

# HOUSE BILL No. 1457(ss)

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-4-38-7; IC 5-28-30-5; IC 6-6-4.1; IC 16-29-7; IC 20-20-8-8; IC 20-24-5-5; IC 20-28-9-1.5; IC 20-30-10-5; IC 21-12-6-7; IC 25-23.6-5-3.5; IC 29-1-6-2; IC 33-42-9-10; IC 34-24-1-1; IC 35-42-1-1; IC 35-45-4-3.

**Synopsis:** Technical corrections. Makes corrections to certain statutes amended or added to the Indiana Code in 2018. Reconciles certain statutes amended by the following combinations of 2018 bills: (1) HEA 1374 and HEA 1065. (2) HEA 1356, HEA 1426, and HEA 1314. (3) HEA 1003 and HEA 1426. (4) SEA 387 and HEA 1420. (5) HEA 1420 and HEA 1426. (6) HEA 1074 and HEA 1420. (7) SEA 224 and HEA 1007. (8) HEA 1031 and SEA 247. (9) HEA 1270 and HEA 1359. (10) HEA 1270 and SEA 203. Specifies the general assembly's intent to repeal the affected statute in resolving repeal/amend conflicts involving the following combinations of 2018 bills: (1) HEA 1003, HEA 1288, and HEA 1262. (2) HEA 1065 and HEA 1374. Specifies that the general assembly intends for IC 8-1-30.7, IC 22-4.5-9, and IC 33-38-15 to expire as provided by current law notwithstanding the amendments to certain statutes within those chapters made by HEA 1374, HEA 1003, and SEA 238, respectively.

**Effective:** Upon passage; July 1, 2018; July 1, 2019.

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## Steuerwald

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Rules Suspended, May 14, 2018, read first time.

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Introduced

Special Session 120th General Assembly (2018)(ss)

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 2018 Regular Session of the General Assembly.

## HOUSE BILL No. 1457(ss)

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

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

1 SECTION 1. IC 4-4-38-7, AS ADDED BY P.L.177-2018,  
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2018]: Sec. 7. (a) Subject to:  
4 (1) subsection (b);  
5 (2) section 8 of this chapter; and  
6 (3) IC 4-4-9.7-9(f);  
7 the office shall establish procedures for awarding grants from the rural  
8 economic development fund established by IC 4-4-9.7-9 to qualified  
9 broadband providers for qualified broadband project expenses incurred  
10 in connection with qualified broadband projects.  
11 (b) In awarding grants under this chapter, the office shall establish  
12 the following priorities:  
13 (1) First, extending the deployment of qualified broadband service  
14 to areas in which:  
15 (A) Internet connections are unavailable; or  
16 (B) the only available Internet connections provide capacity  
17 for transmission at an ~~average~~ **actual** speed of less than ten

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- 1 (10) megabits per second downstream.
- 2 (2) Second, extending the deployment of high speed Internet
- 3 service to areas in which the only available Internet connections
- 4 provide capacity for transmission at an ~~average~~ **actual** speed of:
- 5 (A) not less than ten (10) megabits; and
- 6 (B) not more than twenty-five (25) megabits;
- 7 per second downstream.
- 8 (c) Subject to section 11 of this chapter, the office shall publish on
- 9 the office's Internet web site all grant applications received by the
- 10 office under this chapter. For each grant application received, the office
- 11 shall establish a period of at least thirty (30) days from the date the
- 12 application is published on the office's Internet web site under this
- 13 subsection, during which time the office will accept comments or
- 14 objections concerning the application. The office shall consider all
- 15 comments or objections received under this subsection in making a
- 16 determination as to whether to award a grant to an applicant under this
- 17 chapter.
- 18 SECTION 2. IC 5-28-30-5, AS AMENDED BY P.L.177-2018,
- 19 SECTION 8, AND AS AMENDED BY P.L.189-2018, SECTION 50,
- 20 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
- 21 [EFFECTIVE JULY 1, 2018]: Sec. 5. As used in this chapter,
- 22 "industrial development project" includes the acquisition of land,
- 23 interests in land, site improvements, infrastructure improvements
- 24 (including information and high technology infrastructure (as defined
- 25 in IC 5-28-9-4)), buildings, or structures, rehabilitation, renovation, and
- 26 enlargement of buildings and structures, machinery, equipment,
- 27 furnishings, or facilities (or any combination of these), comprising or
- 28 being functionally related and subordinate to any of the following:
- 29 ~~(1)~~ *A pollution control facility (as defined in IC 4-4-10.9-24).*
- 30 ~~(2)~~ (1) A manufacturing enterprise.
- 31 ~~(3)~~ (2) A business service enterprise involved in:
- 32 (A) computer and data processing services; or
- 33 (B) commercial testing services.
- 34 ~~(4)~~ (3) A business enterprise the primary purpose of which is the
- 35 operation of an education and permanent marketing center for
- 36 manufacturers and distributors of robotic and flexible automation
- 37 equipment.
- 38 ~~(5)~~ (4) Any other business enterprise, if the use of the guaranty
- 39 program creates a reasonable probability that the effect on Indiana
- 40 employment will be creation or retention of at least fifty (50) jobs.
- 41 ~~(6)~~ (5) An agricultural enterprise in which:
- 42 (A) the enterprise operates under a producer or growout



1 agreement; and  
 2 (B) the output of the enterprise is processed predominantly in  
 3 Indiana.  
 4 ~~(7)~~ (6) A business enterprise that is required by a state, federal, or  
 5 local regulatory agency to make capital expenditures to remedy a  
 6 violation of a state or federal law or a local ordinance.  
 7 ~~(8)~~ (7) A recycling market development project.  
 8 ~~(9)~~ (8) A high growth company with high skilled jobs.  
 9 SECTION 3. IC 6-6-4.1-20, AS AMENDED BY P.L.185-2018,  
 10 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2018]: Sec. 20. A person subject to the taxes imposed under  
 12 section 4 of this chapter, **section 4.3 of this chapter (before its**  
 13 **repeal)**, and section 4.5 of this chapter (before its repeal) who fails to  
 14 keep the books and records as required by IC 6-8.1-5 is subject to the  
 15 penalty imposed under IC 6-8.1-10-4.  
 16 SECTION 4. IC 6-6-4.1-21, AS AMENDED BY P.L.185-2018,  
 17 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2018]: Sec. 21. A carrier subject to the taxes imposed under  
 19 section 4 of this chapter, **section 4.3 of this chapter (before its**  
 20 **repeal)**, and section 4.5 of this chapter (before its repeal) who fails to  
 21 file a quarterly report as required by section 10 of this chapter shall pay  
 22 a civil penalty of three hundred dollars (\$300) for each report that is  
 23 not filed.  
 24 SECTION 5. IC 16-29-7-4, AS ADDED BY P.L.202-2018,  
 25 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2018]: Sec. 4. (a) As used in this chapter, "total  
 27 comprehensive care bed days available at comprehensive care health  
 28 facilities" refers to the sum of:  
 29 (1) all licensed comprehensive care beds at comprehensive care  
 30 health facilities in the state that filed a Medicaid cost report;  
 31 **including plus**  
 32 (2) **all licensed comprehensive care beds at** comprehensive care  
 33 health facilities in the state that only filed a Medicare cost report;  
 34 in a reporting year.  
 35 (b) The reporting year for each comprehensive care health facility  
 36 must:  
 37 (1) correspond to the same cost report year as the year used to  
 38 determine the total statewide inpatient days; and  
 39 (2) include only the number of calendar days that the  
 40 comprehensive care health facility was authorized to provide care  
 41 and was providing services.  
 42 (c) The term does not include comprehensive care beds in a hospital



- 1 licensed under IC 16-21-2.
- 2 SECTION 6. IC 16-29-7-5, AS ADDED BY P.L.202-2018,  
3 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2018]: Sec. 5. As used in this chapter, "total statewide  
5 inpatient days" means the sum of:
- 6 **(1) the inpatient days for all payor sources for all comprehensive**  
7 **care health facilities that filed a Medicaid cost report; ~~including~~**  
8 **plus**  
9 **(2) the inpatient days for all payor sources for all**  
10 **comprehensive care health facilities that only file a ~~Medicaid~~**  
11 **Medicare cost report;**  
12 for the cost report year two (2) years prior to the year in which a county  
13 comprehensive care bed need is published for a review period.
- 14 SECTION 7. IC 20-20-8-8, AS AMENDED BY P.L.83-2018,  
15 SECTION 1, AS AMENDED BY P.L.186-2018, SECTION 4, AND  
16 AS AMENDED BY P.L.192-2018, SECTION 6, IS CORRECTED  
17 AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
18 2018]: Sec. 8. (a) The report must include the following information:
- 19 (1) Student enrollment.
- 20 (2) Graduation rate (as defined in IC 20-26-13-6) and the  
21 graduation rate excluding students that receive a graduation  
22 waiver under IC 20-32-4-4 *or IC 20-32-4-4.1*.
- 23 (3) Attendance rate.
- 24 (4) The following test scores, including the number and  
25 percentage of students meeting academic standards:
- 26 (A) All state standardized assessment scores.
- 27 (B) Scores for assessments under IC 20-32-5-21 (before its  
28 expiration on July 1, 2018), if appropriate.
- 29 (C) For a freeway school, scores on a locally adopted  
30 assessment program, if appropriate.
- 31 (5) Average class size.
- 32 (6) The school's performance category or designation of school  
33 improvement assigned under IC 20-31-8.
- 34 (7) The number and percentage of students in the following  
35 groups or programs:
- 36 (A) Alternative education, if offered.
- 37 (B) Career and technical education.
- 38 (C) Special education.
- 39 (D) High ability.
- 40 (E) Limited English language proficiency.
- 41 (F) Students receiving free or reduced price lunch under the  
42 national school lunch program.



- 1                   (G) *Students in foster care.*
- 2           (8) Advanced placement, including the following:
- 3           (A) For advanced placement tests, the percentage of students:
- 4           (i) scoring three (3), four (4), and five (5); and
- 5           (ii) taking the test.
- 6           (B) For the Scholastic Aptitude Test:
- 7           (i) the average test scores for all students taking the test;
- 8           (ii) the average test scores for students completing the
- 9           *Indiana diploma with a Core 40 with academic honors*
- 10           *diploma designation* program; and
- 11           (iii) the percentage of students taking the test.
- 12           (9) Course completion, including the number and percentage of
- 13           students completing the following programs:
- 14           (A) Academic honors *diploma: curriculum.*
- 15           (B) Core 40 curriculum.
- 16           (C) Career and technical programs.
- 17           (10) The percentage of graduates considered college and career
- 18           ready in a manner prescribed by the state board.
- 19           (11) School safety, including:
- 20           (A) the number of students receiving suspension or expulsion
- 21           for the possession of alcohol, drugs, or weapons; *and*
- 22           (B) the number of incidents reported under IC 20-33-9. *and*
- 23           ~~(C) the number of bullying incidents reported under~~
- 24           ~~IC 20-34-6 by category.~~
- 25           (12) Financial information and various school cost factors
- 26           required to be provided to the office of management and budget
- 27           under IC 20-42.5-3-5.
- 28           (13) The number and percentage of each of the following within
- 29           the school corporation:
- 30           (A) Teachers who are certificated employees (as defined in
- 31           IC 20-29-2-4).
- 32           (B) Teachers who teach the subject area for which the teacher
- 33           is certified and holds a license.
- 34           (C) Teachers with national board certification.
- 35           (14) The percentage of grade 3 students reading at grade 3 level.
- 36           (15) The number of students expelled, including the percentage
- 37           of students expelled *disaggregated* by race, grade, gender, free or
- 38           reduced price lunch status, *and* eligibility for special education,
- 39           *and students in foster care.*
- 40           (16) Chronic absenteeism, which includes the number of students
- 41           who have been absent from school for ten percent (10%) or more
- 42           of a school year for any reason.



1 (17) Habitual truancy, which includes the number of students who  
 2 have been absent ten (10) days or more from school within a  
 3 school year without being excused or without being absent under  
 4 a parental request that has been filed with the school.

5 (18) The number of students who have dropped out of school,  
 6 including the:

7 (A) reasons for dropping out; ~~including the and~~

8 (B) percentage of students who have dropped out,  
 9 *disaggregated* by race, grade, gender, free or reduced price  
 10 lunch status, ~~and~~ eligibility for special education, *and students*  
 11 *in foster care.*

12 (19) The number of out of school suspensions assigned, including  
 13 the percentage of students suspended *disaggregated* by race,  
 14 grade, gender, free or reduced price lunch status, ~~and~~ eligibility  
 15 for special education, *and students in foster care.*

16 (20) The number of in school suspensions assigned, including the  
 17 percentage of students suspended *disaggregated* by race, grade,  
 18 gender, free or reduced price lunch status, ~~and~~ eligibility for  
 19 special education, *and students in foster care.*

20 (21) The number of student work permits revoked.

21 (22) The number of students receiving an international  
 22 baccalaureate diploma.

23 (b) Section 3(a) of this chapter does not apply to the publication of  
 24 information required under this subsection. This subsection applies to  
 25 schools, including charter schools, located in a county having a  
 26 consolidated city, including schools located in excluded cities (as  
 27 defined in IC 36-3-1-7). A separate report including the information  
 28 reported under subsection (a) must be:

29 (1) disaggregated by race, grade, gender, free or reduced price  
 30 lunch status, ~~and~~ eligibility for special education, *and students in*  
 31 *foster care; and must be*

32 (2) made available on the Internet as provided in section 3(b) of  
 33 this chapter.

34 SECTION 8. IC 20-24-5-5, AS AMENDED BY P.L.130-2018,  
 35 SECTION 87, AND AS AMENDED BY P.L.192-2018, SECTION 8,  
 36 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 37 [EFFECTIVE JULY 1, 2018]: Sec. 5. (a) Except as provided in  
 38 subsections (b), (c), (d), (e), and (f), a charter school must enroll any  
 39 eligible student who submits a timely application for enrollment.

40 (b) This subsection applies if the number of applications for a  
 41 program, class, grade level, or building exceeds the capacity of the  
 42 program, class, grade level, or building. If a charter school receives a



1 greater number of applications than there are spaces for students, each  
 2 timely applicant must be given an equal chance of admission. The  
 3 organizer must determine which of the applicants will be admitted to  
 4 the charter school or the program, class, grade level, or building by  
 5 random drawing in a public meeting, with each timely applicant limited  
 6 to one (1) entry in the drawing. However, the organizer of a charter  
 7 school located in a county with a consolidated city shall determine  
 8 which of the applicants will be admitted to the charter school or the  
 9 program, class, grade level, or building by using a publicly verifiable  
 10 random selection process.

11 (c) A charter school may limit new admissions to the charter school  
 12 to:

13 (1) ensure that a student who attends the charter school during a  
 14 school year may continue to attend the charter school in  
 15 subsequent years;

16 (2) ensure that a student who attends a charter school during a  
 17 school year may continue to attend a different charter school held  
 18 by the same organizer in subsequent years;

19 (3) allow the siblings of a student who attends a charter school or  
 20 a charter school held by the same organizer to attend the same  
 21 charter school the student is attending; *and*

22 (4) allow preschool students who attend a Level 3 or Level 4  
 23 Paths to QUALITY program preschool to attend kindergarten at  
 24 a charter school if the charter school and the preschool provider  
 25 have entered into an agreement to share services or facilities; *and*

26 (5) *allow each student who qualifies for free or reduced price*  
 27 *lunch under the national school lunch program to receive*  
 28 *preference for admission to a charter school if the preference is*  
 29 *specifically provided for in the charter school's charter and is*  
 30 *approved by the authorizer.*

31 (d) This subsection applies to an existing school that converts to a  
 32 charter school under IC 20-24-11. During the school year in which the  
 33 existing school converts to a charter school, the charter school may  
 34 limit admission to:

35 (1) those students who were enrolled in the charter school on the  
 36 date of the conversion; and

37 (2) siblings of students described in subdivision (1).

38 (e) A charter school may give enrollment preference to children of  
 39 the charter school's founders, governing body members, and charter  
 40 school employees, as long as the enrollment preference under this  
 41 subsection is not given to more than ten percent (10%) of the charter  
 42 school's total population.





1 (f) A charter school may not suspend or expel a charter school  
 2 student or otherwise request a charter school student to transfer to  
 3 another school on the basis of the following:

- 4 (1) Disability.  
 5 (2) Race.  
 6 (3) Color.  
 7 (4) Gender.  
 8 (5) National origin.  
 9 (6) Religion.  
 10 (7) Ancestry.

11 A charter school student may be expelled or suspended only in a  
 12 manner consistent with discipline rules established under IC 20-24-5.5.

13 SECTION 9. IC 20-28-9-1.5, AS AMENDED BY P.L.170-2018,  
 14 SECTION 4, AND AS AMENDED BY P.L.191-2018, SECTION 11,  
 15 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 16 [EFFECTIVE JULY 1, 2018]: Sec. 1.5. (a) This subsection governs  
 17 salary increases for a teacher employed by a school corporation.  
 18 Compensation attributable to additional degrees or graduate credits  
 19 earned before the effective date of a local compensation plan created  
 20 under this chapter before July 1, 2015, shall continue for school years  
 21 beginning after June 30, 2015. Compensation attributable to additional  
 22 degrees for which a teacher has started course work before July 1,  
 23 2011, and completed course work before September 2, 2014, shall also  
 24 continue for school years beginning after June 30, 2015. For school  
 25 years beginning after June 30, 2015, a school corporation may provide  
 26 a supplemental payment to a teacher in excess of the salary specified  
 27 in the school corporation's compensation plan *if under any of the*  
 28 *following circumstances:*

- 29 (1) The teacher:  
 30 (A) teaches an advanced placement course **or** a *Cambridge*  
 31 *International course*; or  
 32 (B) has earned a master's degree from an accredited  
 33 postsecondary educational institution in a content area directly  
 34 related to the subject matter of:  
 35 ~~(1)~~ (i) a dual credit course; or  
 36 ~~(2)~~ (ii) another course;  
 37 taught by the teacher.  
 38 (2) *Beginning after June 30, 2018, the teacher:*  
 39 (A) *is a special education professional; or*  
 40 (B) *teaches in the areas of science, technology, engineering,*  
 41 *or mathematics.*

42 In addition, a supplemental payment may be made to an elementary



1 school teacher who earns a master's degree in *math or reading and*  
 2 *math, reading, or literacy*. A supplement provided under this  
 3 subsection is not subject to collective bargaining, but a discussion of  
 4 the supplement must be held. Such a supplement is in addition to any  
 5 increase permitted under subsection (b).

6 (b) Increases or increments in a local salary range must be based  
 7 upon a combination of the following factors:

8 (1) A combination of the following factors taken together may  
 9 account for not more than thirty-three and one-third percent  
 10 (33.33%) of the calculation used to determine a teacher's increase  
 11 or increment:

12 (A) The number of years of a teacher's experience.

13 (B) The possession of either:

14 (i) additional content area degrees beyond the requirements  
 15 for employment; or

16 (ii) additional content area degrees and credit hours beyond  
 17 the requirements for employment, if required under an  
 18 agreement bargained under IC 20-29.

19 (2) The results of an evaluation conducted under IC 20-28-11.5.

20 (3) The assignment of instructional leadership roles, including the  
 21 responsibility for conducting evaluations under IC 20-28-11.5.

22 (4) The academic needs of students in the school corporation.

23 (c) *To provide greater flexibility and options, a school corporation*  
 24 *may differentiate the amount of salary increases or increments*  
 25 *determined for teachers under subsection (b)(4). A school corporation*  
 26 *shall base a differentiated amount under this subsection on any*  
 27 *academic needs the school corporation determines are appropriate,*  
 28 *which may include the:*

29 (1) *subject or subjects, including the subjects described in*  
 30 *subsection (a)(2), taught by a given teacher;*

31 (2) *importance of retaining a given teacher at the school*  
 32 *corporation; and*

33 (3) *need to attract an individual with specific qualifications to fill*  
 34 *a teaching vacancy.*

35 (d) *A school corporation may provide differentiated increases or*  
 36 *increments under subsection (b), and in excess of the percentage*  
 37 *specified in subsection (b)(1), in order to reduce the gap between the*  
 38 *school corporation's minimum teacher salary and the average of the*  
 39 *school corporation's minimum and maximum teacher salaries.*

40 ~~(e)~~ (e) Except as provided in subsection ~~(d)~~, (f), a teacher rated  
 41 ineffective or improvement necessary under IC 20-28-11.5 may not  
 42 receive any raise or increment for the following year if the teacher's



1 employment contract is continued. The amount that would otherwise  
 2 have been allocated for the salary increase of teachers rated ineffective  
 3 or improvement necessary shall be allocated for compensation of all  
 4 teachers rated effective and highly effective based on the criteria in  
 5 subsection (b).

6 ~~(e)~~ (f) Subsection ~~(e)~~ (e) does not apply to a teacher in the first two  
 7 (2) full school years that the teacher provides instruction to students in  
 8 elementary school or high school. If a teacher provides instruction to  
 9 students in elementary school or high school in another state, any full  
 10 school year, or its equivalent in the other state, that the teacher provides  
 11 instruction counts toward the two (2) full school years under this  
 12 subsection.

13 ~~(e)~~ (g) A teacher who does not receive a raise or increment under  
 14 subsection ~~(e)~~ (e) may file a request with the superintendent or  
 15 superintendent's designee not later than five (5) days after receiving  
 16 notice that the teacher received a rating of ineffective. The teacher is  
 17 entitled to a private conference with the superintendent or  
 18 superintendent's designee.

19 ~~(f)~~ (h) The Indiana education employment relations board  
 20 established in IC 20-29-3-1 shall publish a model compensation plan  
 21 with a model salary range that a school corporation may adopt.

22 ~~(g)~~ (i) Each school corporation shall submit its local compensation  
 23 plan to the Indiana education employment relations board. For a school  
 24 year beginning after June 30, 2015, a local compensation plan must  
 25 specify the range for teacher salaries. The Indiana education  
 26 employment relations board shall publish the local compensation plans  
 27 on the Indiana education employment relations board's Internet web  
 28 site.

29 ~~(h)~~ (j) The Indiana education employment relations board shall  
 30 review a compensation plan for compliance with this section as part of  
 31 its review under IC 20-29-6-6.1. The Indiana education employment  
 32 relations board has jurisdiction to determine compliance of a  
 33 compensation plan submitted under this section.

34 ~~(i)~~ (k) This chapter may not be construed to require or allow a  
 35 school corporation to decrease the salary of any teacher below the  
 36 salary the teacher was earning on or before July 1, 2015, if that  
 37 decrease would be made solely to conform to the new compensation  
 38 plan.

39 ~~(j)~~ (l) After June 30, 2011, all rights, duties, or obligations  
 40 established under IC 20-28-9-1 before its repeal are considered rights,  
 41 duties, or obligations under this section.

42 SECTION 10. IC 20-30-10-5, AS AMENDED BY P.L.191-2018,



1 SECTION 15, AND AS AMENDED BY P.L.192-2018, SECTION 19,  
 2 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 3 [EFFECTIVE JULY 1, 2018]: Sec. 5. Notwithstanding any other law,  
 4 a high school may replace high school courses on the high school  
 5 transcript with dual credit courses (as defined in IC 21-43-1-2.5),  
 6 *Cambridge International courses*, or advanced placement courses on  
 7 the same subject matter with equal or greater rigor to the required high  
 8 school course and may count such a course as satisfying an *Indiana*  
 9 *diploma with a Core 40 with academic honors designation* or another  
 10 *special diploma designation* requirement. A dual credit course must be  
 11 authorized by an eligible institution (as described in IC 21-43-4-3.5)  
 12 that is a member of a national dual credit accreditation organization, or  
 13 the eligible institution must make assurances that the final assessment  
 14 for the course given for dual credit under this section is substantially  
 15 equivalent to the final assessment given in the college course in that  
 16 subject.

17 SECTION 11. IC 21-12-6-7, AS AMENDED BY P.L.178-2018,  
 18 SECTION 4, AND AS AMENDED BY P.L.191-2018, SECTION 23,  
 19 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 20 [EFFECTIVE JULY 1, 2018]: Sec. 7. (a) Subject to IC 21-12-13-2, a  
 21 scholarship awarded under section 6 of this chapter or this section may  
 22 be renewed. To qualify for a scholarship renewal, a scholarship  
 23 recipient must do the following:

24 (1) Submit to the commission a renewal application that contains  
 25 all the information and evidence required by the commission to  
 26 determine eligibility for the scholarship renewal.

27 (2) Continue to be enrolled as a full-time student in good standing  
 28 at an eligible institution.

29 (3) This subdivision applies only to applicants who initially enroll  
 30 in the program under section 5 of this chapter or IC 21-12-6.5-2  
 31 after June 30, 2011. For purposes of this chapter, applicants who  
 32 are enrolled in the program before July 1, 2011, will not have an  
 33 income or financial resources test applied to them when they  
 34 subsequently apply to renew a scholarship. Continue to have a  
 35 lack of financial resources reasonably available to the applicant,  
 36 as defined by the commission, that, in the absence of an award  
 37 under this chapter, would deter the scholarship applicant from  
 38 completing the applicant's education at the approved  
 39 postsecondary educational institution that the applicant has  
 40 selected and that has accepted the applicant.

41 (4) Maintain satisfactory academic progress, as determined by the  
 42 eligible institution.



1 (5) If the student initially enrolls in an eligible institution for an  
 2 academic year beginning after August 31, 2013, the student  
 3 successfully completes:

4 (A) at least thirty (30) credit hours or the equivalent by the  
 5 end of the student's first academic year;

6 (B) at least sixty (60) credit hours or the equivalent by the end  
 7 of the student's second academic year; and

8 (C) at least ninety (90) credit hours or the equivalent by the  
 9 end of the student's third academic year.

10 A student's academic years used to determine if the student meets  
 11 the requirements of this subdivision are not required to be  
 12 successive calendar years. A recipient who fails to meet the credit  
 13 hour requirement for a particular academic year becomes  
 14 ineligible for an award during the next academic year. The  
 15 recipient may become eligible for an award in subsequent  
 16 academic years if that recipient meets the aggregate credit hour  
 17 requirements commensurate with the recipient's academic  
 18 standing. In addition, the commission may allow a student who is  
 19 otherwise ineligible under this subdivision for an award during  
 20 the next academic year to maintain eligibility for an award if the  
 21 student submits a petition to the commission and the commission  
 22 makes a determination that extenuating circumstances (as  
 23 determined by the commission) prevented the student from  
 24 meeting the requirements of this subdivision. This subdivision  
 25 expires June 30, 2017.

26 (5) If the student initially enrolls in an eligible institution for an  
 27 academic year beginning after August 31, 2019, complete a  
 28 student success program designed by the commission in  
 29 coordination with eligible institutions.

30 (6) Beginning in an academic year beginning after August 31,  
 31 2017, the student successfully completes:

32 (A) at least thirty (30) credit hours or the equivalent during the  
 33 last academic year in which the student received state financial  
 34 aid; or

35 (B) at least thirty (30) credit hours or the equivalent during the  
 36 last academic year in which the student was enrolled in  
 37 postsecondary education.

38 (7) Continue to meet any other minimum criteria established by  
 39 the commission.

40 (b) In determining eligibility under subsection (a)(6), the  
 41 commission shall apply all the following types of credits regardless of  
 42 whether the credits were completed during the last academic year



1 described in subsection (a)(6)(A) or (a)(6)(B):

2 (1) Credits earned from dual credit, advanced placement,  
3 *Cambridge International*, and international baccalaureate courses.

4 (2) College credits earned during high school.

5 (3) Credits earned exceeding thirty (30) credit hours during a  
6 previous academic year in which a student received state financial  
7 aid.

8 (c) The commission may allow a student who is otherwise ineligible  
9 under subsection (a)(6) for an award during the next academic year to  
10 maintain eligibility for an award if the student submits a petition to the  
11 commission and the commission makes a determination that  
12 extenuating circumstances (as determined by the commission)  
13 prevented the student from meeting the requirements under subsection  
14 (a)(6).

15 SECTION 12. IC 25-23.6-5-3.5, AS AMENDED BY P.L.160-2018,  
16 SECTION 1, AND AS AMENDED BY P.L.195-2018, SECTION 11,  
17 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
18 [EFFECTIVE JULY 1, 2018]: Sec. 3.5. (a) The applicant for a license  
19 as a clinical social worker must have at least two (2) years of clinical  
20 social work experience after receiving a graduate degree in social work  
21 and under the supervision of a qualified supervisor as determined by  
22 the board.

23 (b) If an individual is obtaining the clinical social work experience  
24 described in subsection (a) in Indiana, the individual must be licensed  
25 as a social worker under section 1 of this chapter.

26 (c) A doctoral internship may be applied toward the supervised  
27 clinical social work experience requirement.

28 (d) Except as provided in subsection (e), the clinical social work  
29 experience requirement may be met by work performed at or away  
30 from the premises of the qualified supervisor.

31 (e) *Except as provided in subsection (g)*, the clinical social work  
32 requirement may not be performed away from the qualified supervisor's  
33 premises if:

34 (1) the work is the independent private practice of clinical social  
35 work; and

36 (2) the work is not performed at a place with the supervision of a  
37 qualified supervisor available.

38 (f) Any supervised clinical social work experience hours that an  
39 applicant accumulates under this chapter *after being licensed as a*  
40 *social worker under section 1 of this chapter* do not expire and may be  
41 used by the applicant to satisfy the supervised clinical social work  
42 experience requirements under this chapter.



1           (g) Up to fifty percent (50%) of the supervised clinical social work  
2 experience hours required under subsection (a) may be accounted for  
3 through virtual supervision by a qualified supervisor described in  
4 subsection (a).

5           (g)(h) After obtaining a temporary permit under section 11.5 of this  
6 chapter, any supervised clinical social work experience hours that an  
7 applicant accumulates under this chapter before the temporary permit  
8 expires may be used by the applicant to satisfy the supervised clinical  
9 social work experience requirements under this chapter during the  
10 following time after the applicant obtained the temporary permit:

11           (1) For not more than four (4) years.

12           (2) After the four (4) year period, if approved by the board.

13           SECTION 13. IC 29-1-6-2, AS AMENDED BY P.L.136-2018,  
14 SECTION 215, AND AS AMENDED BY P.L.163-2018, SECTION 4,  
15 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
16 [EFFECTIVE JULY 1, 2018]: Sec. 2. ~~If, in any will admitted to~~  
17 ~~probate in any of the courts of this state, there is a provision or~~  
18 ~~provisions providing that if any beneficiary under the will shall take~~  
19 ~~any proceeding to contest such will or to prevent the admission of the~~  
20 ~~will to probate, or provisions to that effect, such beneficiary shall~~  
21 ~~thereby forfeit any benefit which said will made for said beneficiary;~~  
22 ~~such provision or provisions shall be void and of no force or effect. (a)~~  
23 ~~Except as provided in subsection (b), a no contest provision is~~  
24 ~~enforceable according to the express terms of the no contest provision.~~

25           (b) Subsection (a) does not apply to the following proceedings:

26           (1) An action brought by a beneficiary if good cause is found by  
27 a court.

28           (2) An action brought by an executor or other fiduciary of a will  
29 that incorporates a no contest provision, unless the executor or  
30 other fiduciary is a beneficiary against whom the no contest  
31 provision is otherwise enforceable.

32           (3) An agreement, including a nonjudicial settlement agreement,  
33 among beneficiaries and any other interested persons to settle or  
34 resolve any other matter relating to a will or estate.

35           (4) An action to determine whether a proposed or pending motion  
36 or proceeding constitutes a contest.

37           (5) An action brought by or on behalf of a beneficiary to seek a  
38 ruling regarding the construction or interpretation of a will.

39           (6) An action or objection brought by a beneficiary, an executor,  
40 or other fiduciary that seeks a ruling on proposed distributions,  
41 fiduciary fees, or any other matter where a court has discretion.

42           (7) An action brought by the attorney general that:



- 1           (A) seeks a ruling regarding the construction or interpretation  
 2           of:  
 3           (i) a will containing a charitable trust or charitable bequest;  
 4           or  
 5           (ii) a no contest provision contained in a will or trust that  
 6           purports to penalize a charity or charitable interest; or  
 7           (B) institutes any other proceedings relating to:  
 8           (i) an estate; or  
 9           (ii) a trust;  
 10           if good cause is shown to do so.
- 11           SECTION 14. IC 33-42-9-10, AS AMENDED BY P.L.59-2018,  
 12           SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13           JULY 1, 2019]: Sec. 10. (a) A notarial act performed under federal law  
 14           shall be presumed valid and has the same effect as a notarial act  
 15           performed by a notarial officer of Indiana if the notarial act performed  
 16           under federal law is performed by:  
 17           (1) a judge, clerk, or deputy clerk of a court;  
 18           (2) an individual who is authorized to perform the notarial act  
 19           under federal law and is:  
 20           (A) presently serving in the armed forces of the United States;  
 21           or  
 22           (B) performing duties under the authority of the armed forces  
 23           of the United States;  
 24           (3) an individual designated as a notarial officer by the United  
 25           States Department of State for the purpose of performing notarial  
 26           acts overseas;  
 27           (4) a commissioned officer with the rank of:  
 28           (A) second lieutenant or higher in the active service of the:  
 29           (i) United States Army; or  
 30           (ii) United States Marine Corps; or  
 31           **(iii) United States Air Force; or**  
 32           (B) ensign or higher in the active service of the:  
 33           (i) United States Coast Guard; or  
 34           (ii) United States Navy; or  
 35           (5) any other individual authorized by federal law to perform the  
 36           notarial act.
- 37           (b) The signature and title of an individual acting under federal  
 38           authority while performing a notarial act are prima facie evidence of  
 39           the fact that:  
 40           (1) the signature is genuine; and  
 41           (2) the individual holds the designated title.  
 42           (c) The signature and title of a notarial officer described in





1 subsection (a)(1), (a)(2), or (a)(3) conclusively establish the authority  
2 of the notarial officer to perform the notarial act.

3 SECTION 15. IC 34-24-1-1, AS AMENDED BY P.L.144-2018,  
4 SECTION 11, AND AS AMENDED BY P.L.198-2018, SECTION 5,  
5 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
6 [EFFECTIVE JULY 1, 2018]: Sec. 1. (a) The following may be seized:

7 (1) All vehicles (as defined by IC 35-31.5-2-346), if they are used  
8 or are intended for use by the person or persons in possession of  
9 them to transport or in any manner to facilitate the transportation  
10 of the following:

11 (A) A controlled substance for the purpose of committing,  
12 attempting to commit, or conspiring to commit any of the  
13 following:

14 (i) Dealing in or manufacturing cocaine or a narcotic drug  
15 (IC 35-48-4-1).

16 (ii) Dealing in methamphetamine (IC 35-48-4-1.1).

17 (iii) Manufacturing methamphetamine (IC 35-48-4-1.2).

18 (iv) Dealing in a schedule I, II, or III controlled substance  
19 (IC 35-48-4-2).

20 (v) Dealing in a schedule IV controlled substance  
21 (IC 35-48-4-3).

22 (vi) Dealing in a schedule V controlled substance  
23 (IC 35-48-4-4).

24 (vii) Dealing in a counterfeit substance (IC 35-48-4-5).

25 (viii) Possession of cocaine or a narcotic drug  
26 (IC 35-48-4-6).

27 (ix) Possession of methamphetamine (IC 35-48-4-6.1).

28 (x) Dealing in paraphernalia (IC 35-48-4-8.5).

29 (xi) Dealing in marijuana, hash oil, hashish, or salvia  
30 (IC 35-48-4-10).

31 (xii) Dealing in a synthetic drug or synthetic drug lookalike  
32 substance (IC 35-48-4-10.5, or IC 35-48-4-10 before its  
33 amendment in 2013).

34 (B) Any stolen (IC 35-43-4-2) or converted property  
35 (IC 35-43-4-3) if the retail or repurchase value of that property  
36 is one hundred dollars (\$100) or more.

37 (C) Any hazardous waste in violation of IC 13-30-10-1.5.

38 (D) A bomb (as defined in IC 35-31.5-2-31) or weapon of  
39 mass destruction (as defined in IC 35-31.5-2-354) used to  
40 commit, used in an attempt to commit, or used in a conspiracy  
41 to commit an offense under IC 35-47 as part of or in  
42 furtherance of an act of terrorism (as defined by



- 1 IC 35-31.5-2-329).
- 2 (2) All money, negotiable instruments, securities, weapons,  
3 communications devices, or any property used to commit, used in  
4 an attempt to commit, or used in a conspiracy to commit an  
5 offense under IC 35-47 as part of or in furtherance of an act of  
6 terrorism or commonly used as consideration for a violation of  
7 IC 35-48-4 (other than items subject to forfeiture under  
8 IC 16-42-20-5 or IC 16-6-8.5-5.1, before its repeal):
- 9 (A) furnished or intended to be furnished by any person in  
10 exchange for an act that is in violation of a criminal statute;  
11 (B) used to facilitate any violation of a criminal statute; or  
12 (C) traceable as proceeds of the violation of a criminal statute.
- 13 (3) Any portion of real or personal property purchased with  
14 money that is traceable as a proceed of a violation of a criminal  
15 statute.
- 16 (4) A vehicle that is used by a person to:
- 17 (A) commit, attempt to commit, or conspire to commit;  
18 (B) facilitate the commission of; or  
19 (C) escape from the commission of;  
20 murder (IC 35-42-1-1), *dealing in a controlled substance*  
21 *resulting in death* (IC 35-42-1-1.5), kidnapping (IC 35-42-3-2),  
22 criminal confinement (IC 35-42-3-3), rape (IC 35-42-4-1), child  
23 molesting (IC 35-42-4-3), or child exploitation (IC 35-42-4-4), or  
24 an offense under IC 35-47 as part of or in furtherance of an act of  
25 terrorism.
- 26 (5) Real property owned by a person who uses it to commit any of  
27 the following as a Level 1, Level 2, Level 3, Level 4, or Level 5  
28 felony:
- 29 (A) Dealing in or manufacturing cocaine or a narcotic drug  
30 (IC 35-48-4-1).  
31 (B) Dealing in methamphetamine (IC 35-48-4-1.1).  
32 (C) Manufacturing methamphetamine (IC 35-48-4-1.2).  
33 (D) Dealing in a schedule I, II, or III controlled substance  
34 (IC 35-48-4-2).  
35 (E) Dealing in a schedule IV controlled substance  
36 (IC 35-48-4-3).  
37 (F) Dealing in marijuana, hash oil, hashish, or salvia  
38 (IC 35-48-4-10).  
39 (G) Dealing in a synthetic drug or synthetic drug lookalike  
40 substance (IC 35-48-4-10.5, or IC 35-48-4-10 before its  
41 amendment in 2013).  
42 (H) *Dealing in a controlled substance resulting in death*



- 1                    (*IC 35-42-1-1.5*).
- 2                    (6) Equipment and recordings used by a person to commit fraud
- 3                    under IC 35-43-5-4(10).
- 4                    (7) Recordings sold, rented, transported, or possessed by a person
- 5                    in violation of IC 24-4-10.
- 6                    (8) Property (as defined by IC 35-31.5-2-253) or an enterprise (as
- 7                    defined by IC 35-45-6-1) that is the object of a corrupt business
- 8                    influence violation (IC 35-45-6-2).
- 9                    (9) Unlawful telecommunications devices (as defined in
- 10                    IC 35-45-13-6) and plans, instructions, or publications used to
- 11                    commit an offense under IC 35-45-13.
- 12                    (10) Any equipment, including computer equipment and cellular
- 13                    telephones, used for or intended for use in preparing,
- 14                    photographing, recording, videotaping, digitizing, printing,
- 15                    copying, or disseminating matter in violation of IC 35-42-4.
- 16                    (11) Destructive devices used, possessed, transported, or sold in
- 17                    violation of IC 35-47.5.
- 18                    (12) Tobacco products that are sold in violation of IC 24-3-5,
- 19                    tobacco products that a person attempts to sell in violation of
- 20                    IC 24-3-5, and other personal property owned and used by a
- 21                    person to facilitate a violation of IC 24-3-5.
- 22                    (13) Property used by a person to commit counterfeiting or
- 23                    forgery in violation of IC 35-43-5-2.
- 24                    (14) After December 31, 2005, if a person is convicted of an
- 25                    offense specified in IC 25-26-14-26(b) or IC 35-43-10, the
- 26                    following real or personal property:
- 27                    (A) Property used or intended to be used to commit, facilitate,
- 28                    or promote the commission of the offense.
- 29                    (B) Property constituting, derived from, or traceable to the
- 30                    gross proceeds that the person obtained directly or indirectly
- 31                    as a result of the offense.
- 32                    (15) Except as provided in subsection (e), a vehicle used by a
- 33                    person who operates the vehicle:
- 34                    (A) while intoxicated, in violation of IC 9-30-5-1 through
- 35                    IC 9-30-5-5, if in the previous five (5) years the person has two
- 36                    (2) or more prior unrelated convictions:
- 37                    (i) for operating a motor vehicle while intoxicated in
- 38                    violation of IC 9-30-5-1 through IC 9-30-5-5; or
- 39                    (ii) for an offense that is substantially similar to IC 9-30-5-1
- 40                    through IC 9-30-5-5 in another jurisdiction; or
- 41                    (B) on a highway while the person's driving privileges are
- 42                    suspended in violation of IC 9-24-19-2 through IC 9-24-19-3,



1 if in the previous five (5) years the person has two (2) or more  
2 prior unrelated convictions:

3 (i) for operating a vehicle while intoxicated in violation of  
4 IC 9-30-5-1 through IC 9-30-5-5; or

5 (ii) for an offense that is substantially similar to IC 9-30-5-1  
6 through IC 9-30-5-5 in another jurisdiction.

7 If a court orders the seizure of a vehicle under this subdivision,  
8 the court shall transmit an order to the bureau of motor vehicles  
9 recommending that the bureau not permit a vehicle to be  
10 registered in the name of the person whose vehicle was seized  
11 until the person possesses a current driving license (as defined in  
12 IC 9-13-2-41).

13 (16) The following real or personal property:

14 (A) Property used or intended to be used to commit, facilitate,  
15 or promote the commission of an offense specified in  
16 IC 23-14-48-9, IC 30-2-9-7(b), IC 30-2-10-9(b), or  
17 IC 30-2-13-38(f).

18 (B) Property constituting, derived from, or traceable to the  
19 gross proceeds that a person obtains directly or indirectly as a  
20 result of an offense specified in IC 23-14-48-9, IC 30-2-9-7(b),  
21 IC 30-2-10-9(b), or IC 30-2-13-38(f).

22 (17) An automated sales suppression device (as defined in  
23 IC 35-43-5-4.6(a)(1) or phantom-ware (as defined in  
24 IC 35-43-5-4.6(a)(3)).

25 (18) Real or personal property, including a vehicle, that is used by  
26 a person to:

27 (A) commit, attempt to commit, or conspire to commit;

28 (B) facilitate the commission of; or

29 (C) escape from the commission of;

30 a violation of IC 35-42-3.5-1 *through* IC 35-42-3.5-1.4 (human  
31 trafficking) or IC 35-45-4-4 (promoting prostitution).

32 (b) A vehicle used by any person as a common or contract carrier in  
33 the transaction of business as a common or contract carrier is not  
34 subject to seizure under this section, unless it can be proven by a  
35 preponderance of the evidence that the owner of the vehicle knowingly  
36 permitted the vehicle to be used to engage in conduct that subjects it to  
37 seizure under subsection (a).

38 (c) Equipment under subsection (a)(10) may not be seized unless it  
39 can be proven by a preponderance of the evidence that the owner of the  
40 equipment knowingly permitted the equipment to be used to engage in  
41 conduct that subjects it to seizure under subsection (a)(10).

42 (d) Money, negotiable instruments, securities, weapons,



1 communications devices, or any property commonly used as  
 2 consideration for a violation of IC 35-48-4 found near or on a person  
 3 who is committing, attempting to commit, or conspiring to commit any  
 4 of the following offenses shall be admitted into evidence in an action  
 5 under this chapter as prima facie evidence that the money, negotiable  
 6 instrument, security, or other thing of value is property that has been  
 7 used or was to have been used to facilitate the violation of a criminal  
 8 statute or is the proceeds of the violation of a criminal statute:

9 ~~(1)~~ IC 35-42-1-1.5 (*dealing in a controlled substance resulting in*  
 10 *death*).

11 ~~(2)~~ IC 35-48-4-1 (dealing in or manufacturing cocaine or a  
 12 narcotic drug).

13 ~~(3)~~ IC 35-48-4-1.1 (dealing in methamphetamine).

14 ~~(4)~~ IC 35-48-4-1.2 (manufacturing methamphetamine).

15 ~~(5)~~ IC 35-48-4-2 (dealing in a schedule I, II, or III controlled  
 16 substance).

17 ~~(6)~~ IC 35-48-4-3 (dealing in a schedule IV controlled  
 18 substance).

19 ~~(7)~~ IC 35-48-4-4 (dealing in a schedule V controlled  
 20 substance) as a Level 4 felony.

21 ~~(8)~~ IC 35-48-4-6 (possession of cocaine or a narcotic drug) as  
 22 a Level 3, Level 4, or Level 5 felony.

23 ~~(9)~~ IC 35-48-4-6.1 (possession of methamphetamine) as a  
 24 Level 3, Level 4, or Level 5 felony.

25 ~~(10)~~ IC 35-48-4-10 (dealing in marijuana, hash oil, hashish, or  
 26 salvia) as a Level 5 felony.

27 ~~(11)~~ IC 35-48-4-10.5 (dealing in a synthetic drug or synthetic  
 28 drug lookalike substance) as a Level 5 felony or Level 6 felony  
 29 (or as a Class C felony or Class D felony under IC 35-48-4-10  
 30 before its amendment in 2013).

31 (e) A vehicle operated by a person who is not:

32 (1) an owner of the vehicle; or

33 (2) the spouse of the person who owns the vehicle;

34 is not subject to seizure under subsection (a)(15) unless it can be  
 35 proven by a preponderance of the evidence that the owner of the  
 36 vehicle knowingly permitted the vehicle to be used to engage in  
 37 conduct that subjects it to seizure under subsection (a)(15).

38 SECTION 16. IC 35-42-1-1, AS AMENDED BY P.L.144-2018,  
 39 SECTION 18, AND AS AMENDED BY P.L.203-2018, SECTION 1,  
 40 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 41 [EFFECTIVE JULY 1, 2018]: Sec. 1. A person who:

42 (1) knowingly or intentionally kills another human being;



1 (2) kills another human being while committing or attempting to  
 2 commit arson, burglary, child molesting, consumer product  
 3 tampering, criminal deviate conduct (under IC 35-42-4-2 before  
 4 its repeal), kidnapping, rape, robbery, human trafficking,  
 5 promotion of human labor trafficking, *promotion of human sexual*  
 6 *trafficking, promotion of child sexual trafficking, promotion of*  
 7 *sexual trafficking of a younger child, child sexual trafficking, of*  
 8 *a minor*, or carjacking (before its repeal);

9 (3) kills another human being while committing or attempting to  
 10 commit:

11 (A) dealing in or manufacturing cocaine or a narcotic drug  
 12 (IC 35-48-4-1);

13 (B) dealing in methamphetamine (IC 35-48-4-1.1);

14 (C) manufacturing methamphetamine (IC 35-48-4-1.2);

15 (D) dealing in a schedule I, II, or III controlled substance  
 16 (IC 35-48-4-2);

17 (E) dealing in a schedule IV controlled substance  
 18 (IC 35-48-4-3); or

19 (F) dealing in a schedule V controlled substance; or

20 (4) *except as provided in section 6.5 of this chapter*, knowingly  
 21 or intentionally kills a fetus *that has attained viability (as defined*  
 22 *in IC 16-18-2-365) in any stage of development*;

23 commits murder, a felony.

24 SECTION 17. IC 35-45-4-3, AS AMENDED BY P.L.144-2018,  
 25 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2018]: Sec. 3. (a) A person who knowingly or intentionally  
 27 pays, or offers or agrees to pay, money or other property to another  
 28 person:

29 (1) for having engaged in, or on the understanding that the other  
 30 person will engage in, sexual intercourse or other sexual conduct  
 31 (as defined in IC 35-31.5-2-221.5) with the person or with any  
 32 other person; or

33 (2) for having fondled, or on the understanding that the other  
 34 person will fondle, the genitals of the person or any other person;  
 35 commits making an unlawful proposition, a Class A misdemeanor.  
 36 However, the offense is a Level 6 felony if the person has two (2) prior  
 37 convictions under this section.

38 (b) It is not a defense to a prosecution under this section that the:

39 (1) **child victim** consented to engage in prostitution; ~~or juvenile~~  
 40 ~~prostitution or to participate in sexual conduct~~; or

41 (2) intended victim of the offense is a law enforcement officer.

42 SECTION 18. [EFFECTIVE JULY 1, 2018] (a) **The general**



1 assembly recognizes that P.L.146-2018 repealed IC 6-8.1-9-14 and  
2 P.L.130-2018 and P.L.117-2018 amended IC 6-8.1-9-14. The  
3 general assembly intends to repeal IC 6-8.1-9-14 effective July 1,  
4 2018.

5 (b) This SECTION expires January 1, 2019.

6 SECTION 19. [EFFECTIVE JULY 1, 2018] (a) The general  
7 assembly recognizes that P.L.189-2018 repealed IC 4-4-10.9 and  
8 P.L.177-2018 amended IC 4-4-10.9-11. The general assembly  
9 intends to repeal IC 4-4-10.9 effective July 1, 2018.

10 (b) This SECTION expires January 1, 2019.

11 SECTION 20. [EFFECTIVE UPON PASSAGE] (a) The general  
12 assembly recognizes that P.L.161-2018 amended IC 33-38-15-1  
13 effective July 1, 2018, and that IC 33-38-15 is scheduled to expire  
14 June 30, 2018, under IC 33-38-15-7. The general assembly intends  
15 for IC 33-38-15 to expire June 30, 2018.

16 (b) This SECTION expires January 1, 2019.

17 SECTION 21. [EFFECTIVE UPON PASSAGE] (a) The general  
18 assembly recognizes that P.L.189-2018 amended IC 8-1-30.7-2 and  
19 IC 8-1-30.7-7, both effective July 1, 2018, and that IC 8-1-30.7  
20 expires July 1, 2018, under IC 8-1-30.7-11. The general assembly  
21 intends for IC 8-1-30.7 to expire July 1, 2018.

22 (b) This SECTION expires January 1, 2019.

23 SECTION 22. [EFFECTIVE UPON PASSAGE] (a) The general  
24 assembly recognizes that P.L.130-2018 amended IC 22-4.5-9-4,  
25 effective July 1, 2018, and that IC 22-4.5-9 expires July 1, 2018,  
26 under IC 22-4.5-9-10. The general assembly intends for IC 22-4.5-9  
27 to expire July 1, 2018.

28 (b) This SECTION expires January 1, 2019.

29 SECTION 23. An emergency is declared for this act.

