

# HOUSE BILL No. 1465

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 10-19-3-6; IC 12-8-8.5-5; IC 12-17.2-5-28; IC 14-10-2-3; IC 14-11-3-2; IC 14-24-1-4; IC 14-34-2-2; IC 26-3-7-16.7.

**Synopsis:** Office of administrative law proceedings. Makes technical corrections and conforming amendments required by HEA 1003-2024 concerning the office of administrative law proceedings.

**Effective:** July 1, 2025.

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## Meltzer

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January 21, 2025, read first time and referred to Committee on Judiciary.

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First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

# HOUSE BILL No. 1465

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

1 SECTION 1. IC 10-19-3-6, AS ADDED BY P.L.22-2005,  
2 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2025]: Sec. 6. For purposes of IC 4-21.5, the ~~executive~~  
4 ~~director, or the executive director's designee,~~ **office of administrative**  
5 **law proceedings** is the ultimate authority for the department.

6 SECTION 2. IC 12-8-8.5-5, AS AMENDED BY P.L.35-2016,  
7 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2025]: Sec. 5. (a) The secretary is the ultimate authority under  
9 IC 4-21.5 for purposes of the operation of the division and the  
10 programs of the division.

11 (b) The secretary may delegate an individual to serve as the ultimate  
12 authority.

13 (c) **For matters subject to the jurisdiction of the office of**  
14 **administrative law proceedings, the office of administrative law**  
15 **proceedings shall serve as the ultimate authority.**

16 SECTION 3. IC 12-17.2-5-28 IS AMENDED TO READ AS  
17 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 28. A final decision of



1 the ~~division~~ **office of administrative law proceedings** made after a  
 2 hearing is subject to judicial review under IC 4-21.5-5.

3 SECTION 4. IC 14-10-2-3, AS AMENDED BY P.L.84-2008,  
 4 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 5 JULY 1, 2025]: Sec. 3. Except as provided in ~~section 2.5 of this chapter~~  
 6 and IC 14-34-2-2, ~~the commission~~ **an administrative law judge from**  
 7 **the office of administrative law proceedings** is the ultimate authority  
 8 of the ~~department for administrative adjudications~~ under IC 4-21.5.

9 SECTION 5. IC 14-11-3-2 IS REPEALED [EFFECTIVE JULY 1,  
 10 2025]. Sec. 2. Except as provided in ~~IC 14-34-2-2~~, the commission  
 11 shall hold all hearings under ~~IC 4-21.5 and IC 4-22-2~~.

12 SECTION 6. IC 14-24-1-4 IS AMENDED TO READ AS  
 13 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. The ~~commission~~  
 14 **office of administrative law proceedings** is the ultimate authority (as  
 15 defined in IC 4-21.5-1-15) for the ~~department~~ under this article **for**  
 16 **administrative adjudications under IC 4-21.5**.

17 SECTION 7. IC 14-34-2-2, AS AMENDED BY P.L.128-2024,  
 18 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19 JULY 1, 2025]: Sec. 2. (a) ~~The commission shall appoint the following:~~

20 (1) ~~An administrative law judge to conduct proceedings under~~  
 21 ~~IC 4-21.5. An administrative law judge is subject to IC 14-10-2-2.~~

22 (2) ~~A hearing officer to conduct proceedings under IC 4-22-2.~~

23 (b) ~~An administrative law judge is the ultimate authority for the~~  
 24 ~~department for any administrative review proceeding under this article;~~  
 25 ~~except for the following:~~

26 (1) ~~Proceedings concerning the approval or disapproval of a~~  
 27 ~~permit application or permit renewal under IC 14-34-4-13.~~

28 (2) ~~Proceedings for suspension or revocation of a permit under~~  
 29 ~~IC 14-34-15-7.~~

30 (3) ~~Proceedings consolidated with the office of administrative law~~  
 31 ~~proceedings under IC 14-10-2-2.5.~~

32 (c) ~~An order made by an administrative law judge granting or~~  
 33 ~~denying temporary relief from a decision of the director is a final order~~  
 34 ~~of the department.~~

35 (a) **The office of administrative law proceedings is the ultimate**  
 36 **authority for administrative adjudications under IC 4-21.5.**

37 (d) (b) ~~Judicial review of a final order made by an administrative~~  
 38 ~~law judge under subsection (b) or (c) or under IC 13-4.1-2-1(c) or~~  
 39 ~~IC 13-4.1-2-1(d) (before their repeal) may be taken under IC 4-21.5-5.~~

40 SECTION 8. IC 26-3-7-16.7, AS ADDED BY P.L.145-2017,  
 41 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2025]: Sec. 16.7. (a) A licensee or claimant subject to the



1 director's action may ~~appeal~~ **submit a petition for review and request**  
2 **for administrative adjudication** under IC 4-21.5-3 from orders issued  
3 by the director under section 16.5 or 17.1 of this chapter.

4 (b) A licensee or claimant may request an appeal under IC 4-21.5-3  
5 not more than fifteen (15) days after being served with the director's  
6 findings.

7 (c) If a licensee or claimant requests an appeal under IC 4-21.5-3,  
8 the ~~director~~ **office of administrative law proceedings** shall designate

9 ~~(1) an administrative law judge to preside over the appeal; and~~

10 ~~(2) an ultimate authority for purposes of the appeal in accordance~~  
11 ~~with IC 4-21.5-3; petition for review.~~

12 **(d) The office of administrative law proceedings is the ultimate**  
13 **authority for administrative adjudications under IC 4-21.5.**

