lease, or rent a hearing aid (as defined in~~
 41 ~~IC 25-20-1-1) in Indiana unless the hearing aid has been fitted in~~
 42 ~~person by any of the following:~~



1 (†) A hearing aid dealer who has been issued a certificate of
2 registration under IC 25-20:

3 (‡) An audiologist who is licensed under this article:

4 (c) A person who violates this section commits a Class B infraction:

5 SECTION 84. IC 27-1-15.7-6, AS AMENDED BY P.L.73-2006,
6 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2024]: Sec. 6. (a) As used in this section, "council" refers to
8 the insurance producer education and continuing education advisory
9 council created under subsection (b).

10 (b) The insurance producer education and continuing education
11 advisory council is created within the department. The council consists
12 of the commissioner and ~~fifteen (15)~~ **thirteen (13)** members appointed
13 by the ~~governor~~ **commissioner** as follows:

14 (1) Two (2) members recommended by the Professional Insurance
15 Agents of Indiana.

16 (2) Two (2) members recommended by the Independent Insurance
17 Agents of Indiana.

18 (3) Two (2) members recommended by the Indiana Association
19 of Insurance and Financial Advisors.

20 (4) Two (2) members recommended by the Indiana State
21 Association of Health Underwriters.

22 (5) Two (2) representatives of direct writing or exclusive
23 producer's insurance companies.

24 (6) One (1) representative of the Association of Life Insurance
25 Companies.

26 (7) One (1) member recommended by the Insurance Institute of
27 Indiana.

28 (8) One (1) member recommended by the Indiana Land Title
29 Association.

30 ~~(9) Two (2) other individuals:~~

31 (c) Members of the council serve for a term of three (3) years.
32 Members may not serve more than two (2) consecutive terms.

33 (d) Before making appointments to the council, the ~~governor~~
34 **commissioner** must:

35 (1) solicit; and

36 (2) select appointees to the council from;

37 nominations made by organizations and associations that represent
38 individuals and corporations selling insurance in Indiana.

39 (e) The council shall meet at least semiannually.

40 (f) A member of the council is entitled to the minimum salary per
41 diem provided under IC 4-10-11-2.1(b). A member is also entitled to
42 reimbursement for traveling expenses and other expenses actually



1 incurred in connection with the member's duties, as provided in the
 2 state travel policies and procedures established by the state department
 3 of administration and approved by the state budget agency.

4 (g) The council shall review and make recommendations to the
 5 commissioner with respect to course materials, curriculum, and
 6 credentials of instructors of each prelicensing course of study for which
 7 certification by the commissioner is sought under section 5 of this
 8 chapter and shall make recommendations to the commissioner with
 9 respect to educational requirements for insurance producers.

10 (h) A member of the council or designee of the commissioner shall
 11 be permitted access to any classroom while instruction is in progress
 12 to monitor the classroom instruction.

13 (i) The council shall make recommendations to the commissioner
 14 concerning the following:

15 (1) Continuing education courses for which the approval of the
 16 commissioner is sought under section 4 of this chapter.

17 (2) Rules proposed for adoption by the commissioner that would
 18 affect continuing education.

19 SECTION 85. IC 31-26-4-6, AS AMENDED BY P.L.56-2023,
 20 SECTION 298, IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2024]: Sec. 6. The board consists of the
 22 following ten (10) members:

23 (1) Two (2) individuals who are not members of the general
 24 assembly, appointed by the president pro tempore of the senate
 25 with advice from the minority leader of the senate.

26 (2) Two (2) individuals who are not members of the general
 27 assembly, appointed by the speaker of the house of
 28 representatives with advice from the minority leader of the house
 29 of representatives.

30 (3) The director of the department or the director's designee.

31 (4) Four (4) individuals appointed by the ~~governor~~ **director of the**
 32 **department** as follows:

33 (A) One (1) individual who represents the general public.

34 (B) Two (2) individuals who represent child advocacy
 35 organizations.

36 (C) One (1) individual who represents the medical community.

37 (5) The commissioner of the Indiana department of health or the
 38 commissioner's designee. An individual designated by the
 39 commissioner under this subdivision must have knowledge of or
 40 experience in issues relating to:

41 (A) the prevention of child abuse and neglect; and

42 (B) the reduction of infant mortality.



1 SECTION 86. IC 31-26-4-7, AS ADDED BY P.L.145-2006,
 2 SECTION 272, IS AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) The members shall annually
 4 choose a chairperson and vice chairperson from among the members
 5 of the board under this section.

6 (b) The director of the department or the director's designee may not
 7 serve as chairperson or vice chairperson.

8 (c) If the member chosen as chairperson was appointed as a member
 9 by the president pro tempore of the senate or the speaker of the house
 10 of representatives, the vice chairperson must be chosen from among the
 11 members appointed by the ~~governor~~ **director of the department**. If
 12 the member chosen as chairperson was appointed as a member by the
 13 ~~governor~~ **director of the department**, the vice chairperson must be
 14 chosen from among the members appointed by the president pro
 15 tempore of the senate or the speaker of the house of representatives.

16 SECTION 87. IC 32-21-2.5-8, AS AMENDED BY P.L.26-2022,
 17 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2024]: Sec. 8. (a) As used in this section, "paper document"
 19 or "paper documents" means a tangible record that is received by a
 20 county recorder in a form that is not electronic.

21 (b) On or before July 1, 2022, a county recorder shall receive for
 22 recording, indexing, storage, archiving, access to, searching of,
 23 retrieval, and transmittal all electronic documents proper for recording.
 24 A county recorder shall also accept electronically any fee or tax that the
 25 county recorder is authorized to collect under applicable laws. A
 26 county recorder shall implement the processing of electronic
 27 documents proper for recording in compliance with:

- 28 (1) this article;
- 29 (2) IC 33-42;
- 30 (3) IC 36-2-7.5;
- 31 (4) IC 36-2-11; and
- 32 (5) IC 36-2-13; and

33 the standards adopted by the electronic recording commission created
 34 under section 9 of this chapter **(before its repeal)**.

35 (c) This section does not apply to the following documents:

- 36 (1) A military discharge under IC 10-17-2.
- 37 (2) A survey of real property.
- 38 (3) A plat of real property.

39 (d) A recorder who accepts electronic documents for recording
 40 shall:

- 41 (1) continue to accept paper documents as authorized by state
 42 law; and



- 1 (2) place entries for paper documents and electronic documents
 2 in the same index.
 3 (e) A recorder who accepts electronic documents for recording may:
 4 (1) convert paper documents accepted for recording into
 5 electronic form;
 6 (2) convert into electronic form information recorded before the
 7 county recorder began to accept and index electronic documents;
 8 or
 9 (3) agree with other officials of a state or a political subdivision
 10 of a state, or of the United States, on procedures or processes to
 11 facilitate the electronic satisfaction of prior approvals and
 12 conditions precedent to recording and the electronic payment of
 13 fees and taxes.

14 SECTION 88. IC 32-21-2.5-9 IS REPEALED [EFFECTIVE JULY
 15 1, 2024]. Sec. 9: (a) The electronic recording commission is established
 16 to adopt standards to implement this chapter before January 1, 2018.
 17 The commission consists of the following five (5) members appointed
 18 by the governor:

- 19 (1) Three (3) members must be county recorders.
 20 (2) One (1) member must be employed in Indiana in the banking
 21 or mortgage lending industry.
 22 (3) One (1) member must be employed in Indiana in the land title
 23 industry.
 24 (b) To keep the standards and practices of county recorders in
 25 Indiana in harmony with the standards and practices of recording
 26 offices in other jurisdictions that enact substantially this chapter and to
 27 keep the technology used by county recorders in Indiana compatible
 28 with technology used by recording offices in other jurisdictions that
 29 enact substantially this chapter, the electronic recording commission,
 30 so far as is consistent with the purposes, policies, and provisions of this
 31 chapter, in adopting, amending, and repealing standards shall consider:
 32 (1) standards and practices of other jurisdictions;
 33 (2) the most recent standards promulgated by national standard
 34 setting bodies, such as the Property Records Industry Association
 35 (PRIA);
 36 (3) the views of interested persons and governmental officials and
 37 entities;
 38 (4) the needs of counties of varying size, population, and
 39 resources; and
 40 (5) standards requiring adequate information security protection
 41 to ensure that electronic documents are accurate, authentic,
 42 adequately preserved, and resistant to tampering.



1 SECTION 89. IC 34-13-3-2, AS AMENDED BY P.L.111-2021,
 2 SECTION 102, IS AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2024]: Sec. 2. This chapter applies to a claim
 4 or suit in tort against any of the following:

5 ~~(1) The bureau of motor vehicles commission established by~~
 6 ~~IC 9-14-9-1.~~

7 ~~(2) A member of the bureau of motor vehicles commission board~~
 8 ~~established under IC 9-14-9-2.~~

9 ~~(3) An employee of the bureau of motor vehicles commission.~~

10 ~~(4) (1) A member of the driver education advisory board~~
 11 ~~established by IC 9-27-6-5.~~

12 ~~(5) (2) An approved postsecondary educational institution (as~~
 13 ~~defined in IC 21-7-13-6(a)(1)), or an association acting on behalf~~
 14 ~~of an approved postsecondary educational institution, that:~~

15 (A) shares data with the commission for higher education
 16 under IC 21-12-12-1; and

17 (B) is named as a defendant in a claim or suit in tort based on
 18 any breach of the confidentiality of the data that occurs after
 19 the institution has transmitted the data in compliance with
 20 IC 21-12-12-1.

21 ~~(6) (3) The state fair commission established by IC 15-13-2-1.~~

22 ~~(7) (4) A member of the state fair commission established by~~
 23 ~~IC 15-13-2-1 or an employee of the state fair commission.~~

24 ~~(8) (5) The state fair board established by IC 15-13-5-1.~~

25 ~~(9) (6) A member of the state fair board established by~~
 26 ~~IC 15-13-5-1.~~

27 SECTION 90. IC 34-13-3-2.5, AS AMENDED BY P.L.111-2021,
 28 SECTION 103, IS AMENDED TO READ AS FOLLOWS
 29 [EFFECTIVE JULY 1, 2024]: Sec. 2.5. The addition of section ~~2(5)~~
 30 **2(2)** of this chapter by SEA 146-2016, SECTION 1, does not apply to
 31 a claim or suit in tort against a postsecondary educational institution if
 32 filed before March 30, 2016.

33 SECTION 91. IC 34-30-2.1-20 IS REPEALED [EFFECTIVE JULY
 34 1, 2024]. ~~Sec. 20. IC 5-1-17-9.5 (Concerning members, officers,~~
 35 ~~employees, and the executive director of the Indiana stadium and~~
 36 ~~convention building authority for acts authorized by law).~~

37 SECTION 92. IC 34-30-2.1-25.5 IS ADDED TO THE INDIANA
 38 CODE AS A NEW SECTION TO READ AS FOLLOWS
 39 [EFFECTIVE JULY 1, 2024]: **Sec. 25.5. IC 5-1.2-17-5 (Concerning**
 40 **the execution of certain bonds, leases, obligations, or other**
 41 **agreements by members, officers, and employees of the Indiana**
 42 **finance authority and the public finance director).**



1 SECTION 93. IC 34-30-2.1-30 IS REPEALED [EFFECTIVE JULY
2 1, 2024]. ~~Sec. 30: IC 5-2-2-14(b) (Concerning the state for violations
3 of the law enforcement academy building commission law):~~

4 SECTION 94. IC 35-44.2-3-3 IS REPEALED [EFFECTIVE JULY
5 1, 2024]. ~~Sec. 3: A member or person employed by the law
6 enforcement academy building commission who has a conflict of
7 interest with respect to an action by the commission is subject to
8 criminal prosecution under IC 5-2-2-11:~~

9 SECTION 95. IC 35-52-5-3 IS REPEALED [EFFECTIVE JULY 1,
10 2024]. ~~Sec. 3: IC 5-2-2-11 defines a crime concerning the law
11 enforcement academy building commission:~~

12 SECTION 96. IC 35-52-25-19 IS REPEALED [EFFECTIVE JULY
13 1, 2024]. ~~Sec. 19: IC 25-20-1-21 defines a crime concerning hearing
14 aid dealers:~~

15 SECTION 97. IC 36-1-12-13.1, AS AMENDED BY P.L.75-2012,
16 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2024]: Sec. 13.1. (a) Except as provided in subsection (e), the
18 appropriate political subdivision or agency:

19 (1) shall require the contractor to execute a payment bond to the
20 appropriate political subdivision or agency, approved by and for
21 the benefit of the political subdivision or agency, in an amount
22 equal to the contract price if the cost of the public work is
23 estimated to be more than two hundred thousand dollars
24 (\$200,000); and

25 (2) may require the contractor to execute a payment bond to the
26 appropriate political subdivision or agency, approved by and for
27 the benefit of the political subdivision or agency, in an amount
28 equal to the contract price if the cost of the public work is
29 estimated to be not more than two hundred thousand dollars
30 (\$200,000).

31 The payment bond is binding on the contractor, the subcontractor, and
32 their successors and assigns for the payment of all indebtedness to a
33 person for labor and service performed, material furnished, or services
34 rendered. The payment bond must state that it is for the benefit of the
35 subcontractors, laborers, material suppliers, and those performing
36 services.

37 (b) The payment bond shall be deposited with the board. The
38 payment bond must specify that:

39 (1) a modification, omission, or addition to the terms and
40 conditions of the public work contract, plans, specifications,
41 drawings, or profile;

42 (2) a defect in the public work contract; or



1 (3) a defect in the proceedings preliminary to the letting and
 2 awarding of the public work contract;
 3 does not discharge the surety. The surety of the payment bond may not
 4 be released until one (1) year after the board's final settlement with the
 5 contractor.

6 (c) A person to whom money is due for labor performed, material
 7 furnished, or services provided must, not later than sixty (60) days after
 8 that person completed the labor or service or after that person furnished
 9 the last item of material:

10 (1) file with the board signed duplicate statements of the amount
 11 due; and

12 (2) deliver a copy of the statement to the contractor.

13 The board shall forward to the surety of the payment bond one (1) of
 14 the signed duplicate statements. However, failure of the board to
 15 forward a signed duplicate statement does not affect the rights of a
 16 person to whom money is due. In addition, a failure of the board to
 17 forward the statement does not operate as a defense for the surety.

18 (d) An action may not be brought against the surety before thirty
 19 (30) days after:

20 (1) the filing of the signed duplicate statements with the board;
 21 and

22 (2) delivery of a copy of the statement to the contractor.

23 If the indebtedness is not paid in full at the end of that thirty (30) day
 24 period the person may bring an action in court. The court action must
 25 be brought not later than sixty (60) days after the date of the final
 26 completion and acceptance of the public work.

27 (e) This subsection applies to contracts for a capital improvement
 28 entered into by, for, or on behalf of the Indiana ~~stadium and convention~~
 29 ~~building finance~~ authority by ~~IC 5-1-17-6~~. **under IC 5-1.2-17**. The
 30 board awarding the contract for the capital improvement project may
 31 waive any payment bond requirement if the board, after public notice
 32 and hearing, determines:

33 (1) that:

34 (A) an otherwise responsive and responsible bidder is unable
 35 to provide the payment bond; or

36 (B) the cost or coverage of the payment bond is not in the best
 37 interest of the project; and

38 (2) that an adequate alternative is provided through a letter of
 39 credit, additional retainage of at least ten percent (10%) of the
 40 contract amount, a joint payable check system, or other sufficient
 41 protective mechanism.

42 SECTION 98. IC 36-1-12-14, AS AMENDED BY P.L.133-2007,



1 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2024]: Sec. 14. (a) This section applies to public work
3 contracts in excess of two hundred thousand dollars (\$200,000) for
4 projects other than highways, roads, streets, alleys, bridges, and
5 appurtenant structures situated on streets, alleys, and dedicated
6 highway rights-of-way. A board may require a contractor and
7 subcontractor to include contract provisions for retainage as set forth
8 in this section for contracts that are not more than two hundred
9 thousand dollars (\$200,000). This section also applies to a lessor
10 corporation qualifying under IC 20-47-2 or IC 20-47-3 or any other
11 lease-back arrangement containing an option to purchase,
12 notwithstanding the statutory provisions governing those leases.

13 (b) A board that enters into a contract for public work, and a
14 contractor who subcontracts parts of that contract, shall include in their
15 respective contracts provisions for the retainage of portions of
16 payments by the board to contractors, by contractors to subcontractors,
17 and for the payment of subcontractors. At the discretion of the
18 contractor, the retainage shall be held by the board or shall be placed
19 in an escrow account with a bank, savings and loan institution, or the
20 state as the escrow agent. The escrow agent shall be selected by mutual
21 agreement between board and contractor or contractor and
22 subcontractor under a written agreement among the bank or savings
23 and loan institution and:

- 24 (1) the board and the contractor; or
25 (2) the subcontractor and the contractor.

26 The board shall not be required to pay interest on the amounts of
27 retainage that it holds under this section.

28 (c) To determine the amount of retainage to be withheld, the board
29 shall:

- 30 (1) withhold no more than ten percent (10%) nor less than six
31 percent (6%) of the dollar value of all work satisfactorily
32 completed until the public work is fifty percent (50%) completed,
33 and nothing further after that; or
34 (2) withhold no more than five percent (5%) nor less than three
35 percent (3%) of the dollar value of all work satisfactorily
36 completed until the public work is substantially completed.

37 If upon substantial completion of the public work minor items remain
38 uncompleted, an amount computed under subsection (f) shall be
39 withheld until those items are completed.

40 (d) The escrow agreement must contain the following provisions:

- 41 (1) The escrow agent shall invest all escrowed principal in
42 obligations selected by the escrow agent.



1 (2) The escrow agent shall hold the escrowed principal and
 2 income until receipt of notice from the board and the contractor,
 3 or the contractor and the subcontractor, specifying the part of the
 4 escrowed principal to be released from the escrow and the person
 5 to whom that portion is to be released. After receipt of the notice,
 6 the escrow agent shall remit the designated part of escrowed
 7 principal and the same proportion of then escrowed income to the
 8 person specified in the notice.

9 (3) The escrow agent shall be compensated for the agent's
 10 services. The parties may agree on a reasonable fee comparable
 11 with fees being charged for the handling of escrow accounts of
 12 similar size and duration. The fee shall be paid from the escrowed
 13 income.

14 The escrow agreement may include other terms and conditions
 15 consistent with this subsection, including provisions authorizing the
 16 escrow agent to commingle the escrowed funds with funds held in
 17 other escrow accounts and limiting the liability of the escrow agent.

18 (e) Except as provided by subsections (i) and (h), the contractor
 19 shall furnish the board with a performance bond equal to the contract
 20 price. If acceptable to the board, the performance bond may provide for
 21 incremental bonding in the form of multiple or chronological bonds
 22 that, when taken as a whole, equal the contract price. The surety on the
 23 performance bond may not be released until one (1) year after the date
 24 of the board's final settlement with the contractor. The performance
 25 bond must specify that:

26 (1) a modification, omission, or addition to the terms and
 27 conditions of the public work contract, plans, specifications,
 28 drawings, or profile;

29 (2) a defect in the public work contract; or

30 (3) a defect in the proceedings preliminary to the letting and
 31 awarding of the public work contract;

32 does not discharge the surety.

33 (f) The board or escrow agent shall pay the contractor within
 34 sixty-one (61) days after the date of substantial completion, subject to
 35 sections 11 and 12 of this chapter. Payment by the escrow agent shall
 36 include all escrowed principal and escrowed income. If within
 37 sixty-one (61) days after the date of substantial completion there
 38 remain uncompleted minor items, an amount equal to two hundred
 39 percent (200%) of the value of each item as determined by the
 40 architect-engineer shall be withheld until the item is completed.
 41 Required warranties begin not later than the date of substantial
 42 completion.



1 (g) Actions against a surety on a performance bond must be brought
2 within one (1) year after the date of the board's final settlement with the
3 contractor.

4 (h) This subsection applies to public work contracts of less than two
5 hundred fifty thousand dollars (\$250,000). The board may waive the
6 performance bond requirement of subsection (e) and accept from a
7 contractor an irrevocable letter of credit for an equivalent amount from
8 an Indiana financial institution approved by the department of financial
9 institutions instead of a performance bond. Subsections (e) through (g)
10 apply to a letter of credit submitted under this subsection.

11 (i) This subsection applies to the Indiana ~~stadium and convention~~
12 ~~building finance~~ authority ~~created by IC 5-1-17-6.~~ **under IC 5-1.2-17.**
13 The board awarding the contract for a capital improvement project may
14 waive any performance bond requirement if the board, after public
15 notice and hearing, determines:

16 (1) that:

17 (A) an otherwise responsive and responsible bidder is unable
18 to provide the performance bond; or

19 (B) the cost or coverage of the performance bond is not in the
20 best interest of the project; and

21 (2) that an adequate alternative is provided through a letter of
22 credit, additional retainage of at least ten percent (10%) of the
23 contract amount, a joint payable check system, or other sufficient
24 protective mechanism.

25 SECTION 99. IC 36-7-7-4 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) The following
27 members of the commission shall be appointed from each county in the
28 region:

29 (1) A representative of the county executive who may be either a
30 member of the executive or a person appointed by it.

31 (2) A representative of the county fiscal body who must be a
32 member of the fiscal body.

33 (b) The following members of the commission shall be appointed
34 from each county in the region having a population of more than fifty
35 thousand (50,000):

36 (1) The county surveyor or a person appointed by the surveyor.

37 (2) Two (2) persons appointed by the executive of each
38 municipality having a population of more than fifty thousand
39 (50,000).

40 (3) One (1) person appointed by the executive of each of the
41 seven (7) largest municipalities having a population of less than
42 fifty thousand (50,000). If there are fewer than seven (7)



- 1 municipalities, enough additional persons appointed by the county
 2 executive to bring the total appointed under this subdivision to
 3 seven (7).
- 4 (c) The following members of the commission shall be appointed
 5 from each county in the region having a population of less than fifty
 6 thousand (50,000):
- 7 (1) One (1) person appointed by the executive of each of the five
 8 (5) largest municipalities or of each municipality if there are
 9 fewer than five (5).
- 10 (2) If there are fewer than five (5) municipalities, enough
 11 additional persons appointed by the county executive to bring the
 12 total appointed under this subsection to five (5).
- 13 ~~(d) One (1) voting member of the commission shall be appointed by~~
 14 ~~the governor.~~
- 15 ~~(e) (d)~~ At least two-thirds (2/3) of the commission members must
 16 be elected officials. All persons appointed to the commission must be:
- 17 (1) knowledgeable in matters of physical, social, or economic
 18 development of the region; and
- 19 (2) residents of the municipality, county, or region that they
 20 represent.
- 21 A member of the commission may also serve as a member of a plan
 22 commission in the region.
- 23 ~~(f) (e)~~ Members of the commission shall serve without salary but
 24 may be reimbursed for expenses incurred in the performance of their
 25 duties.
- 26 ~~(g) (f)~~ The respective appointing authorities shall certify their
 27 appointments, and the certification shall be retained as a part of the
 28 records of the commission.
- 29 ~~(h) (g)~~ If a vacancy occurs by resignation or otherwise, the
 30 respective appointing authority shall appoint a member for the
 31 unexpired term. Members shall be certified annually, and their terms
 32 expire on December 31 of each year.
- 33 SECTION 100. IC 36-7-7.6-4, AS AMENDED BY P.L.11-2023,
 34 SECTION 120, IS AMENDED TO READ AS FOLLOWS
 35 [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) The following members shall
 36 be appointed to the commission:
- 37 (1) A member of the county executive of each county described
 38 in section 1 of this chapter, to be appointed by the county
 39 executive.
- 40 (2) A member of the county fiscal body of each county described
 41 in section 1 of this chapter, to be appointed by the county fiscal
 42 body.



- 1 (3) The county surveyor of each county described in section 1 of
 2 this chapter.
- 3 (4) For a county having a population of not more than four
 4 hundred thousand (400,000), one (1) person appointed by the
 5 executive of each of the eleven (11) largest municipalities.
- 6 (5) For a county having a population of more than four hundred
 7 thousand (400,000) and less than seven hundred thousand
 8 (700,000), one (1) person appointed by the executive of each of
 9 the nineteen (19) largest municipalities.
- 10 (6) Beginning July 1, 2007, one (1) person appointed by the
 11 trustee of each township that:
- 12 (A) is located in a county described in section 1 of this
 13 chapter;
- 14 (B) has a population of at least eight thousand (8,000); and
 15 (C) does not contain a municipality.
- 16 ~~(b) One (1) voting member of the commission shall be appointed by~~
 17 ~~the governor. The member appointed under this subsection may not~~
 18 ~~vote in a weighted vote under section 9 of this chapter.~~
- 19 ~~(c) (b)~~ A member of the commission who is a county surveyor may
 20 not vote in a weighted vote under section 9 of this chapter.
- 21 SECTION 101. IC 36-7-7.6-10, AS AMENDED BY P.L.39-2007,
 22 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2024]: Sec. 10. (a) The commission shall elect from among its
 24 members, by the affirmative votes of a majority of the members serving
 25 on the commission, an executive board that consists of the following:
- 26 (1) The four (4) officers of the commission.
- 27 (2) Two (2) members of the commission from each county
 28 described in section 1 of this chapter.
- 29 ~~(3) The member of the commission appointed by the governor.~~
- 30 (b) If a vacancy occurs in a position on the executive board referred
 31 to in subsection (a)(2), a successor shall be elected from among the
 32 members in the same manner as the member whose position has been
 33 vacated.
- 34 (c) The executive board shall conduct the business of the
 35 commission, except for:
- 36 (1) the adoption and amendment of bylaws, rules, and procedures
 37 for the operation of the commission;
- 38 (2) the election of officers and members of the executive board as
 39 provided in this chapter; and
- 40 (3) the adoption of the annual appropriation budget after review
 41 by the executive board.
- 42 (d) The executive board shall meet regularly at least one (1) time



1 each month, unless otherwise determined by its members. The
 2 executive board shall notify the full membership of the commission of
 3 all its meetings with copies of its preliminary or final agendas and shall
 4 report all its actions and determinations to the full membership of the
 5 commission.

6 (e) A majority of members of the executive board constitutes a
 7 quorum. An action of the executive board is official only if it is
 8 authorized by an affirmative vote of a majority of the total number of
 9 members serving on the board at a regular or properly called special
 10 meeting. Any action of the executive board shall be reviewed at the
 11 next regular meeting of the commission following the executive board's
 12 action. Upon either:

13 (1) a decision by the majority of the board; or

14 (2) written request of a member of the commission;

15 an issue shall be brought to a vote of the full commission.

16 (f) If the immediate past chairperson is not serving as a member of
 17 the executive board under subsection (a), that individual shall be a
 18 nonvoting member of the executive board.

19 SECTION 102. IC 36-7-31-10, AS AMENDED BY P.L.109-2019,
 20 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2024]: Sec. 10. (a) A commission may establish as part of a
 22 professional sports development area any facility or complex of
 23 facilities described in this section. The tax area may include a facility
 24 or complex of facilities described in this section and any parcel of land
 25 on which the facility or complex of facilities is located. An area may
 26 contain noncontiguous tracts of land within the county.

27 (b) Before July 1, 2019, the tax area may include any facility or
 28 complex of facilities:

29 (1) that is used in the training of a team engaged in professional
 30 sporting events;

31 (2) that is:

32 (A) financed in whole or in part by:

33 (i) notes or bonds issued by a political subdivision or issued
 34 under IC 36-10-9 or IC 36-10-9.1; or

35 (ii) a lease or other agreement under IC 5-1-17 (**before its
 36 repeal**); and

37 (B) used to hold a professional sporting event; or

38 (3) that consists of a hotel, motel, or a multibrand complex of
 39 hotels and motels, with significant meeting space:

40 (A) located in an area in Indianapolis, Indiana, bounded on the
 41 east by Illinois Street, on the south by Maryland Street, and on
 42 the west and north by Washington Street, as those streets were



- 1 located on June 1, 2009;
- 2 (B) that provides:
- 3 (i) convenient accommodations for consideration to the
- 4 general public for periods of less than thirty (30) days,
- 5 especially for individuals attending professional sporting
- 6 events, conventions, or similar events in the capital
- 7 improvements that are owned, leased, or operated by the
- 8 capital improvement board; and
- 9 (ii) significant meeting and convention space that directly
- 10 enhances events held in the capital improvements that are
- 11 owned, leased, or operated by the capital improvement
- 12 board; and
- 13 (C) that enhances the convention opportunities for the capital
- 14 improvement board to hold events that:
- 15 (i) would not otherwise be possible; and
- 16 (ii) directly affect the success of both the facilities and
- 17 capital improvements that are owned, leased, or operated by
- 18 the capital improvement board.
- 19 (c) After June 30, 2019, and in addition to the tax area described in
- 20 subsection (b), the tax area may also include any facility or complex of
- 21 facilities:
- 22 (1) that consists of a hotel, motel, or a multibrand complex of
- 23 hotels located in an area in Indianapolis, Indiana:
- 24 (A) in the southeast quadrant of an area bounded on the east
- 25 by Pennsylvania Street, on the south by Georgia Street, on the
- 26 west by Meridian Street, and on the north by Maryland Street,
- 27 as those streets were located on July 1, 2019;
- 28 (B) bounded on the west by Capitol Avenue, on the south by
- 29 South Street, on the east by Meridian Street, and on the north
- 30 by Louisiana Street, as those streets were located on July 1,
- 31 2019;
- 32 (C) bounded on the west by Illinois Street, on the south by
- 33 Jackson Place, on the east by McCrea Street, and on the north
- 34 by Georgia Street, as those streets were located on July 1,
- 35 2019;
- 36 (D) bounded on the west by Capitol Avenue, on the south by
- 37 Washington Street, on the east by Illinois Street, and on the
- 38 north by Court Street, as those streets were located on July 1,
- 39 2019;
- 40 (E) bounded on the west by Illinois Street, on the south by
- 41 Washington Street, on the east by Meridian Street, and on the
- 42 north by Market Street, as those streets were located on July 1,



- 1 2019;
- 2 (F) bounded on the west by Capitol Avenue, on the south by
- 3 Market Street, on the east by Illinois Street, and on the north
- 4 by Wabash Street, as those streets were located on July 1,
- 5 2019;
- 6 (G) bounded on the west by Pierson Street, on the south by
- 7 Wabash Street, on the east by Meridian Street, and on the
- 8 north by Ohio Street, as those streets were located on July 1,
- 9 2019;
- 10 (H) in the south half of an area bounded on the west by
- 11 Delaware Street, on the south by South Street, on the east by
- 12 Alabama Street, and on the north by Maryland Street, as those
- 13 streets were located on July 1, 2019; or
- 14 (I) bounded on the west by Illinois Street, on the south by
- 15 Georgia Street, on the east by Meridian Street, and on the
- 16 north by Maryland Street, as those streets were located on July
- 17 1, 2019; and
- 18 (2) that provides convenient accommodations for consideration to
- 19 the general public for periods of less than thirty (30) days,
- 20 especially for individuals attending professional sporting events,
- 21 conventions, or similar events in the capital improvements that
- 22 are owned, leased, or operated by the capital improvement board.
- 23 (d) With respect to the site or future site of a facility or complex of
- 24 facilities described in subsections (b)(3) and (c), the general assembly
- 25 finds the following:
- 26 (1) That the facility or complex of facilities in the tax area
- 27 provides both convenient accommodations for professional
- 28 sporting events, conventions, or similar events and significant
- 29 meeting and convention space that directly enhance events held
- 30 in the capital improvements that are owned, leased, or operated by
- 31 the capital improvement board.
- 32 (2) That the facility or complex of facilities in the tax area and the
- 33 capital improvements that are owned, leased, or operated by the
- 34 capital improvement board are integrally related to enhancing the
- 35 convention opportunities that directly affect the success of both
- 36 the facilities and capital improvements.
- 37 (3) That the facility or complex of facilities in the tax area
- 38 provides the opportunity for the capital improvement board to
- 39 hold events that would not otherwise be possible.
- 40 (4) That the facility or complex of facilities in the tax area
- 41 protects or increases state and local tax bases and tax revenues.
- 42 SECTION 103. IC 36-7-31-11, AS AMENDED BY P.L.109-2019,



1 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 2024]: Sec. 11. (a) A tax area must be initially established
 3 before July 1, 1999, according to the procedures set forth for the
 4 establishment of an economic development area under IC 36-7-15.1.
 5 A tax area may be changed (including to the exclusion or inclusion of
 6 a facility described in this chapter) or the terms governing the tax area
 7 may be revised in the same manner as the establishment of the initial
 8 tax area. However, a tax area may be changed as follows:

9 (1) After May 14, 2005, a tax area may be changed to include the
 10 site or future site of a facility that is or will be the subject of a
 11 lease or other agreement entered into between the capital
 12 improvement board and the Indiana ~~stadium and convention~~
 13 ~~building finance~~ authority or any state agency under
 14 ~~IC 5-1-17-26~~. **IC 5-1.2-17-24.**

15 (2) A tax area may be changed to include the site or future site of
 16 a facility or complex of facilities described in section 10(b)(3) and
 17 10(c) of this chapter.

18 (3) The terms governing a tax area may be revised only with
 19 respect to a facility or complex of facilities described in
 20 subdivision (1) or (2).

21 (b) In establishing or changing the tax area or revising the terms
 22 governing the tax area, the commission must do the following:

23 (1) With respect to a tax area change described in subsection
 24 (a)(1), the commission must make the following findings instead
 25 of the findings required for the establishment of economic
 26 development areas:

27 (A) That a project to be undertaken or that has been
 28 undertaken in the tax area is for a facility at which a
 29 professional sporting event or a convention or similar event
 30 will be held.

31 (B) That the project to be undertaken or that has been
 32 undertaken in the tax area will benefit the public health and
 33 welfare and will be of public utility and benefit.

34 (C) That the project to be undertaken or that has been
 35 undertaken in the tax area will protect or increase state and
 36 local tax bases and tax revenues.

37 (2) With respect to a tax area change described in subsection
 38 (a)(2), the commission must make the following findings instead
 39 of the findings required for the establishment of an economic
 40 development area:

41 (A) That the facility or complex of facilities in the tax area
 42 provides both convenient accommodations for professional



1 sporting events, conventions, or similar events and significant
 2 meeting and convention space that directly enhance events
 3 held in the capital improvements that are owned, leased, or
 4 operated by the capital improvement board.
 5 (B) That the facility or complex of facilities in the tax area and
 6 the capital improvements that are owned, leased, or operated
 7 by the capital improvement board are integrally related to
 8 enhancing the convention opportunities that directly affect the
 9 success of both the facilities and capital improvements.
 10 (C) That the facility or complex of facilities in the tax area
 11 provides the opportunity for the capital improvement board to
 12 hold events that would not otherwise be possible.
 13 (D) That the facility or complex of facilities in the tax area
 14 protects or increases state and local tax bases and tax
 15 revenues.
 16 (c) The tax area established by the commission under this chapter
 17 is a special taxing district authorized by the general assembly to enable
 18 the county to provide special benefits to taxpayers in the tax area by
 19 promoting economic development that is of public use and benefit.
 20 SECTION 104. IC 36-7-31-14.1, AS AMENDED BY P.L.109-2019,
 21 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2024]: Sec. 14.1. (a) The budget director appointed under
 23 IC 4-12-1-3 may determine that, commencing July 1, 2007, and
 24 terminating January 1, 2041, there may be captured in the tax area up
 25 to eleven million dollars (\$11,000,000) per year in addition to the up
 26 to five million dollars (\$5,000,000) of state revenue to be captured by
 27 the tax area under section 14 of this chapter for the professional sports
 28 development area fund and in addition to the state revenue to be
 29 captured by the part of the tax area covered by section 14.2 of this
 30 chapter for the sports and convention facilities operating fund.
 31 (b) The budget director's determination must specify that the
 32 termination date of the tax area for purposes of the collection of the
 33 additional revenue for the professional sports development area fund
 34 is extended to not later than January 1, 2041.
 35 (c) Following the budget director's determination, and commencing
 36 July 1, 2007, the maximum total amount of revenue captured by the tax
 37 area for state fiscal years ending before July 1, 2041, is sixteen million
 38 dollars (\$16,000,000) per year for the professional sports development
 39 area fund.
 40 (d) The additional revenue captured pursuant to a determination
 41 under subsection (a) shall be distributed to the capital improvement
 42 board or its designee. So long as there are any current or future



1 obligations owed by the capital improvement board to the Indiana
 2 ~~stadium and convention building finance~~ authority created by
 3 ~~IC 5-1-17~~ **under IC 5-1.2-17** or any state agency under a lease or
 4 another agreement entered into between the capital improvement board
 5 and the Indiana ~~stadium and convention building finance~~ authority or
 6 any state agency under ~~IC 5-1-17-26~~, **IC 5-1.2-17-24**, the capital
 7 improvement board or its designee shall deposit the additional revenue
 8 received under this subsection in a special fund, which may be used
 9 only for the payment of the obligations described in this subsection.

10 SECTION 105. IC 36-7-31-21, AS AMENDED BY P.L.109-2019,
 11 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2024]: Sec. 21. (a) Except as provided in section 14.1 of this
 13 chapter, the capital improvement board may use money distributed
 14 from the professional sports development area fund established by
 15 section 16(a) of this chapter only to construct and equip a capital
 16 improvement that is used for a professional sporting event, including
 17 the financing or refinancing of a capital improvement or the payment
 18 of lease payments for a capital improvement.

19 (b) The capital improvement board or its designee shall deposit the
 20 revenue received from the sports and convention facilities operating
 21 fund established by section 16(b) of this chapter in a special fund,
 22 which may be used only for paying usual and customary operating
 23 expenses with respect to the capital improvements that are owned,
 24 leased, or operated by the capital improvement board. The special fund
 25 may not be used for the payment of any current or future obligations
 26 owed by the capital improvement board to the Indiana ~~stadium and~~
 27 ~~convention building finance~~ authority created by ~~IC 5-1-17~~ **under**
 28 **IC 5-1.2-17** or any state agency under a lease or another agreement
 29 entered into between the capital improvement board and the Indiana
 30 ~~stadium and convention building finance~~ authority or any state agency
 31 under ~~IC 5-1-17-26~~. **IC 5-1.2-17-24**.

32 (c) Revenues available for deposit in the sports and convention
 33 facilities operating fund may be pledged to secure and provide for the
 34 payment of bond or lease obligations of the capital improvement board
 35 related to the construction or equipping of a capital improvement that
 36 is used for a professional sporting event or convention, including by a
 37 deposit or transfer of revenues into the capital improvement bond fund
 38 under IC 36-10-9-11.

39 SECTION 106. IC 36-10-9-6, AS AMENDED BY P.L.109-2019,
 40 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2024]: Sec. 6. The board may, acting under the title "capital
 42 improvement board of managers of _____ County", do the



- 1 following:
- 2 (1) Acquire by grant, purchase, gift, devise, lease, condemnation,
3 or otherwise, and hold, use, sell, lease, or dispose of, real and
4 personal property and all property rights and interests necessary
5 or convenient for the exercise of its powers under this chapter.
- 6 (2) Construct, reconstruct, repair, remodel, enlarge, extend, or add
7 to any capital improvement built or acquired by the board under
8 this chapter.
- 9 (3) Control and operate a capital improvement, including letting
10 concessions and leasing all or part of the capital improvement.
- 11 (4) Fix charges and establish rules governing the use of a capital
12 improvement.
- 13 (5) Accept gifts or contributions from individuals, corporations,
14 limited liability companies, partnerships, associations, trusts, or
15 political subdivisions, foundations, and funds, loans, or advances
16 on the terms that the board considers necessary or desirable from
17 the United States, the state, and any political subdivision or
18 department of either, including entering into and carrying out
19 contracts and agreements in connection with this subdivision.
- 20 (6) Exercise within and in the name of the county the power of
21 eminent domain under general statutes governing the exercise of
22 the power for a public purpose.
- 23 (7) Receive and collect money due for the use or leasing of a
24 capital improvement and from concessions and other contracts,
25 and expend the money for proper purposes.
- 26 (8) Receive excise taxes, income taxes, and ad valorem property
27 taxes and expend the money for operating expenses, payments of
28 principal or interest of bonds or notes issued under this chapter,
29 and for all or part of the cost of a capital improvement.
- 30 (9) Retain the services of architects, engineers, accountants,
31 attorneys, and consultants and hire employees upon terms and
32 conditions established by the board, so long as any employees or
33 members of the board authorized to receive, collect, and expend
34 money are covered by a fidelity bond, the amount of which shall
35 be fixed by the board. Funds may not be disbursed by an
36 employee or member of the board without prior specific approval
37 by the board.
- 38 (10) Provide coverage for its employees under IC 22-3 and
39 IC 22-4.
- 40 (11) Purchase public liability and other insurance considered
41 desirable.
- 42 (12) Subject to section 6.5 of this chapter, make and enter into all



1 contracts and agreements necessary or incidental to the
 2 performance of its duties and the execution of its powers under
 3 this chapter, including the enforcement of them.

4 (13) Sue and be sued in the name and style of "capital
 5 improvement board of managers of _____ County"
 6 (including the name of the county), service of process being had
 7 by leaving a copy at the board's office.

8 (14) Prepare and publish descriptive material and literature
 9 relating to the facilities and advantages of a capital improvement
 10 and do all other acts that the board considers necessary to
 11 promote and publicize the capital improvement, including the
 12 convention and visitor industry, and serve the commercial,
 13 industrial, and cultural interests of Indiana and its citizens. The
 14 board may assist, cooperate, and fund governmental, public, and
 15 private agencies and groups for these purposes.

16 (15) Enter into leases of capital improvements and sell or lease
 17 property under ~~IC 5-1-17~~ **IC 5-1.2-17** or IC 36-10-9.1.

18 **SECTION 107. [EFFECTIVE UPON PASSAGE] (a) The terms of**
 19 **all of the members serving on the advisory committee established**
 20 **under IC 4-23-7.2-21 expire June 30, 2024.**

21 **(b) This SECTION expires July 1, 2025.**

22 **SECTION 108. [EFFECTIVE UPON PASSAGE] (a) As used in**
 23 **this SECTION, "commission" means the Indiana commission for**
 24 **arts and humanities in education established under IC 4-23-12-1.**

25 **(b) As used in this SECTION, "department" means the**
 26 **department of education.**

27 **(c) On July 1, 2024, all agreements and liabilities of the**
 28 **commission are transferred to the department, as the successor**
 29 **agency.**

30 **(d) On July 1, 2024, all records and property of the commission,**
 31 **including appropriations and other funds under the control or**
 32 **supervision of the commission, are transferred to the department,**
 33 **as the successor agency.**

34 **(e) After July 1, 2024, any amounts owed to the commission**
 35 **before July 1, 2024, are considered to be owed to the department,**
 36 **as the successor agency.**

37 **(f) After July 1, 2024, a reference to the commission in a statute,**
 38 **rule, contract, lease, or other document is considered a reference**
 39 **to the department, as the successor agency.**

40 **(g) All powers, duties, agreements, and liabilities of the**
 41 **commission with respect to bonds issued by the commission in**
 42 **connection with any trust agreement or indenture securing those**



1 bonds are transferred to the department, as the successor agency.
2 The rights of the trustee under any trust agreement or indenture
3 and the rights of the bondholders of the commission remain
4 unchanged, although the powers, duties, agreements, and liabilities
5 of the commission have been transferred to the department, as the
6 successor agency.

7 (h) The terms of all members serving on the commission expire
8 June 30, 2024.

9 (i) This SECTION expires July 1, 2025.

10 SECTION 109. [EFFECTIVE UPON PASSAGE] (a) As used in
11 this SECTION, "board" means the board for the coordination of
12 programs serving vulnerable individuals established under
13 IC 4-23-30.2.

14 (b) As used in this SECTION, "commission" means the civil
15 rights commission established under IC 22-9-1-4.

16 (c) On July 1, 2024, all agreements and liabilities of the board
17 are transferred to the commission, as the successor.

18 (d) On July 1, 2024, all records and property of the board,
19 including appropriations and other funds under the control or
20 supervision of the board, are transferred to the commission, as the
21 successor.

22 (e) After July 1, 2024, any amounts owed to the board before
23 July 1, 2024, are considered to be owed to the commission, as the
24 successor. The commission shall transfer any amounts received
25 under this subsection to the state comptroller for deposit in the
26 state general fund.

27 (f) After July 1, 2024, a reference to the board in a statute, rule,
28 or other document is considered a reference to the commission, as
29 the successor.

30 (g) All powers, duties, agreements, and liabilities of the board
31 with respect to bonds issued by the board in connection with any
32 trust agreement or indenture securing those bonds are transferred
33 to the commission, as the successor. The rights of the trustee under
34 any trust agreement or indenture and the rights of the bondholders
35 of the board remain unchanged, although the powers, duties,
36 agreements, and liabilities of the board have been transferred to
37 the commission, as the successor.

38 (h) The terms of all members serving on the board expire June
39 30, 2024.

40 (i) The director and employees of the board on June 30, 2024,
41 become employees of the commission on July 1, 2024, without
42 change in compensation, seniority, or benefits and are entitled to



1 have their service under the board included for purposes of
2 computing any applicable employment and retirement benefits.
3 The director and employees described in this subsection are
4 appointed by operation of law under IC 22-9-13-7, as added by this
5 act.

6 (j) This SECTION expires July 1, 2025.
7 SECTION 110. [EFFECTIVE UPON PASSAGE] (a) As used in
8 this SECTION, "finance authority" means the Indiana finance
9 authority.

10 (b) As used in this SECTION, "stadium building entity" means
11 the Indiana stadium and convention building authority established
12 under IC 5-1-17.

13 (c) On July 1, 2024, all agreements and liabilities of the stadium
14 building entity are transferred to the finance authority, as the
15 successor.

16 (d) On July 1, 2024, all records and property of the stadium
17 building entity, including appropriations and other funds under the
18 control or supervision of the stadium building entity, are
19 transferred to the finance authority, as the successor.

20 (e) After July 1, 2024, any amounts owed to the stadium
21 building entity before July 1, 2024, are considered to be owed to
22 the finance authority, as the successor.

23 (f) After July 1, 2024, a reference to the stadium building entity
24 in a statute, rule, contract, lease, or other document is considered
25 a reference to the finance authority, as the successor.

26 (g) All powers, duties, agreements, and liabilities of the stadium
27 building entity with respect to bonds issued by the stadium
28 building entity in connection with any trust agreement or
29 indenture securing those bonds are transferred to the finance
30 authority, as the successor. The rights of the trustee under any
31 trust agreement or indenture and the rights of the bondholders of
32 the stadium building entity remain unchanged, although the
33 powers, duties, agreements, and liabilities of the stadium building
34 entity have been transferred to the finance authority, as the
35 successor.

36 (h) The terms of all members serving on the board of directors
37 of the stadium building entity expire June 30, 2024.

38 (i) Employees of the stadium building entity on June 30, 2024,
39 become employees of the finance authority on July 1, 2024, without
40 change in compensation, seniority, or benefits and are entitled to
41 have their service under the stadium building entity included for
42 purposes of computing any applicable employment and retirement



1 benefits.

2 (j) This SECTION expires July 1, 2025.

3 SECTION 111. [EFFECTIVE UPON PASSAGE] (a) As used in
4 this SECTION, "commission" means the law enforcement
5 academy building commission established under IC 5-2-2-1.

6 (b) As used in this SECTION, "department" means the state
7 police department.

8 (c) On July 1, 2024, all agreements and liabilities of the
9 commission are transferred to the department, as the successor
10 agency.

11 (d) On July 1, 2024, all records and property of the commission,
12 including appropriations and other funds under the control or
13 supervision of the commission, are transferred to the department,
14 as the successor agency.

15 (e) After July 1, 2024, any amounts owed to the commission
16 before July 1, 2024, are considered to be owed to the department,
17 as the successor agency.

18 (f) After July 1, 2024, a reference to the commission in a statute,
19 rule, contract, lease, or other document is considered a reference
20 to the department, as the successor agency.

21 (g) All powers, duties, agreements, and liabilities of the
22 commission with respect to bonds issued by the commission in
23 connection with any trust agreement or indenture securing those
24 bonds are transferred to the department, as the successor agency.
25 The rights of the trustee under any trust agreement or indenture
26 and the rights of the bondholders of the commission remain
27 unchanged, although the powers, duties, agreements, and liabilities
28 of the commission have been transferred to the department, as the
29 successor agency.

30 (h) The terms of all members serving on the commission expire
31 June 30, 2024.

32 (i) This SECTION expires July 1, 2025.

33 SECTION 112. [EFFECTIVE UPON PASSAGE] (a) As used in
34 this SECTION, "board" means the standardbred advisory board
35 established under IC 15-19-2.

36 (b) As used in this SECTION, "committee" means a breed
37 development advisory committee established under IC 4-31-11
38 before July 1, 2024.

39 (c) As used in this SECTION, "commission" means the Indiana
40 horse racing commission.

41 (d) As used in this SECTION, "development committee" means
42 the breed development advisory committee established after June



1 30, 2024, under IC 4-31-11-3, as amended by this act.

2 (e) As used in this SECTION, "separate breed fund" means a
3 separate breed development fund established under IC 4-31-11-10
4 before July 1, 2024.

5 (f) As used in this SECTION, "standardbred fund" means the
6 standardbred horse fund established under IC 15-19-2-10 before
7 July 1, 2024.

8 (g) As used in this SECTION, "development fund" means the
9 breed development fund established under IC 4-31-11-10.5, as
10 added by this act.

11 (h) On July 1, 2024, all agreements and liabilities of a committee
12 or the board are transferred to the development committee, as the
13 successor.

14 (i) On July 1, 2024, all records and property of a committee or
15 the board, including appropriations and other funds under the
16 control or supervision of a committee or the board, are transferred
17 to the development committee, as the successor.

18 (j) After July 1, 2024, any amounts owed to a committee or the
19 board before July 1, 2024, are considered to be owed to the
20 development committee, as the successor. The commission shall
21 transfer any amounts received under this subsection to the
22 development fund.

23 (k) After July 1, 2024, a reference to a committee or the board
24 in a statute, rule, or other document is considered a reference to
25 the development committee, as the successor.

26 (l) All powers, duties, agreements, and liabilities of a committee
27 or the board with respect to bonds issued by a committee or the
28 board in connection with any trust agreement or indenture
29 securing those bonds are transferred to the development
30 committee, as the successor. The rights of the trustee under any
31 trust agreement or indenture and the rights of the bondholders of
32 a committee or the board remain unchanged, although the powers,
33 duties, agreements, and liabilities of a committee or the board have
34 been transferred to the development committee, as the successor.

35 (m) The terms of all members serving on a committee or the
36 board expire June 30, 2024.

37 (n) On July 1, 2024, the commission shall transfer any amounts
38 that remain in the standardbred fund or a separate breed fund to
39 the development fund.

40 (o) This SECTION expires July 1, 2025.

41 SECTION 113. [EFFECTIVE UPON PASSAGE] (a) As used in
42 this SECTION, "commission" means the Lewis and Clark



1 expedition commission established under IC 14-20-15-3 (before its
2 repeal by this act).

3 (b) As used in this SECTION, "department" means the
4 department of natural resources.

5 (c) On July 1, 2024, all agreements and liabilities of the
6 commission are transferred to the department, as the successor
7 agency.

8 (d) Except as provided in subsection (e), on July 1, 2024, all
9 records and property of the commission, including appropriations
10 and other funds under the control or supervision of the
11 commission, are transferred to the department, as the successor
12 agency.

13 (e) On July 1, 2024, the state comptroller shall transfer the
14 balance that remains on June 30, 2024, in the Lewis and Clark
15 expedition fund to the state general fund.

16 (f) After July 1, 2024, any amounts owed to the commission
17 before July 1, 2024, are considered to be owed to the department,
18 as the successor agency. The department shall transfer any
19 amounts received under this subsection to the state comptroller for
20 deposit in the state general fund.

21 (g) After July 1, 2024, a reference to the commission in a statute,
22 rule, or other document is considered a reference to the
23 department, as the successor agency.

24 (h) All powers, duties, agreements, and liabilities of the
25 commission with respect to bonds issued by the commission in
26 connection with any trust agreement or indenture securing those
27 bonds are transferred to the department, as the successor agency.
28 The rights of the trustee under any trust agreement or indenture
29 and the rights of the bondholders of the commission remain
30 unchanged, although the powers, duties, agreements, and liabilities
31 of the commission have been transferred to the department, as the
32 successor agency.

33 (i) The terms of all of the members serving on the commission
34 under IC 14-20-15 expire June 30, 2024.

35 (j) The terms of all of the members serving on the citizen
36 advisory board under IC 14-20-15-12 expire June 30, 2024.

37 (k) This SECTION expires July 1, 2025.

38 SECTION 114. [EFFECTIVE UPON PASSAGE] (a) As used in
39 this SECTION, "council" means the advisory council established
40 under IC 14-9-6.

41 (b) As used in this SECTION, "department" means the
42 department of natural resources.



1 (c) On July 1, 2024, all agreements and liabilities of the council
2 are transferred to the department, as the successor agency.

3 (d) On July 1, 2024, all records and property of the council,
4 including appropriations and other funds under the control or
5 supervision of the council, are transferred to the department, as
6 the successor agency.

7 (e) After July 1, 2024, any amounts owed to the council before
8 July 1, 2024, are considered to be owed to the department, as the
9 successor agency. The department shall transfer any amounts
10 received under this subsection to the state comptroller for deposit
11 in the state general fund.

12 (f) After July 1, 2024, a reference to the council in a statute,
13 rule, or other document is considered a reference to the
14 department, as the successor agency.

15 (g) All powers, duties, agreements, and liabilities of the council
16 with respect to bonds issued by the council in connection with any
17 trust agreement or indenture securing those bonds are transferred
18 to the department, as the successor agency. The rights of the
19 trustee under any trust agreement or indenture and the rights of
20 the bondholders of the council remain unchanged, although the
21 powers, duties, agreements, and liabilities of the council have been
22 transferred to the department, as the successor agency.

23 (h) The terms of all members serving on the council expire June
24 30, 2024.

25 (i) This SECTION expires July 1, 2025.

26 SECTION 115. [EFFECTIVE UPON PASSAGE] (a) The terms of
27 all members serving on the committee of hearing aid dealer
28 examiners established under IC 25-20-1-1.5 expire June 30, 2024.

29 (b) This SECTION expires July 1, 2025.

30 SECTION 116. An emergency is declared for this act.

