



January 10, 2014

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## SENATE BILL No. 24

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DIGEST OF SB 24 (Updated January 8, 2014 12:26 pm - DI 84)

**Citations Affected:** Numerous provisions throughout the Indiana Code.

**Synopsis:** Technical corrections. Resolves: (1) technical conflicts between differing 2013 amendments to Indiana Code sections; and (2) other technical problems in the Indiana Code, including incorrect statutory references, nonstandard tabulation, and various grammatical problems. (The introduced version of this bill was prepared by the code revision commission.)

**Effective:** Upon passage; January 1, 2014 (retroactive); July 1, 2014.

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## Young R Michael

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January 7, 2014, read first time and referred to Committee on Judiciary.  
January 9, 2014, reported favorably — Do Pass.

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SB 24—LS 6036/DI 112





January 10, 2014

Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

## SENATE BILL No. 24

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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 3-7-38.2-5, AS AMENDED BY P.L.258-2013,  
2 SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]: Sec. 5. (a) To assist in performing voter list  
4 maintenance under this chapter, the NVRA official shall submit the  
5 names of all registered voters in Indiana to the United States Postal  
6 Service National Change of Address Service. The submission under  
7 this chapter shall be compiled from the county voter registration  
8 information submitted to the election division under IC 3-7-26.3.  
9 (b) This subsection does not require the NVRA official to request  
10 voter registration data from a state listed in this subsection if the  
11 NVRA official will be receiving voter registration data from that state  
12 under the memorandum of understanding described in subsection (d).  
13 To assist in performing voter list maintenance under this chapter, not  
14 later than December 31 of each calendar year the NVRA official shall  
15 request that the chief state election official who is responsible for the  
16 coordination of state responsibilities under NVRA in each of the

SB 24—LS 6036/DI 112



- 1 following states provide a list of the registered voters in that state:  
2 (1) Florida.  
3 (2) Illinois.  
4 (3) Kentucky.  
5 (4) Michigan.  
6 (5) Ohio.
- 7 (c) The NVRA official shall request a list of registered voters from  
8 any other state in which the NVRA official determines there is a  
9 reasonable possibility that a significant number of individuals who  
10 have registered to vote in Indiana may also be registered to vote in that  
11 state.
- 12 (d) Not later than August 1, 2013, the NVRA official shall execute  
13 a memorandum of understanding with the Kansas Secretary of State.  
14 Notwithstanding any limitation under IC 3-7-26.4 regarding the  
15 availability of certain information from the computerized list, on  
16 January 15 of each year, the NVRA official shall provide data from the  
17 statewide voter registration list without cost to the Kansas Secretary of  
18 State to permit the comparison of voter registration data in the  
19 statewide voter registration list with registration data from all other  
20 states participating in this memorandum of understanding and to  
21 identify any cases in which a voter cast a ballot in more than one (1)  
22 state during the same election. Not later than thirty (30) days following  
23 the receipt of information under this subsection indicating that a voter  
24 of Indiana may also be registered to vote in another state, the NVRA  
25 official shall provide the appropriate county voter registration office  
26 with the name of and any other information obtained under this  
27 subsection concerning that voter. The county voter registration office  
28 shall determine whether the individual:
- 29 (1) identified in the report provided by the NVRA official under  
30 this subsection is the same individual who is a registered voter of  
31 the county;  
32 (2) registered to vote in another state on a date following the date  
33 that voter registered in Indiana; and  
34 (3) authorized the cancellation of any previous registration by the  
35 voter when the voter registered in another state.
- 36 (e) If the county voter registration office determines that the voter  
37 is described by subsection (d)(1) through (d)(3), the county voter  
38 registration office shall cancel the voter registration of that voter. If the  
39 county voter registration office determines that the voter is described  
40 by subsection (d)(1) and (d)(2), but has not authorized the cancellation  
41 of any previous registration, the county voter registration office shall  
42 send an address confirmation notice to the Indiana address of the voter.



1 SECTION 2. IC 3-7-48-7, AS AMENDED BY P.L.164-2006,  
 2 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 UPON PASSAGE]: Sec. 7. (a) A voter shall be permitted to vote in a  
 4 precinct upon written affirmation of the voter's residence in the precinct  
 5 if:

6 (1) the voter produces a registration receipt indicating that the  
 7 voter completed a registration ~~form~~ **application** at a license  
 8 branch or voter registration agency under this article on a date  
 9 within the registration period;

10 (2) the county voter registration office advises the precinct  
 11 election board that the office:

12 (A) approved the application; or

13 (B) has no record of either approving or rejecting the  
 14 application; and

15 (3) the voter completes a registration application ~~form~~ and  
 16 provides the completed ~~form~~ **application** to the precinct election  
 17 board before voting.

18 (b) A county election board shall provide each precinct election  
 19 board with a sufficient number of the registration ~~forms~~ **applications**  
 20 for the purposes described in subsection (a). The precinct election  
 21 board shall attach the completed registration ~~forms~~ **applications** to the  
 22 poll list for processing by the county voter registration office under  
 23 IC 3-10-1-31.1.

24 SECTION 3. IC 3-8-2.5-2, AS AMENDED BY P.L.194-2013,  
 25 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 UPON PASSAGE]: Sec. 2. (a) A candidate for a school board office  
 27 must file a petition of nomination in accordance with IC 3-8-6 and as  
 28 required under IC 20-23 or IC 20-25. The petition of nomination, once  
 29 filed, serves as the candidate's declaration of candidacy for a school  
 30 board office.

31 (b) A candidate may be nominated for a school board office by  
 32 petition of voters who are:

33 (1) registered to vote at the residence address set forth on the  
 34 petition on the date ~~the county voter registration office certifies~~  
 35 the petition **is certified** under ~~section 5~~ of this chapter; and

36 (2) qualified to vote for the candidate.

37 (c) The petition of nomination must be signed by the number of  
 38 voters required for the school board office under IC 20-23 or IC 20-25.

39 (d) Except as provided in this subsection, the signature, printed  
 40 name, and residence address of the petitioner must be made in writing  
 41 by the petitioner. If a petitioner with a disability is unable to write this  
 42 information on the petition, the petitioner may authorize an individual



1 to do so on the petitioner's behalf. The individual acting under this  
 2 subsection shall execute an affidavit of assistance for each such  
 3 petitioner, in a form prescribed by the commission. The form must set  
 4 forth the name and address of the individual providing assistance, and  
 5 the date the individual provided the assistance. The form must be  
 6 submitted with the petition.

7 SECTION 4. IC 3-11-3-11, AS AMENDED BY P.L.271-2013,  
 8 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 UPON PASSAGE]: Sec. 11. (a) Except as provided in subsection (b),  
 10 the county election board shall deliver the following to each inspector  
 11 or the inspector's representative:

12 (1) The supplies provided for the inspector's precinct by the  
 13 election division.

14 (2) The local sample ballots, the ballot labels, if any, and all poll  
 15 lists, registration lists, and other supplies considered necessary to  
 16 conduct the election in the inspector's precinct.

17 (3) The local ballots printed under the direction of the county  
 18 election board as follows:

19 (A) In those precincts where ballot card voting systems are to  
 20 be used, the number of ballots at least equal to one hundred  
 21 percent (100%) of the number of voters in the inspector's  
 22 precinct, according to the poll list.

23 (B) In those precincts where electronic voting systems are to  
 24 be used, the number of ballots that will be required to be  
 25 printed and furnished to the precincts for emergency purposes  
 26 only.

27 (C) Provisional ballots in the number considered necessary by  
 28 the county election board.

29 (4) Twenty (20) ink pens suitable for printing the names of  
 30 write-in candidates on the ballot or ballot envelope.

31 (5) Copies of the voter's bill of rights for posting as required by  
 32 42 U.S.C. 15482.

33 (6) Copies of the instructions for a provisional voter required by  
 34 42 U.S.C. 15482. The county election board shall provide at least  
 35 the number of copies of the instructions as the number of  
 36 provisional ballots provided under subdivision (3).

37 (7) Copies of the notice for posting as required by IC 3-7-29-1(f).

38 (8) The blank voter registration applications required to be  
 39 provided under IC 3-7-48-7(b).

40 (b) This subsection applies to a county that:

41 (1) has adopted an order under ~~section 6 of this chapter;~~  
 42 **IC 3-7-29-6;** or



- 1 (2) is a vote center county under IC 3-11-18.1.  
 2 The county election board shall deliver and install the hardware,  
 3 firmware, and software necessary to use an electronic poll list in each  
 4 precinct or vote center.  
 5 SECTION 5. IC 3-11-8-10.3, AS AMENDED BY P.L.219-2013,  
 6 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 UPON PASSAGE]: Sec. 10.3. (a) As used in this section, "electronic  
 8 poll list" refers to a poll list that is maintained in a computer data base.  
 9 (b) An electronic poll list must satisfy all of the following:  
 10 (1) An electronic poll list must be programmed so that the  
 11 coordinated action of two (2) election officers who are not  
 12 members of the same political party is necessary to access the  
 13 electronic poll list.  
 14 (2) An electronic poll list may not be connected to a voting  
 15 system.  
 16 (3) An electronic poll list may not permit access to voter  
 17 information other than:  
 18 (A) information provided on the certified list of voters  
 19 prepared under IC 3-7-29-1; or  
 20 (B) information concerning any of the following received or  
 21 issued after the electronic poll list has been downloaded by the  
 22 county election board under IC 3-7-29-6:  
 23 (i) The county's receipt of an absentee ballot from the voter.  
 24 (ii) The county's receipt of additional documentation  
 25 provided by the voter to the county voter registration office.  
 26 (iii) The county's issuance of a certificate of error.  
 27 (4) The information contained on an electronic poll list must be  
 28 encrypted and placed on a dedicated, private server to secure  
 29 connectivity between a precinct polling place or satellite absentee  
 30 office and the county election board. The electronic poll book  
 31 must have the capability of:  
 32 (A) storing (in external or internal memory) a local version of  
 33 the data base; and  
 34 (B) producing a list of audit records that reflect all of the  
 35 idiosyncrasies of the system, including in-process audit  
 36 records that set forth all transactions.  
 37 (5) The electronic poll list must permit a poll clerk to enter  
 38 information regarding an individual who has appeared to vote to  
 39 verify whether the individual is eligible to vote, and if so, whether  
 40 the voter has:  
 41 (A) already cast a ballot at the election;  
 42 (B) returned an absentee ballot; or



- 1 (C) submitted any additional documentation required under  
 2 IC 3-7-33-4.5.
- 3 (6) After the voter has been provided with a ballot, the electronic  
 4 poll list must permit a poll clerk to enter information indicating  
 5 that the voter has voted at the election.
- 6 (7) The electronic poll list must transmit the information in  
 7 subdivision (6) to the county election board so that the board may  
 8 transmit the information immediately to every other polling place  
 9 or satellite absentee office in the county in which an electronic  
 10 poll list is being used.
- 11 (8) The electronic poll list must permit reports to be:
- 12 (A) generated by a county election board for a watcher  
 13 appointed under IC 3-6-8 at any time during election day; and  
 14 (B) electronically transmitted by the county election board to  
 15 a political party or independent candidate who has appointed  
 16 a watcher under IC 3-6-8.
- 17 (9) On each day after absentee ballots are cast before an absentee  
 18 voter board in the circuit court clerk's office, a satellite office, or  
 19 a vote center, and after election day, the electronic poll list must  
 20 permit voter history to be quickly and accurately uploaded into  
 21 the computerized list.
- 22 (10) The electronic poll list must be able to display an electronic  
 23 image of the signature of a voter taken from the voter's  
 24 registration application, if available.
- 25 (11) The electronic poll list must be used with a signature pad,  
 26 tablet, or other signature capturing device that permits the voter  
 27 to make an electronic signature for comparison with the signature  
 28 displayed under subdivision (10). An image of the electronic  
 29 signature made by the voter on the signature pad, tablet, or other  
 30 signature capturing device must be retained and identified as the  
 31 signature of the voter for the period required for retention under  
 32 IC 3-10-1-31.1.
- 33 (12) The electronic poll list must include a bar code reader or  
 34 tablet that:
- 35 (A) permits a voter who presents an Indiana driver's license or  
 36 a state identification card issued under IC 9-24-16 to scan the  
 37 license or card through the bar code reader or tablet; and  
 38 (B) has the capability to display the voter's registration record  
 39 upon processing the information contained within the bar code  
 40 on the license or card.
- 41 (13) The electronic poll list must be compatible with:
- 42 (A) any hardware attached to the poll book, such as signature





- 1 pads, bar code scanners, and network cards;  
 2 (B) the statewide voter registration system; and  
 3 (C) any software system used to prepare voter information to  
 4 be included on the electronic poll list.
- 5 (14) The electronic poll list must have the ability to be used in  
 6 conformity with this title for:
- 7 (A) any type of election conducted in Indiana; or  
 8 (B) any combination of elections held concurrently with a  
 9 general election, municipal election, primary election, or  
 10 special election.
- 11 (15) The procedures for setting up, using, and shutting down an  
 12 electronic poll list must:
- 13 (A) be reasonably easy for a precinct election officer to learn,  
 14 understand, and perform; and  
 15 (B) not require a significant amount of training in addition to  
 16 the training required by IC 3-6-6-40.
- 17 (16) The electronic poll list must enable a precinct election officer  
 18 to verify that the electronic poll list:
- 19 (A) has been set up correctly;  
 20 (B) is working correctly so as to verify the eligibility of the  
 21 voter;  
 22 (C) is correctly recording that a voter has voted; and  
 23 (D) has been shut down correctly.
- 24 (17) The electronic poll list must include the following  
 25 documentation:
- 26 (A) Plainly worded, complete, and detailed instructions  
 27 sufficient for a precinct election officer to set up, use, and shut  
 28 down the electronic poll list.  
 29 (B) Training materials that:  
 30 (i) may be in written or video form; and  
 31 (ii) must be in a format suitable for use at a polling place,  
 32 such as simple "how to" guides.  
 33 (C) Failsafe data recovery procedures for information included  
 34 in the electronic poll list.  
 35 (D) Usability tests:  
 36 (i) that are conducted by the manufacturer of the electronic  
 37 poll list using individuals who are representative of the  
 38 general public;  
 39 (ii) that include the setting up, using, and shutting down of  
 40 the electronic poll list; and  
 41 (iii) that report their results using the ANSI/INCITS -354  
 42 Common Industry Format (CIF) for Usability Test Reports



- 1 approved by the American National Standards Institute  
 2 (ANSI) on December 12, 2001.
- 3 (E) A clear model of the electronic poll list system architecture  
 4 and the following documentation:  
 5 (i) End user documentation.  
 6 (ii) System-level documentation.  
 7 (iii) Developer documentation.
- 8 (F) Detailed information concerning:  
 9 (i) electronic poll list consumables; and  
 10 (ii) the vendor's supply chain for those consumables.
- 11 (G) Vendor internal quality assurance procedures and any  
 12 internal or external test data and reports available to the  
 13 vendor concerning the electronic poll list.
- 14 (H) Repair and maintenance policies for the electronic poll  
 15 list.
- 16 (I) As of the date of the vendor's application for approval of  
 17 the electronic poll list by the secretary of state as required by  
 18 ~~IC 3-11-18.1-12(2)~~, **IC 3-11-18.1-12**, the following:  
 19 (i) A list of customers who are using or have previously used  
 20 the vendor's electronic poll list.  
 21 (ii) A description of any known anomalies involving the  
 22 functioning of the electronic poll list, including how those  
 23 anomalies were resolved.
- 24 (18) The electronic poll list and any hardware attached to the poll  
 25 book must be designed to prevent injury or damage to any  
 26 individual or the hardware, including fire and electrical hazards.
- 27 (19) The electronic poll list must demonstrate that it correctly  
 28 processes all activity regarding each voter registration record  
 29 included on the list, including the use, alteration, storage, and  
 30 transmittal of information that is part of the record. Compliance  
 31 with this subdivision requires the mapping of the data life cycle  
 32 of the voter registration record as processed by the electronic poll  
 33 list.
- 34 (20) The electronic poll list must successfully perform in  
 35 accordance with all representations concerning functionality,  
 36 usability, security, accessibility, and sustainability made in the  
 37 vendor's application for approval of the electronic poll list by the  
 38 secretary of state as required by ~~IC 3-11-18.1-12(2)~~.  
 39 **IC 3-11-18.1-12.**
- 40 (21) The electronic poll list must have the capacity to transmit all  
 41 information generated by the voter or poll clerk as part of the  
 42 process of casting a ballot, including the time and date stamp



1           indicating when the voter voted, and the electronic signature of  
 2           the voter, for retention on the dedicated private server maintained  
 3           by the county election board for the period required by Indiana  
 4           and federal law.

5           (22) The electronic poll list must:

6                 (A) permit a voter to sign the poll list even when there is a  
 7                 temporary interruption in connectivity to the Internet; and

8                 (B) provide for the uploading of each signature and its  
 9                 assignment to the voter's registration record.

10          SECTION 6. IC 4-33-6-18 IS AMENDED TO READ AS  
 11          FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 18. (a) This  
 12          subsection applies to cities described in section 1(a)(1) through 1(a)(4)  
 13          or section ~~(1)(b)~~ of this chapter. The commission may not issue a  
 14          license authorizing a riverboat to dock in a city unless the legislative  
 15          body of the city has approved an ordinance permitting the docking of  
 16          riverboats in the city.

17          (b) This subsection applies to a county described in section 1(a)(5)  
 18          of this chapter if the largest city in the county is contiguous to the Ohio  
 19          River. The commission may not issue a license authorizing a riverboat  
 20          to dock in the county unless an ordinance permitting the docking of  
 21          riverboats in the county has been approved by the legislative body of  
 22          the largest city in the county. The license must specify that the home  
 23          dock of the riverboat is to be located in the largest city in the county.

24          (c) This subsection applies to a county described in section 1(a)(5)  
 25          of this chapter if the largest city in the county is not contiguous to the  
 26          Ohio River. The commission may not issue a license authorizing a  
 27          riverboat to dock in the county unless an ordinance permitting the  
 28          docking of riverboats in the county has been approved by the county  
 29          fiscal body.

30          (d) This subsection applies to a county in which a historic hotel  
 31          district is located. The commission may not enter into a contract under  
 32          IC 4-33-6.5 for the operation of a riverboat in the county unless an  
 33          ordinance permitting the docking of riverboats in the county has been  
 34          approved by the county fiscal body.

35          SECTION 7. IC 4-33-12-6, AS AMENDED BY P.L.229-2013,  
 36          SECTION 17, AND AS AMENDED BY P.L.205-2013, SECTION 67,  
 37          IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 38          [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) The department shall  
 39          place in the state general fund the tax revenue collected under this  
 40          chapter.

41          (b) Except as provided by subsections (c) and (d) and IC 6-3.1-20-7,  
 42          the treasurer of state shall quarterly pay the following amounts:

**SB 24—LS 6036/DI 112**



- 1 (1) Except as provided in subsection (k), one dollar (\$1) of the  
 2 admissions tax collected by the licensed owner for each person  
 3 embarking on a gambling excursion during the quarter or  
 4 admitted to a riverboat that has implemented flexible scheduling  
 5 under IC 4-33-6-21 during the quarter shall be paid to:  
 6 (A) the city in which the riverboat is docked, if the city:  
 7 (i) is located in a county having a population of more than  
 8 one hundred eleven thousand (111,000) but less than one  
 9 hundred fifteen thousand (115,000); or  
 10 (ii) is contiguous to the Ohio River and is the largest city in  
 11 the county; and  
 12 (B) the county in which the riverboat is docked, if the  
 13 riverboat is not docked in a city described in clause (A).  
 14 (2) Except as provided in subsection (k), one dollar (\$1) of the  
 15 admissions tax collected by the licensed owner for each person:  
 16 (A) embarking on a gambling excursion during the quarter; or  
 17 (B) admitted to a riverboat during the quarter that has  
 18 implemented flexible scheduling under IC 4-33-6-21;  
 19 shall be paid to the county in which the riverboat is docked. In the  
 20 case of a county described in subdivision (1)(B), this one dollar  
 21 (\$1) is in addition to the one dollar (\$1) received under  
 22 subdivision (1)(B).  
 23 (3) Except as provided in subsection (k), ten cents (\$0.10) of the  
 24 admissions tax collected by the licensed owner for each person:  
 25 (A) embarking on a gambling excursion during the quarter; or  
 26 (B) admitted to a riverboat during the quarter that has  
 27 implemented flexible scheduling under IC 4-33-6-21;  
 28 shall be paid to the county convention and visitors bureau or  
 29 promotion fund for the county in which the riverboat is docked.  
 30 (4) Except as provided in subsection (k), fifteen cents (\$0.15) of  
 31 the admissions tax collected by the licensed owner for each  
 32 person:  
 33 (A) embarking on a gambling excursion during the quarter; or  
 34 (B) admitted to a riverboat during a quarter that has  
 35 implemented flexible scheduling under IC 4-33-6-21;  
 36 shall be paid to the state fair commission, for use in any activity  
 37 that the commission is authorized to carry out under IC 15-13-3.  
 38 (5) Except as provided in subsection (k), ten cents (\$0.10) of the  
 39 admissions tax collected by the licensed owner for each person:  
 40 (A) embarking on a gambling excursion during the quarter; or  
 41 (B) admitted to a riverboat during the quarter that has  
 42 implemented flexible scheduling under IC 4-33-6-21;



1 shall be paid to the division of mental health and addiction. The  
 2 division shall allocate at least twenty-five percent (25%) of the  
 3 funds derived from the admissions tax to the prevention and  
 4 treatment of compulsive gambling.

5 (6) Except as provided in subsection (k), *and section 7 of this*  
 6 *chapter*, sixty-five cents (\$0.65) of the admissions tax collected  
 7 by the licensed owner for each person embarking on a gambling  
 8 excursion during the quarter or admitted to a riverboat during the  
 9 quarter that has implemented flexible scheduling under  
 10 IC 4-33-6-21 shall be paid to the *Indiana horse racing*  
 11 *commission to be distributed as follows; in amounts determined*  
 12 *by the Indiana horse racing commission; for the promotion and*  
 13 *operation of horse racing in Indiana:*

14 *(A) To one (1) or more breed development funds established*  
 15 *by the Indiana horse racing commission under IC 4-31-11-10.*  
 16 *(B) To a racetrack that was approved by the Indiana horse*  
 17 *racing commission under IC 4-31. The commission may make*  
 18 *a grant under this clause only for purses, promotions, and*  
 19 *routine operations of the racetrack. No grants shall be made*  
 20 *for long term capital investment or construction, and no*  
 21 *grants shall be made before the racetrack becomes*  
 22 *operational and is offering a racing schedule. state general*  
 23 *fund.*

24 (c) With respect to tax revenue collected from a riverboat located in  
 25 a historic hotel district, the treasurer of state shall quarterly pay the  
 26 following:

27 (1) With respect to admissions taxes collected for a person  
 28 admitted to the riverboat before July 1, 2010, the following  
 29 amounts:

30 (A) Twenty-two percent (22%) of the admissions tax collected  
 31 during the quarter shall be paid to the county treasurer of the  
 32 county in which the riverboat is located. The county treasurer  
 33 shall distribute the money received under this clause as  
 34 follows:

35 (i) Twenty-two and seventy-five hundredths percent  
 36 (22.75%) shall be quarterly distributed to the county  
 37 treasurer of a county having a population of more than forty  
 38 thousand (40,000) but less than forty-two thousand (42,000)  
 39 for appropriation by the county fiscal body after receiving a  
 40 recommendation from the county executive. The county  
 41 fiscal body for the receiving county shall provide for the  
 42 distribution of the money received under this item to one (1)



1 or more taxing units (as defined in IC 6-1.1-1-21) in the  
 2 county under a formula established by the county fiscal body  
 3 after receiving a recommendation from the county executive.

4 (ii) Twenty-two and seventy-five hundredths percent  
 5 (22.75%) shall be quarterly distributed to the county  
 6 treasurer of a county having a population of more than ten  
 7 thousand seven hundred (10,700) but less than twelve  
 8 thousand (12,000) for appropriation by the county fiscal  
 9 body. The county fiscal body for the receiving county shall  
 10 provide for the distribution of the money received under this  
 11 item to one (1) or more taxing units (as defined in  
 12 IC 6-1.1-1-21) in the county under a formula established by  
 13 the county fiscal body after receiving a recommendation  
 14 from the county executive.

15 (iii) Fifty-four and five-tenths percent (54.5%) shall be  
 16 retained by the county where the riverboat is located for  
 17 appropriation by the county fiscal body after receiving a  
 18 recommendation from the county executive.

19 (B) Five percent (5%) of the admissions tax collected during  
 20 the quarter shall be paid to a town having a population of more  
 21 than two thousand (2,000) but less than three thousand five  
 22 hundred (3,500) located in a county having a population of  
 23 more than nineteen thousand five hundred (19,500) but less  
 24 than twenty thousand (20,000). At least twenty percent (20%)  
 25 of the taxes received by a town under this clause must be  
 26 transferred to the school corporation in which the town is  
 27 located.

28 (C) Five percent (5%) of the admissions tax collected during  
 29 the quarter shall be paid to a town having a population of more  
 30 than three thousand five hundred (3,500) located in a county  
 31 having a population of more than nineteen thousand five  
 32 hundred (19,500) but less than twenty thousand (20,000). At  
 33 least twenty percent (20%) of the taxes received by a town  
 34 under this clause must be transferred to the school corporation  
 35 in which the town is located.

36 (D) Twenty percent (20%) of the admissions tax collected  
 37 during the quarter shall be paid in equal amounts to each town  
 38 that:

- 39 (i) is located in the county in which the riverboat is located;
- 40 and
- 41 (ii) contains a historic hotel.

42 At least twenty percent (20%) of the taxes received by a town



- 1 under this clause must be transferred to the school corporation  
 2 in which the town is located.
- 3 (E) Ten percent (10%) of the admissions tax collected during  
 4 the quarter shall be paid to the Orange County development  
 5 commission established under IC 36-7-11.5. At least one-third  
 6 (1/3) of the taxes paid to the Orange County development  
 7 commission under this clause must be transferred to the  
 8 Orange County convention and visitors bureau.
- 9 (F) Thirteen percent (13%) of the admissions tax collected  
 10 during the quarter shall be paid to the West Baden Springs  
 11 historic hotel preservation and maintenance fund established  
 12 by IC 36-7-11.5-11(b).
- 13 (G) Twenty-five percent (25%) of the admissions tax collected  
 14 during the quarter shall be paid to the Indiana economic  
 15 development corporation to be used by the corporation for the  
 16 development and implementation of a regional economic  
 17 development strategy to assist the residents of the county in  
 18 which the riverboat is located and residents of contiguous  
 19 counties in improving their quality of life and to help promote  
 20 successful and sustainable communities. The regional  
 21 economic development strategy must include goals concerning  
 22 the following issues:
- 23 (i) Job creation and retention.
  - 24 (ii) Infrastructure, including water, wastewater, and storm  
 25 water infrastructure needs.
  - 26 (iii) Housing.
  - 27 (iv) Workforce training.
  - 28 (v) Health care.
  - 29 (vi) Local planning.
  - 30 (vii) Land use.
  - 31 (viii) Assistance to regional economic development groups.
  - 32 (ix) Other regional development issues as determined by the  
 33 Indiana economic development corporation.
- 34 (2) With respect to admissions taxes collected for a person  
 35 admitted to the riverboat after June 30, 2010, the following  
 36 amounts:
- 37 (A) Twenty-nine and thirty-three hundredths percent (29.33%)  
 38 to the county treasurer of Orange County. The county treasurer  
 39 shall distribute the money received under this clause as  
 40 follows:
  - 41 (i) Twenty-two and seventy-five hundredths percent  
 42 (22.75%) to the county treasurer of Dubois County for



- 1 distribution in the manner described in subdivision
- 2 (1)(A)(i).
- 3 (ii) Twenty-two and seventy-five hundredths percent
- 4 (22.75%) to the county treasurer of Crawford County for
- 5 distribution in the manner described in subdivision
- 6 (1)(A)(ii).
- 7 (iii) Fifty-four and five-tenths percent (54.5%) to be retained
- 8 by the county treasurer of Orange County for appropriation
- 9 by the county fiscal body after receiving a recommendation
- 10 from the county executive.
- 11 (B) Six and sixty-seven hundredths percent (6.67%) to the
- 12 fiscal officer of the town of Orleans. At least twenty percent
- 13 (20%) of the taxes received by the town under this clause must
- 14 be transferred to Orleans Community Schools.
- 15 (C) Six and sixty-seven hundredths percent (6.67%) to the
- 16 fiscal officer of the town of Paoli. At least twenty percent
- 17 (20%) of the taxes received by the town under this clause must
- 18 be transferred to the Paoli Community School Corporation.
- 19 (D) Twenty-six and sixty-seven hundredths percent (26.67%)
- 20 to be paid in equal amounts to the fiscal officers of the towns
- 21 of French Lick and West Baden Springs. At least twenty
- 22 percent (20%) of the taxes received by a town under this
- 23 clause must be transferred to the Springs Valley Community
- 24 School Corporation.
- 25 (E) Thirty and sixty-six hundredths percent (30.66%) to the
- 26 Indiana economic development corporation to be used in the
- 27 manner described in subdivision (1)(G).
- 28 (d) With respect to tax revenue collected from a riverboat that
- 29 operates from a county having a population of more than four hundred
- 30 thousand (400,000) but less than seven hundred thousand (700,000),
- 31 the treasurer of state shall quarterly pay the following amounts:
- 32 (1) Except as provided in subsection (k), one dollar (\$1) of the
- 33 admissions tax collected by the licensed owner for each person:
- 34 (A) embarking on a gambling excursion during the quarter; or
- 35 (B) admitted to a riverboat during the quarter that has
- 36 implemented flexible scheduling under IC 4-33-6-21;
- 37 shall be paid to the city in which the riverboat is docked.
- 38 (2) Except as provided in subsection (k), one dollar (\$1) of the
- 39 admissions tax collected by the licensed owner for each person:
- 40 (A) embarking on a gambling excursion during the quarter; or
- 41 (B) admitted to a riverboat during the quarter that has
- 42 implemented flexible scheduling under IC 4-33-6-21;





- 1 shall be paid to the county in which the riverboat is docked.  
 2 (3) Except as provided in subsection (k), nine cents (\$0.09) of the  
 3 admissions tax collected by the licensed owner for each person:  
 4 (A) embarking on a gambling excursion during the quarter; or  
 5 (B) admitted to a riverboat during the quarter that has  
 6 implemented flexible scheduling under IC 4-33-6-21;  
 7 shall be paid to the county convention and visitors bureau or  
 8 promotion fund for the county in which the riverboat is docked.  
 9 (4) Except as provided in subsection (k), one cent (\$0.01) of the  
 10 admissions tax collected by the licensed owner for each person:  
 11 (A) embarking on a gambling excursion during the quarter; or  
 12 (B) admitted to a riverboat during the quarter that has  
 13 implemented flexible scheduling under IC 4-33-6-21;  
 14 shall be paid to the northwest Indiana law enforcement training  
 15 center.  
 16 (5) Except as provided in subsection (k), fifteen cents (\$0.15) of  
 17 the admissions tax collected by the licensed owner for each  
 18 person:  
 19 (A) embarking on a gambling excursion during the quarter; or  
 20 (B) admitted to a riverboat during a quarter that has  
 21 implemented flexible scheduling under IC 4-33-6-21;  
 22 shall be paid to the state fair commission for use in any activity  
 23 that the commission is authorized to carry out under IC 15-13-3.  
 24 (6) Except as provided in subsection (k), ten cents (\$0.10) of the  
 25 admissions tax collected by the licensed owner for each person:  
 26 (A) embarking on a gambling excursion during the quarter; or  
 27 (B) admitted to a riverboat during the quarter that has  
 28 implemented flexible scheduling under IC 4-33-6-21;  
 29 shall be paid to the division of mental health and addiction. The  
 30 division shall allocate at least twenty-five percent (25%) of the  
 31 funds derived from the admissions tax to the prevention and  
 32 treatment of compulsive gambling.  
 33 (7) Except as provided in subsection (k), *and section 7 of this*  
 34 *chapter*, sixty-five cents (\$0.65) of the admissions tax collected  
 35 by the licensed owner for each person embarking on a gambling  
 36 excursion during the quarter or admitted to a riverboat during the  
 37 quarter that has implemented flexible scheduling under  
 38 IC 4-33-6-21 shall be paid to the *Indiana horse racing*  
 39 *commission to be distributed as follows; in amounts determined*  
 40 *by the Indiana horse racing commission; for the promotion and*  
 41 *operation of horse racing in Indiana:*  
 42 (A) *To one (1) or more breed development funds established*



1 *by the Indiana horse racing commission under IC 4-31-11-10:*  
 2 *(B) To a racetrack that was approved by the Indiana horse*  
 3 *racing commission under IC 4-31. The commission may make*  
 4 *a grant under this clause only for purses, promotions, and*  
 5 *routine operations of the racetrack. No grants shall be made*  
 6 *for long term capital investment or construction, and no*  
 7 *grants shall be made before the racetrack becomes*  
 8 *operational and is offering a racing schedule. state general*  
 9 *fund.*

10 (e) Money paid to a unit of local government under subsection (b),  
 11 (c), or (d):

12 (1) must be paid to the fiscal officer of the unit and may be  
 13 deposited in the unit's general fund or riverboat fund established  
 14 under IC 36-1-8-9, or both;

15 (2) may not be used to reduce the unit's maximum levy under  
 16 IC 6-1.1-18.5 but may be used at the discretion of the unit to  
 17 reduce the property tax levy of the unit for a particular year;

18 (3) may be used for any legal or corporate purpose of the unit,  
 19 including the pledge of money to bonds, leases, or other  
 20 obligations under IC 5-1-14-4; and

21 (4) is considered miscellaneous revenue.

22 (f) Money paid by the treasurer of state under subsection (b)(3) or  
 23 (d)(3) shall be:

24 (1) deposited in:

25 (A) the county convention and visitor promotion fund; or

26 (B) the county's general fund if the county does not have a  
 27 convention and visitor promotion fund; and

28 (2) used only for the tourism promotion, advertising, and  
 29 economic development activities of the county and community.

30 (g) Money received by the division of mental health and addiction  
 31 under subsections (b)(5) and (d)(6):

32 (1) is annually appropriated to the division of mental health and  
 33 addiction;

34 (2) shall be distributed to the division of mental health and  
 35 addiction at times during each state fiscal year determined by the  
 36 budget agency; and

37 (3) shall be used by the division of mental health and addiction  
 38 for programs and facilities for the prevention and treatment of  
 39 addictions to drugs, alcohol, and compulsive gambling, including  
 40 the creation and maintenance of a toll free telephone line to  
 41 provide the public with information about these addictions. The  
 42 division shall allocate at least twenty-five percent (25%) of the



1 money received to the prevention and treatment of compulsive  
2 gambling.

3 (h) This subsection applies to the following:

4 (1) Each entity receiving money under subsection ~~(b)~~: (b)(1)  
5 through (b)(5).

6 (2) Each entity receiving money under subsection (d)(1) through  
7 (d)(2).

8 (3) Each entity receiving money under subsection (d)(5) through  
9 ~~(d)(7)~~: (d)(6).

10 The treasurer of state shall determine the total amount of money paid  
11 by the treasurer of state to an entity subject to this subsection during  
12 the state fiscal year 2002. The amount determined under this subsection  
13 is the base year revenue for each entity subject to this subsection. The  
14 treasurer of state shall certify the base year revenue determined under  
15 this subsection to each entity subject to this subsection.

16 (i) This subsection applies to an entity receiving money under  
17 subsection (d)(3) or (d)(4). The treasurer of state shall determine the  
18 total amount of money paid by the treasurer of state to the entity  
19 described in subsection (d)(3) during state fiscal year 2002. The  
20 amount determined under this subsection multiplied by nine-tenths  
21 (0.9) is the base year revenue for the entity described in subsection  
22 (d)(3). The amount determined under this subsection multiplied by  
23 one-tenth (0.1) is the base year revenue for the entity described in  
24 subsection (d)(4). The treasurer of state shall certify the base year  
25 revenue determined under this subsection to each entity subject to this  
26 subsection.

27 (j) This subsection does not apply to an entity receiving money  
28 under subsection (c). *For state fiscal years beginning after June 30;*  
29 ~~2002~~; The total amount of money distributed to an entity under this  
30 section during a state fiscal year may not exceed the entity's base year  
31 revenue as determined under subsection (h) or (i). If the treasurer of  
32 state determines that the total amount of money distributed to an entity  
33 under this section during a state fiscal year is less than the entity's base  
34 year revenue, the treasurer of state shall make a supplemental  
35 distribution to the entity under ~~IC 4-33-13-5(g)~~: IC 4-33-13-5.

36 (k) This subsection does not apply to an entity receiving money  
37 under subsection (c). *For state fiscal years beginning after June 30;*  
38 ~~2002~~; The treasurer of state shall pay that part of the riverboat  
39 admissions taxes that:

40 (1) exceeds a particular entity's base year revenue; and

41 (2) would otherwise be due to the entity under this section;

42 to the state general fund instead of to the entity.



1 SECTION 8. IC 4-33-13-5, AS AMENDED BY P.L.229-2013,  
 2 SECTION 21, AND AS AMENDED BY P.L.205-2013, SECTION 70,  
 3 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 4 [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) This subsection does not  
 5 apply to tax revenue remitted by an operating agent operating a  
 6 riverboat in a historic hotel district. After funds are appropriated under  
 7 section 4 of this chapter, each month the treasurer of state shall  
 8 distribute the tax revenue deposited in the state gaming fund under this  
 9 chapter to the following:

10 (1) The first thirty-three million dollars (\$33,000,000) of tax  
 11 revenues collected under this chapter shall be set aside for  
 12 revenue sharing under subsection (e).

13 (2) Subject to subsection (c), twenty-five percent (25%) of the  
 14 remaining tax revenue remitted by each licensed owner shall be  
 15 paid:

16 (A) to the city that is designated as the home dock of the  
 17 riverboat from which the tax revenue was collected, in the case  
 18 of:

19 (i) a city described in IC 4-33-12-6(b)(1)(A); or

20 (ii) a city located in a county having a population of more  
 21 than four hundred thousand (400,000) but less than seven  
 22 hundred thousand (700,000); or

23 (B) to the county that is designated as the home dock of the  
 24 riverboat from which the tax revenue was collected, in the case  
 25 of a riverboat whose home dock is not in a city described in  
 26 clause (A).

27 (3) Subject to subsection (d), the remainder of the tax revenue  
 28 remitted by each licensed owner shall be paid to the state general  
 29 fund. In each state fiscal year, the treasurer of state shall make the  
 30 transfer required by this subdivision not later than the last  
 31 business day of the month in which the tax revenue is remitted to  
 32 the state for deposit in the state gaming fund. However, if tax  
 33 revenue is received by the state on the last business day in a  
 34 month, the treasurer of state may transfer the tax revenue to the  
 35 state general fund in the immediately following month.

36 (b) This subsection applies only to tax revenue remitted by an  
 37 operating agent operating a riverboat in a historic hotel district. After  
 38 funds are appropriated under section 4 of this chapter, each month the  
 39 treasurer of state shall distribute the tax revenue remitted by the  
 40 operating agent under this chapter as follows:

41 (1) Thirty-seven and one-half percent (37.5%) shall be paid to the  
 42 state general fund.



- 1 (2) Nineteen percent (19%) shall be paid to the West Baden
- 2 Springs historic hotel preservation and maintenance fund
- 3 established by IC 36-7-11.5-11(b). However, at any time the
- 4 balance in that fund exceeds twenty million dollars
- 5 (\$20,000,000), the amount described in this subdivision shall be
- 6 paid to the state general fund.
- 7 (3) Eight percent (8%) shall be paid to the Orange County
- 8 development commission established under IC 36-7-11.5.
- 9 (4) Sixteen percent (16%) shall be paid in equal amounts to each
- 10 town that is located in the county in which the riverboat is located
- 11 and contains a historic hotel. The following apply to taxes
- 12 received by a town under this subdivision:
- 13 (A) At least twenty-five percent (25%) of the taxes must be
- 14 transferred to the school corporation in which the town is
- 15 located.
- 16 (B) At least twelve and five-tenths percent (12.5%) of the
- 17 taxes imposed on adjusted gross receipts received after June
- 18 30, 2010, must be transferred to the Orange County
- 19 development commission established by IC 36-7-11.5-3.5.
- 20 (5) Nine percent (9%) shall be paid to the county treasurer of the
- 21 county in which the riverboat is located. The county treasurer
- 22 shall distribute the money received under this subdivision as
- 23 follows:
- 24 (A) Twenty-two and twenty-five hundredths percent (22.25%)
- 25 shall be quarterly distributed to the county treasurer of a
- 26 county having a population of more than forty thousand
- 27 (40,000) but less than forty-two thousand (42,000) for
- 28 appropriation by the county fiscal body after receiving a
- 29 recommendation from the county executive. The county fiscal
- 30 body for the receiving county shall provide for the distribution
- 31 of the money received under this clause to one (1) or more
- 32 taxing units (as defined in IC 6-1.1-1-21) in the county under
- 33 a formula established by the county fiscal body after receiving
- 34 a recommendation from the county executive.
- 35 (B) Twenty-two and twenty-five hundredths percent (22.25%)
- 36 shall be quarterly distributed to the county treasurer of a
- 37 county having a population of more than ten thousand seven
- 38 hundred (10,700) but less than twelve thousand (12,000) for
- 39 appropriation by the county fiscal body after receiving a
- 40 recommendation from the county executive. The county fiscal
- 41 body for the receiving county shall provide for the distribution
- 42 of the money received under this clause to one (1) or more



1 taxing units (as defined in IC 6-1.1-1-21) in the county under  
 2 a formula established by the county fiscal body after receiving  
 3 a recommendation from the county executive.

4 (C) Fifty-five and five-tenths percent (55.5%) shall be retained  
 5 by the county in which the riverboat is located for  
 6 appropriation by the county fiscal body after receiving a  
 7 recommendation from the county executive.

8 (6) Five percent (5%) shall be paid to a town having a population  
 9 of more than two thousand (2,000) but less than three thousand  
 10 five hundred (3,500) located in a county having a population of  
 11 more than nineteen thousand five hundred (19,500) but less than  
 12 twenty thousand (20,000). At least forty percent (40%) of the  
 13 taxes received by a town under this subdivision must be  
 14 transferred to the school corporation in which the town is located.

15 (7) Five percent (5%) shall be paid to a town having a population  
 16 of more than three thousand five hundred (3,500) located in a  
 17 county having a population of more than nineteen thousand five  
 18 hundred (19,500) but less than twenty thousand (20,000). At least  
 19 forty percent (40%) of the taxes received by a town under this  
 20 subdivision must be transferred to the school corporation in which  
 21 the town is located.

22 (8) Five-tenths percent (0.5%) of the taxes imposed on adjusted  
 23 gross receipts received after June 30, 2010, shall be paid to the  
 24 Indiana economic development corporation established by  
 25 IC 5-28-3-1.

26 (c) For each city and county receiving money under subsection  
 27 (a)(2), the treasurer of state shall determine the total amount of money  
 28 paid by the treasurer of state to the city or county during the state fiscal  
 29 year 2002. The amount determined is the base year revenue for the city  
 30 or county. The treasurer of state shall certify the base year revenue  
 31 determined under this subsection to the city or county. The total  
 32 amount of money distributed to a city or county under this section  
 33 during a state fiscal year may not exceed the entity's base year revenue.  
 34 For each state fiscal year, the treasurer of state shall pay that part of the  
 35 riverboat wagering taxes that:

- 36 (1) exceeds a particular city's or county's base year revenue; and
- 37 (2) would otherwise be due to the city or county under this
- 38 section;

39 to the state general fund instead of to the city or county.

40 (d) Each state fiscal year the treasurer of state shall transfer from the  
 41 tax revenue remitted to the state general fund under subsection (a)(3)  
 42 to the build Indiana fund an amount that when added to the following



1 may not exceed two hundred fifty million dollars (\$250,000,000):

2 (1) Surplus lottery revenues under IC 4-30-17-3.

3 (2) Surplus revenue from the charity gaming enforcement fund  
4 under IC 4-32.2-7-7.

5 (3) Tax revenue from pari-mutuel wagering under IC 4-31-9-3.

6 The treasurer of state shall make transfers on a monthly basis as needed  
7 to meet the obligations of the build Indiana fund. If in any state fiscal  
8 year insufficient money is transferred to the state general fund under  
9 subsection (a)(3) to comply with this subsection, the treasurer of state  
10 shall reduce the amount transferred to the build Indiana fund to the  
11 amount available in the state general fund from the transfers under  
12 subsection (a)(3) for the state fiscal year.

13 (e) Before August 15 of each year, the treasurer of state shall  
14 distribute the wagering taxes set aside for revenue sharing under  
15 subsection (a)(1) to the county treasurer of each county that does not  
16 have a riverboat according to the ratio that the county's population  
17 bears to the total population of the counties that do not have a  
18 riverboat. Except as provided in subsection (h), the county auditor shall  
19 distribute the money received by the county under this subsection as  
20 follows:

21 (1) To each city located in the county according to the ratio the  
22 city's population bears to the total population of the county.

23 (2) To each town located in the county according to the ratio the  
24 town's population bears to the total population of the county.

25 (3) After the distributions required in subdivisions (1) and (2) are  
26 made, the remainder shall be retained by the county.

27 (f) Money received by a city, town, or county under subsection (e)  
28 or (h) may be used for any of the following purposes:

29 (1) To reduce the property tax levy of the city, town, or county for  
30 a particular year (a property tax reduction under this subdivision  
31 does not reduce the maximum levy of the city, town, or county  
32 under IC 6-1.1-18.5).

33 (2) For deposit in a special fund or allocation fund created under  
34 IC 8-22-3.5, IC 36-7-14, IC 36-7-14.5, IC 36-7-15.1, and  
35 IC 36-7-30 to provide funding for debt repayment.

36 (3) To fund sewer and water projects, including storm water  
37 management projects.

38 (4) For police and fire pensions.

39 (5) To carry out any governmental purpose for which the money  
40 is appropriated by the fiscal body of the city, town, or county.  
41 Money used under this subdivision does not reduce the property  
42 tax levy of the city, town, or county for a particular year or reduce



- 1           the maximum levy of the city, town, or county under  
2           IC 6-1.1-18.5.
- 3           (g) This subsection does not apply to an entity receiving money  
4           under IC 4-33-12-6(c). Before September 15 of each year, the treasurer  
5           of state shall determine the total amount of money distributed to an  
6           entity under IC 4-33-12-6 during the preceding state fiscal year. If the  
7           treasurer of state determines that the total amount of money distributed  
8           to an entity under IC 4-33-12-6 during the preceding state fiscal year  
9           was less than the entity's base year revenue (as determined under  
10          IC 4-33-12-6), the treasurer of state shall make a supplemental  
11          distribution to the entity from taxes collected under this chapter and  
12          deposited into the state general fund. *Except as provided in subsection*  
13          *(i), or (f),* the amount of an entity's supplemental distribution is equal  
14          to:
- 15               (1) the entity's base year revenue (as determined under  
16               IC 4-33-12-6); minus
- 17               (2) the sum of:
- 18                     (A) the total amount of money distributed to the entity during  
19                     the preceding state fiscal year under IC 4-33-12-6; plus
- 20                     (B) any amounts deducted under IC 6-3.1-20-7.
- 21          (h) This subsection applies only to a county containing a  
22          consolidated city. The county auditor shall distribute the money  
23          received by the county under subsection (e) as follows:
- 24               (1) To each city, other than a consolidated city, located in the  
25               county according to the ratio that the city's population bears to the  
26               total population of the county.
- 27               (2) To each town located in the county according to the ratio that  
28               the town's population bears to the total population of the county.
- 29               (3) After the distributions required in subdivisions (1) and (2) are  
30               made, the remainder shall be paid in equal amounts to the  
31               consolidated city and the county.
- 32          ~~(i) This subsection applies only to the Indiana horse racing~~  
33          ~~commission. For each state fiscal year the amount of the Indiana horse~~  
34          ~~racing commission's supplemental distribution under subsection (g)~~  
35          ~~must be reduced by the amount required to comply with~~  
36          ~~IC 4-33-12-7(a).~~
- 37          ~~(f) (i) This subsection applies to a supplemental distribution made~~  
38          ~~after June 30, 2013. The maximum amount of money that may be~~  
39          ~~distributed under subsection (g) in a state fiscal year is forty-eight~~  
40          ~~million dollars (\$48,000,000). If the total amount determined under~~  
41          ~~subsection (g) exceeds forty-eight million dollars (\$48,000,000), the~~  
42          ~~amount distributed to an entity under subsection (g) must be reduced~~





1 *according to the ratio that the amount distributed to the entity under*  
 2 *IC 4-33-12-6 bears to the total amount distributed under IC 4-33-12-6*  
 3 *to all entities receiving a supplemental distribution.*

4 SECTION 9. IC 5-1-17.5-16, AS ADDED BY P.L.233-2013,  
 5 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 UPON PASSAGE]: Sec. 16. (a) The board of directors of the  
 7 commission is composed of the following five (5) directors, who serve  
 8 at the pleasure of the governor and must be residents of Indiana:

9 (1) The budget director, or the budget director's designee, who  
 10 shall serve as chair of the commission.

11 (2) Four (4) directors appointed by the governor. The president  
 12 pro tempore of the senate and the speaker of the house of  
 13 representatives may each make one (1) recommendation to the  
 14 governor concerning the appointment of a director under this  
 15 subdivision.

16 (b) The commission shall be governed by the board. The directors  
 17 may not be elected public officials of the state or any political  
 18 subdivision. Except for the budget director, the directors first appointed  
 19 continue in office for terms expiring on July 1, 2014, July 1, 2015, July  
 20 1, 2016, and July 1, 2017, and until their respective successors are duly  
 21 appointed and qualified.

22 (c) Except for the budget director, the term of any director first  
 23 appointed must be designated by the governor. If a vacancy occurs on  
 24 the board, the governor shall fill the vacancy by appointing a new  
 25 director. The successor of each such director is appointed for a term of  
 26 four (4) years, except that any person appointed to fill a vacancy is  
 27 appointed to serve only for the unexpired term and until a successor is  
 28 duly appointed and qualified. A director is eligible for reappointment.

29 (d) The directors shall hold an initial organizational meeting within  
 30 thirty (30) days after the board's appointment and after public notice  
 31 given by the budget director in accordance with IC 5-3-1-4. As soon as  
 32 practicable after January 15 of each year, the board shall hold its  
 33 annual organizational meeting. The board shall elect one (1) of the  
 34 directors as vice chair and another director as secretary-treasurer to  
 35 perform the duties of those offices. These officers serve from the date  
 36 of their election and until their successors are elected and qualified.  
 37 Special meetings may be called by the chair or any two (2) directors of  
 38 the board.

39 (e) Three (3) directors constitute a quorum of the ~~commission;~~  
 40 **board**, and the affirmative vote of at least three (3) directors is  
 41 necessary for any official action taken by the board. A vacancy in the  
 42 membership of the board does not impair the rights of a quorum to



1 exercise all the rights and perform all the duties of the board.

2 (f) Except for the budget director, the directors are entitled to  
3 reimbursement for traveling expenses and other expenses actually  
4 incurred in connection with their duties as provided by law. Directors  
5 are not entitled to the salary per diem provided by IC 4-10-11-2.1(b) or  
6 any other compensation while performing their duties.

7 (g) All expenses incurred in carrying out the provisions of this  
8 chapter shall be payable solely from funds provided under this chapter  
9 or from the proceeds of bonds issued by the authority under this  
10 chapter, and no liability or obligation shall be incurred by the  
11 commission or the authority under this chapter beyond the extent to  
12 which money shall have been provided under the authority of this  
13 chapter.

14 (h) The board:

15 (1) is responsible for implementing the powers and duties of the  
16 commission under this chapter;

17 (2) may adopt bylaws for the regulation of the affairs of the board,  
18 the conduct of the business of the commission, and the  
19 safeguarding of the funds and property entrusted to the  
20 commission; and

21 (3) shall, without complying with IC 4-22-2, adopt the code of  
22 ethics specified in executive order 05-12 for its members and  
23 employees.

24 SECTION 10. IC 5-1-17.5-18, AS ADDED BY P.L.233-2013,  
25 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
26 UPON PASSAGE]: Sec. 18. The authority shall provide staff support  
27 for the commission and pay all expenses of the commission from funds  
28 transferred to the commission from the motorsports investment district  
29 fund established under section 30 of this chapter. In providing such  
30 staff, the authority may employ, without the approval of the attorney  
31 general or any other state officer, any accounting and technical experts,  
32 attorneys, and other officers, employees, and agents, permanent or  
33 temporary, as may be necessary in the authority's judgment to carry out  
34 the efficient operation of the commission, including professionals who  
35 can prepare a report on the matters to be considered in making the  
36 findings of the ~~board~~ **commission** set forth in section 24 of this chapter,  
37 and the commission may fix their compensation and title. Employees  
38 of the authority employed under this section shall not be considered  
39 employees of the state.

40 SECTION 11. IC 5-2-10.1-10, AS AMENDED BY P.L.205-2013,  
41 SECTION 74, AND AS AMENDED BY P.L.172-2013, SECTION 4,  
42 IS CORRECTED AND AMENDED TO READ AS FOLLOWS



- 1 [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) A county may establish  
 2 a county school safety commission.
- 3 (b) The members of the commission are as follows:
- 4 (1) The school safety specialist for each school corporation  
 5 located in whole or in part in the county.
- 6 (2) The judge of the court having juvenile jurisdiction in the  
 7 county or the judge's designee.
- 8 (3) The sheriff of the county or the sheriff's designee.
- 9 (4) The chief officer of every other law enforcement agency in the  
 10 county, or the chief officer's designee.
- 11 (5) A representative of the juvenile probation system, appointed  
 12 by the judge described under subdivision (2).
- 13 (6) Representatives of community agencies that work with  
 14 children within the county.
- 15 (7) A representative of the Indiana state police district that serves  
 16 the county.
- 17 (8) A representative of the prosecuting attorneys council of  
 18 Indiana who specializes in the prosecution of juveniles.
- 19 (9) Other appropriate individuals selected by the commission.
- 20 (c) If a commission is established, the school safety specialist of the  
 21 school corporation having the largest ADM (as defined in  
 22 IC 20-18-2-2), *as determined in the fall count of ADM in the school*  
 23 *year ending in the current calendar year*, in the county shall convene  
 24 the initial meeting of the commission.
- 25 (d) The members shall annually elect a chairperson.
- 26 (e) A commission shall perform the following duties:
- 27 (1) Perform a cumulative analysis of school safety needs within  
 28 the county.
- 29 (2) Coordinate and make recommendations for the following:
- 30 (A) Prevention of juvenile offenses and improving the  
 31 reporting of juvenile offenses within the schools.
- 32 (B) Proposals for identifying and assessing children who are  
 33 at high risk of becoming juvenile offenders.
- 34 (C) Methods to meet the educational needs of children who  
 35 have been detained as juvenile offenders.
- 36 (D) Methods to improve communications among agencies that  
 37 work with children.
- 38 (E) Methods to improve security and emergency preparedness.
- 39 (F) Additional equipment or personnel that are necessary to  
 40 carry out safety plans.
- 41 (G) Any other topic the commission considers necessary to  
 42 improve school safety within the school corporations within



- 1 the commission's jurisdiction.
- 2 (3) Provide assistance to the school safety specialists on the
- 3 commission in developing and requesting grants for safety plans.
- 4 (4) Provide assistance to the school safety specialists on the
- 5 commission and the participating school corporations in
- 6 developing and requesting grants for school safe haven programs
- 7 under section 7 of this chapter.
- 8 (5) Assist each participating school corporation in carrying out
- 9 the school corporation's safety plans.
- 10 (f) The affirmative votes of a majority of the voting members of the
- 11 commission are required for the commission to take action on a
- 12 measure.
- 13 (g) *A commission shall receive the school safety plans described in*
- 14 ~~IC 20-26-18.2-2(c)~~ **IC 20-26-18.2-2** *for the schools and school*
- 15 *corporations located in the county. The commission may share the*
- 16 *school safety plans with law enforcement agencies.*
- 17 SECTION 12. IC 5-2-10.1-12, AS AMENDED BY P.L.172-2013,
- 18 SECTION 5, AS AMENDED BY P.L.285-2013, SECTION 1, AND
- 19 AS AMENDED BY P.L.190-2013, SECTION 3, IS CORRECTED
- 20 AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
- 21 PASSAGE]: Sec. 12. (a) Each school within a school corporation shall
- 22 establish a safe school committee. The committee may be a
- 23 subcommittee of the committee that develops the strategic and
- 24 continuous school improvement and achievement plan under
- 25 IC 20-31-5.
- 26 (b) The department of education, ~~and~~ the school corporation's
- 27 school safety specialist, *and, upon request, a school resource officer*
- 28 *(as described in IC 20-26-18.2-1)* shall provide materials *and*
- 29 *guidelines* to assist a safe school committee in developing a plan *and*
- 30 *policy* for the school that addresses the following issues:
- 31 (1) Unsafe conditions, crime prevention, school violence,
- 32 bullying, *criminal gang activity*, and other issues that prevent the
- 33 maintenance of a safe school.
- 34 (2) Professional development needs for faculty and staff to
- 35 implement methods that decrease problems identified under
- 36 subdivision (1).
- 37 (3) Methods to encourage:
- 38 (A) involvement by the community and students;
- 39 (B) development of relationships between students and school
- 40 faculty and staff; and
- 41 (C) use of problem solving teams.
- 42 (c) As a part of the plan developed under subsection (b), each safe



1 school committee shall provide a copy of the floor plans for each  
 2 building located on the school's property that clearly indicates each  
 3 exit, the interior rooms and hallways, and the location of any hazardous  
 4 materials located in the building to the law enforcement agency and the  
 5 fire department that have jurisdiction over the school.

6 *(d) The guidelines developed under subsection (b) must include age*  
 7 *appropriate, research based information that assists school*  
 8 *corporations and safe school committees in:*

- 9 (1) *developing and implementing bullying prevention programs;*  
 10 (2) *establishing investigation and reporting procedures related*  
 11 *to bullying; and*  
 12 (3) *adopting discipline rules that comply with IC 20-33-8-13.5.*

13 *(e) In addition to developing guidelines under subsection (b), the*  
 14 *department of education shall establish categories of types of bullying*  
 15 *incidents to allow school corporations to use the categories in making*  
 16 *reports under IC 20-20-8-8 and IC 20-34-6-1.*

17 SECTION 13. IC 5-9-4-7, AS AMENDED BY P.L.1-2005,  
 18 SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19 UPON PASSAGE]: Sec. 7. (a) Except as provided in subsection (b) or  
 20 (c), an officeholder who elects to take the leave of absence described  
 21 in section 6 of this chapter shall give written notice that the  
 22 officeholder is taking a leave of absence for military service to the  
 23 person or entity designated in IC 5-8-3.5-1 to receive a resignation for  
 24 the office the officeholder holds.

25 (b) An officeholder who is:

- 26 (1) a justice of the supreme court, a judge of the court of appeals,  
 27 or a judge of the tax court; or  
 28 (2) a judge of a circuit, city, ~~county~~, probate, or superior court;

29 shall give the written notice required by subsection (a) to the clerk of  
 30 the supreme court.

31 (c) An officeholder who holds a school board office shall give the  
 32 written notice required by subsection (a) to the person or entity  
 33 designated in IC 20-25-3, IC 20-25-4, IC 20-25-5, IC 20-23-12,  
 34 IC 20-23-14, IC 20-23-15, IC 20-23-4, or IC 20-26 to receive a  
 35 resignation for the office the officeholder holds.

36 (d) The written notice required by subsection (a) must state that the  
 37 officeholder is taking a leave of absence because the officeholder:

- 38 (1) has been called for active duty in:  
 39 (A) the armed forces of the United States; or  
 40 (B) the national guard; and  
 41 (2) will be temporarily unable to perform the duties of the  
 42 officeholder's office.



1 SECTION 14. IC 5-9-4-8, AS AMENDED BY P.L.179-2011,  
 2 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 UPON PASSAGE]: Sec. 8. (a) Except as provided in subsection (b),  
 4 during the officeholder's leave of absence, the officeholder's office  
 5 must be filled by a temporary appointment made under:

- 6 (1) IC 3-13-4;  
 7 (2) IC 3-13-5;  
 8 (3) IC 3-13-6;  
 9 (4) IC 3-13-7;  
 10 (5) IC 3-13-8;  
 11 (6) IC 3-13-9;  
 12 (7) IC 3-13-10;  
 13 (8) IC 3-13-11;  
 14 (9) IC 20-23-4;  
 15 (10) IC 20-26;  
 16 (11) IC 20-23-12;  
 17 (12) IC 20-23-14;  
 18 (13) IC 20-23-15;  
 19 (14) IC 20-23-17;  
 20 (15) IC 20-23-17.2;  
 21 (16) IC 20-25-3;  
 22 (17) IC 20-25-4; or  
 23 (18) IC 20-25-5;

24 in the same manner as a vacancy created by a resignation is filled.

25 (b) For an officeholder who:

26 (1) is:

27 (A) a justice of the supreme court, a judge of the court of  
 28 appeals, or a judge of the tax court; or

29 (B) a judge of a circuit, city, county, probate, or superior court;  
 30 and

31 (2) is taking a leave of absence under this chapter;

32 the supreme court shall appoint a judge pro tempore to fill the  
 33 officeholder's office in accordance with the court's rules and  
 34 procedures.

35 (c) The person selected or appointed under subsection (a) or (b)  
 36 serves until the earlier of:

37 (1) the date the officeholder's leave of absence ends as provided  
 38 in section 10 of this chapter; or

39 (2) the officeholder's term of office expires.

40 (d) The person selected or appointed to an office under subsection  
 41 (a) or (b):

42 (1) assumes all the rights and duties of; and



1 (2) is entitled to the compensation established for;  
 2 the office for the period of the temporary appointment.

3 SECTION 15. IC 5-10.2-4-8, AS AMENDED BY P.L.195-2013,  
 4 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 5 UPON PASSAGE]: Sec. 8. (a) Subject to subsection (g), if a member  
 6 who is receiving retirement benefits becomes reemployed in a position  
 7 covered by this article more than thirty (30) days after the member's  
 8 retirement, the member's retirement benefit payments continue.

9 (b) This subsection applies only to a retired member of the public  
 10 employees' retirement fund who, before July 1, 2013, begins a period  
 11 of reemployment in a covered position more than thirty (30) days after  
 12 the member's retirement. The member shall begin making contributions  
 13 as required in IC 5-10.2-3-2, and the member's employer shall make  
 14 contributions throughout the member's period of reemployment.

15 (c) If a member who is receiving retirement benefits is reemployed  
 16 in a position covered by this article not more than thirty (30) days after  
 17 the member's retirement, the member's retirement benefits shall stop,  
 18 the member shall begin making contributions as required by  
 19 IC 5-10.2-3-2, and employer contributions shall be made throughout  
 20 the period of reemployment.

21 (d) This subsection applies only to a retired member of the public  
 22 employees' retirement fund who, before July 1, 2013, begins a period  
 23 of ~~reemployment~~ **reemployment** in a covered position more than thirty  
 24 (30) days after the member's retirement. If a retired member is  
 25 reemployed in a position covered by this article, section 10 of this  
 26 chapter applies to the member upon the member's retirement from  
 27 reemployment.

28 (e) Subject to subsection (g), and except for a member described in  
 29 IC 5-10.2-3-3(a)(2), the following apply to a retired member who  
 30 begins a period of reemployment in a covered position more than thirty  
 31 (30) days after the member's retirement:

32 (1) The member's retirement benefit payments continue during the  
 33 member's period of reemployment without regard to the amount  
 34 of the member's earnings from the covered position.

35 (2) The member may not make contributions under IC 5-10.2-3-2,  
 36 IC 5-10.3-7-9, or IC 5-10.4-4-11 during the member's period of  
 37 reemployment.

38 (3) The member's employer may not make contributions under  
 39 IC 5-10.2-2-11, IC 5-10.3-7-9, or IC 5-10.4-4-11 for or on behalf  
 40 of the member during the member's period of reemployment.

41 (4) The member does not earn creditable service under  
 42 IC 5-10.2-3-1 for the member's period of reemployment.



- 1 (5) The member is not entitled to an additional benefit under  
 2 sections 9 and 10 of this chapter for the member's period of  
 3 reemployment.
- 4 (f) The thirty (30) day period provided for in this section may be  
 5 implemented unless the board receives a determination from the  
 6 Internal Revenue Service prohibiting the implementation.
- 7 (g) After July 31, 2009, if, on or before the date the member files an  
 8 application for retirement benefits under this article, a member has a  
 9 formal or informal agreement with an employer covered by this article  
 10 to become reemployed in a position covered by this article after the  
 11 member's retirement, regardless of the time frame between the  
 12 member's retirement and the member's reemployment, the member's  
 13 application for retirement benefits is void, and the following apply to  
 14 the member's continued employment:
- 15 (1) If a member has received a retirement benefit:
- 16 (A) the member's retirement benefit shall stop; and
- 17 (B) the member shall repay the amount of the retirement  
 18 benefit received.
- 19 (2) The member shall make contributions as required by  
 20 IC 5-10.2-3-2 throughout the period of the member's continued  
 21 employment.
- 22 (3) Employer contributions shall be made throughout the period  
 23 of the member's continued employment.
- 24 (4) The member shall earn creditable service under IC 5-10.2-3-1  
 25 for the member's continued employment.
- 26 (5) When the period of the member's continued employment  
 27 terminates, the member may again file an application for  
 28 retirement benefits under this chapter.
- 29 SECTION 16. IC 5-22-14-11, AS ADDED BY P.L.90-2013,  
 30 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 UPON PASSAGE]: Sec. 11. (a) The Indiana department of  
 32 administration shall adopt rules under IC 4-22-2 to do the following:
- 33 (1) Increase contracting opportunities for Indiana veteran owned  
 34 small businesses described in section 3.5 of this chapter with a  
 35 goal to procure in each state fiscal year at least three percent (3%)  
 36 ~~percent~~ of state contracts with Indiana veteran owned small  
 37 businesses.
- 38 (2) Develop procurement policies and procedures to accomplish  
 39 the goal described in subdivision (1), including guidelines to be  
 40 followed by the Indiana department of administration in  
 41 conducting the department's procurement efforts.
- 42 These procurement policies do not apply to a procurement of supplies





1 and services to address immediate and serious government needs at a  
 2 time of emergency, including a threat to the public health, welfare, or  
 3 safety that may arise by reason of floods, epidemics, riots, acts of  
 4 terrorism, major power failures, a threat proclaimed by the President of  
 5 the United States or the governor, or a threat declared by the  
 6 commissioner of the Indiana department of administration.

7 (b) The Indiana department of administration shall annually  
 8 evaluate its progress in meeting the goal described in this section for  
 9 the previous state fiscal year. Beginning in 2014, after June 30 and  
 10 before November 1 of each year, the Indiana department of  
 11 administration shall submit a report to the governor, the Indiana  
 12 department of veterans' affairs, the commission on military and  
 13 veterans affairs, and, in an electronic format under IC 5-14-6, the  
 14 legislative council. The report must include:

- 15 (1) the percentage goal obtained by the Indiana department of  
 16 administration during the previous state fiscal year; and  
 17 (2) a summary of why the Indiana department of administration  
 18 failed to meet the goal and what actions are being taken by the  
 19 Indiana department of administration to meet the goal in the  
 20 current state fiscal year.

21 (c) The Indiana department of administration shall post the report  
 22 described in subsection (b) on the department's Internet web site not  
 23 later than thirty (30) days after the report is submitted. The Indiana  
 24 department of veterans' affairs shall post the report described in  
 25 subsection (b) on the department's Internet web site not later than thirty  
 26 (30) days after the report is submitted by the Indiana department of  
 27 administration.

28 SECTION 17. IC 5-28-28-6, AS AMENDED BY P.L.175-2013,  
 29 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30 UPON PASSAGE]: Sec. 6. The economic incentives and compliance  
 31 report required under section 5 of this chapter must include at least the  
 32 following:

- 33 (1) The total ~~amount of~~ for each of the following:  
 34 (A) **The number and amount of** tax credits, loans, and grants  
 35 contractually awarded by the corporation.  
 36 (B) **The amount of** investments made by the recipients of the  
 37 tax credits, loans, and grants.  
 38 (C) **The number of** actual jobs created and the number of jobs  
 39 expected through the reporting year, as reviewed by an  
 40 independent auditing firm chosen by the corporation.  
 41 (D) **The amount of** recaptured incentives for the reporting  
 42 year and the total number of recipients.



- 1 (E) **The number and amount of** tax credits claimed for the  
 2 reporting year, as reported by the department of state revenue  
 3 to the corporation by December 31 of each year.
- 4 (2) With respect to each recipient of a tax credit, loan, or grant  
 5 referred to in subdivision (1), **the following:**
- 6 (A) The name, county, and municipality (if any) of the  
 7 recipient.
- 8 (B) The amount of tax credits certified to ~~each~~ **the** recipient,  
 9 and the amount of grants and loans actually paid out, during  
 10 the term of the agreement.
- 11 (C) The purpose of the tax credit, loan, or grant.
- 12 (D) The performance goals for the reporting year, including  
 13 the following:
- 14 (i) Numbers of employees to be hired, retained, or trained.
- 15 (ii) If a financial investment by ~~a~~ **the** recipient was a  
 16 condition for providing an incentive, the amount of the  
 17 financial investment that the recipient expects to make in  
 18 Indiana as a result of the project for which the incentive was  
 19 granted.
- 20 (E) Certification by the corporation that ~~each~~ **the** recipient is  
 21 complying with the terms of the incentive agreement.
- 22 SECTION 18. IC 6-1.1-8-3, AS AMENDED BY P.L.168-2013,  
 23 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 UPON PASSAGE]: Sec. 3. (a) Except as provided in subsection (c),  
 25 the following companies are subject to taxation under this chapter:
- 26 (1) Each company which is engaged in the business of  
 27 transporting persons or property.
- 28 (2) Each company which is engaged in the business of selling or  
 29 distributing electricity, gas, steam, or water.
- 30 (3) Each company which is engaged in the business of  
 31 transmitting messages for the general public by wire or airwaves.
- 32 (4) Each company which is engaged in the business of operating  
 33 a sewage system or a sewage treatment plant.
- 34 (b) The companies which are subject to taxation under this chapter  
 35 include, but are not limited to:
- 36 (1) bridge companies;
- 37 (2) bus companies;
- 38 (3) express companies;
- 39 (4) light, heat, or power companies;
- 40 (5) pipeline companies;
- 41 (6) railroad companies;
- 42 (7) railroad car companies;



- 1 (8) sleeping car companies;  
 2 (9) street railway companies;  
 3 (10) telephone, telegraph, or cable companies;  
 4 (11) tunnel companies; and  
 5 (12) water distribution companies.
- 6 (c) The following ~~companies~~ **persons** are not subject to taxation  
 7 under this chapter:
- 8 (1) Aviation companies.  
 9 (2) Broadcasting companies.  
 10 (3) Television companies.  
 11 (4) Water transportation companies.  
 12 (5) Companies which are operated by a municipality or a  
 13 municipal corporation, except those utility companies owned or  
 14 held in trust by a first class city.  
 15 (6) A taxpayer that:  
 16 (A) is described in subsection (b);  
 17 (B) owns definite situs property that is located in only one (1)  
 18 taxing district; and  
 19 (C) files a personal property tax return for the definite situs  
 20 property with the county assessor or (if applicable) the  
 21 township assessor.  
 22 A taxpayer that meets the requirements of clauses (A) and (B)  
 23 may elect to file a personal property tax return for the definite  
 24 situs property with the county assessor or (if applicable) the  
 25 township assessor, instead of filing a return for the definite situs  
 26 property under this chapter.  
 27 (7) A taxpayer that:  
 28 (A) is participating in a net metering program under 170  
 29 IAC 4-4.2 or in a feed-in-tariff program offered by a company  
 30 described in subsection (b)(4); and  
 31 (B) files a personal property tax return for the property with  
 32 the county assessor or (if applicable) the township assessor.
- 33 SECTION 19. IC 6-1.1-12-37, AS AMENDED BY P.L.288-2013,  
 34 SECTION 3, AND AS AMENDED BY P.L.203-2013, SECTION 4, IS  
 35 CORRECTED AND AMENDED TO READ AS FOLLOWS  
 36 [EFFECTIVE UPON PASSAGE]: Sec. 37. (a) The following  
 37 definitions apply throughout this section:  
 38 (1) "Dwelling" means any of the following:  
 39 (A) Residential real property improvements that an individual  
 40 uses as the individual's residence, including a house or garage.  
 41 (B) A mobile home that is not assessed as real property that an  
 42 individual uses as the individual's residence.



- 1 (C) A manufactured home that is not assessed as real property  
 2 that an individual uses as the individual's residence.
- 3 (2) "Homestead" means an individual's principal place of  
 4 residence:
- 5 (A) that is located in Indiana;
- 6 (B) that:
- 7 (i) the individual owns;
- 8 (ii) the individual is buying under a contract; recorded in the  
 9 county recorder's office, that provides that the individual is  
 10 to pay the property taxes on the residence;
- 11 (iii) the individual is entitled to occupy as a  
 12 tenant-stockholder (as defined in 26 U.S.C. 216) of a  
 13 cooperative housing corporation (as defined in 26 U.S.C.  
 14 216); or
- 15 (iv) is a residence described in section 17.9 of this chapter  
 16 that is owned by a trust if the individual is an individual  
 17 described in section 17.9 of this chapter; and
- 18 (C) that consists of a dwelling and the real estate, not  
 19 exceeding one (1) acre, that immediately surrounds that  
 20 dwelling.
- 21 Except as provided in subsection (k), the term does not include  
 22 property owned by a corporation, partnership, limited liability  
 23 company, or other entity not described in this subdivision.
- 24 (b) Each year a homestead is eligible for a standard deduction from  
 25 the assessed value of the homestead for an assessment date. *Except as*  
 26 *provided in subsection (p)*, the deduction provided by this section  
 27 applies to property taxes first due and payable for an assessment date  
 28 only if an individual has an interest in the homestead described in  
 29 subsection (a)(2)(B) on:
- 30 (1) the assessment date; or
- 31 (2) any date in the same year after an assessment date that a  
 32 statement is filed under subsection (e) or section 44 of this  
 33 chapter, if the property consists of real property.
- 34 Subject to subsection (c), the auditor of the county shall record and  
 35 make the deduction for the individual or entity qualifying for the  
 36 deduction.
- 37 (c) Except as provided in section 40.5 of this chapter, the total  
 38 amount of the deduction that a person may receive under this section  
 39 for a particular year is the lesser of:
- 40 (1) sixty percent (60%) of the assessed value of the real property,  
 41 mobile home not assessed as real property, or manufactured home  
 42 not assessed as real property; or



- 1           (2) forty-five thousand dollars (\$45,000).
- 2           (d) A person who has sold real property, a mobile home not assessed  
3 as real property, or a manufactured home not assessed as real property  
4 to another person under a contract that provides that the contract buyer  
5 is to pay the property taxes on the real property, mobile home, or  
6 manufactured home may not claim the deduction provided under this  
7 section with respect to that real property, mobile home, or  
8 manufactured home.
- 9           (e) Except as provided in sections 17.8 and 44 of this chapter and  
10 subject to section 45 of this chapter, an individual who desires to claim  
11 the deduction provided by this section must file a certified statement in  
12 duplicate, on forms prescribed by the department of local government  
13 finance, with the auditor of the county in which the homestead is  
14 located. The statement must include:
- 15           (1) the parcel number or key number of the property and the name  
16 of the city, town, or township in which the property is located;
- 17           (2) the name of any other location in which the applicant or the  
18 applicant's spouse owns, is buying, or has a beneficial interest in  
19 residential real property;
- 20           (3) the names of:
- 21               (A) the applicant and the applicant's spouse (if any):
- 22                   (i) as the names appear in the records of the United States  
23 Social Security Administration for the purposes of the  
24 issuance of a Social Security card and Social Security  
25 number; or
- 26                   (ii) that they use as their legal names when they sign their  
27 names on legal documents;
- 28           if the applicant is an individual; or
- 29               (B) each individual who qualifies property as a homestead  
30 under subsection (a)(2)(B) and the individual's spouse (if any):
- 31                   (i) as the names appear in the records of the United States  
32 Social Security Administration for the purposes of the  
33 issuance of a Social Security card and Social Security  
34 number; or
- 35                   (ii) that they use as their legal names when they sign their  
36 names on legal documents;
- 37           if the applicant is not an individual; and
- 38           (4) either:
- 39               (A) the last five (5) digits of the applicant's Social Security  
40 number and the last five (5) digits of the Social Security  
41 number of the applicant's spouse (if any); or
- 42               (B) if the applicant or the applicant's spouse (if any) ~~do~~ **does**



- 1 not have a Social Security number, any of the following for  
 2 that individual:
- 3 (i) The last five (5) digits of the individual's driver's license  
 4 number.
- 5 (ii) The last five (5) digits of the individual's state  
 6 identification card number.
- 7 (iii) If the individual does not have a driver's license or a  
 8 state identification card, the last five (5) digits of a control  
 9 number that is on a document issued to the individual by the  
 10 federal government and determined by the department of  
 11 local government finance to be acceptable.
- 12 If a form or statement provided to the county auditor under this section,  
 13 IC 6-1.1-22-8.1, or IC 6-1.1-22.5-12 includes the telephone number or  
 14 part or all of the Social Security number of a party or other number  
 15 described in subdivision (4)(B) of a party, the telephone number and  
 16 the Social Security number or other number described in subdivision  
 17 (4)(B) included are confidential. The statement may be filed in person  
 18 or by mail. If the statement is mailed, the mailing must be postmarked  
 19 on or before the last day for filing. The statement applies for that first  
 20 year and any succeeding year for which the deduction is allowed. With  
 21 respect to real property, the statement must be completed and dated in  
 22 the calendar year for which the person desires to obtain the deduction  
 23 and filed with the county auditor on or before January 5 of the  
 24 immediately succeeding calendar year. With respect to a mobile home  
 25 that is not assessed as real property, the person must file the statement  
 26 during the twelve (12) months before March 31 of the year for which  
 27 the person desires to obtain the deduction.
- 28 (f) If an individual who is receiving the deduction provided by this  
 29 section or who otherwise qualifies property for a deduction under this  
 30 section:
- 31 (1) changes the use of the individual's property so that part or all  
 32 of the property no longer qualifies for the deduction under this  
 33 section; or
- 34 (2) is no longer eligible for a deduction under this section on  
 35 another parcel of property because:
- 36 (A) the individual would otherwise receive the benefit of more  
 37 than one (1) deduction under this chapter; or
- 38 (B) the individual maintains the individual's principal place of  
 39 residence with another individual who receives a deduction  
 40 under this section;
- 41 the individual must file a certified statement with the auditor of the  
 42 county, notifying the auditor of the change of use, not more than sixty



1 (60) days after the date of that change. An individual who fails to file  
 2 the statement required by this subsection is liable for any additional  
 3 taxes that would have been due on the property if the individual had  
 4 filed the statement as required by this subsection plus a civil penalty  
 5 equal to ten percent (10%) of the additional taxes due. The civil penalty  
 6 imposed under this subsection is in addition to any interest and  
 7 penalties for a delinquent payment that might otherwise be due. One  
 8 percent (1%) of the total civil penalty collected under this subsection  
 9 shall be transferred by the county to the department of local  
 10 government finance for use by the department in establishing and  
 11 maintaining the homestead property data base under subsection (i) and,  
 12 to the extent there is money remaining, for any other purposes of the  
 13 department. This amount becomes part of the property tax liability for  
 14 purposes of this article.

15 (g) The department of local government finance shall adopt rules or  
 16 guidelines concerning the application for a deduction under this  
 17 section.

18 (h) This subsection does not apply to property in the first year for  
 19 which a deduction is claimed under this section if the sole reason that  
 20 a deduction is claimed on other property is that the individual or  
 21 married couple maintained a principal residence at the other property  
 22 on March 1 in the same year in which an application for a deduction is  
 23 filed under this section or, if the application is for a homestead that is  
 24 assessed as personal property, on March 1 in the immediately  
 25 preceding year and the individual or married couple is moving the  
 26 individual's or married couple's principal residence to the property that  
 27 is the subject of the application. Except as provided in subsection (n),  
 28 the county auditor may not grant an individual or a married couple a  
 29 deduction under this section if:

30 (1) the individual or married couple, for the same year, claims the  
 31 deduction on two (2) or more different applications for the  
 32 deduction; and

33 (2) the applications claim the deduction for different property.

34 (i) The department of local government finance shall provide secure  
 35 access to county auditors to a homestead property data base that  
 36 includes access to the homestead owner's name and the numbers  
 37 required from the homestead owner under subsection (e)(4) for the sole  
 38 purpose of verifying whether an owner is wrongly claiming a deduction  
 39 under this chapter or a credit under IC 6-1.1-20.4, IC 6-1.1-20.6, or  
 40 IC 6-3.5.

41 (j) A county auditor may require an individual to provide evidence  
 42 proving that the individual's residence is the individual's principal place



1 of residence as claimed in the certified statement filed under subsection  
 2 (e). The county auditor may limit the evidence that an individual is  
 3 required to submit to a state income tax return, a valid driver's license,  
 4 or a valid voter registration card showing that the residence for which  
 5 the deduction is claimed is the individual's principal place of residence.  
 6 The department of local government finance shall work with county  
 7 auditors to develop procedures to determine whether a property owner  
 8 that is claiming a standard deduction or homestead credit is not eligible  
 9 for the standard deduction or homestead credit because the property  
 10 owner's principal place of residence is outside Indiana.

11 (k) As used in this section, "homestead" includes property that  
 12 satisfies each of the following requirements:

13 (1) The property is located in Indiana and consists of a dwelling  
 14 and the real estate, not exceeding one (1) acre, that immediately  
 15 surrounds that dwelling.

16 (2) The property is the principal place of residence of an  
 17 individual.

18 (3) The property is owned by an entity that is not described in  
 19 subsection (a)(2)(B).

20 (4) The individual residing on the property is a shareholder,  
 21 partner, or member of the entity that owns the property.

22 (5) The property was eligible for the standard deduction under  
 23 this section on March 1, 2009.

24 (l) If a county auditor terminates a deduction for property described  
 25 in subsection (k) with respect to property taxes that are:

26 (1) imposed for an assessment date in 2009; and

27 (2) first due and payable in 2010;

28 on the grounds that the property is not owned by an entity described in  
 29 subsection (a)(2)(B), the county auditor shall reinstate the deduction if  
 30 the taxpayer provides proof that the property is eligible for the  
 31 deduction in accordance with subsection (k) and that the individual  
 32 residing on the property is not claiming the deduction for any other  
 33 property.

34 (m) For ~~assessments~~ *assessment* dates after 2009, the term  
 35 "homestead" includes:

36 (1) a deck or patio;

37 (2) a gazebo; or

38 (3) another residential yard structure, as defined in rules adopted  
 39 by the department of local government finance (other than a  
 40 swimming pool);

41 that is assessed as real property and attached to the dwelling.

42 (n) A county auditor shall grant an individual a deduction under this





1 section regardless of whether the individual and the individual's spouse  
 2 claim a deduction on two (2) different applications and each  
 3 application claims a deduction for different property if the property  
 4 owned by the individual's spouse is located outside Indiana and the  
 5 individual files an affidavit with the county auditor containing the  
 6 following information:

7 (1) The names of the county and state in which the individual's  
 8 spouse claims a deduction substantially similar to the deduction  
 9 allowed by this section.

10 (2) A statement made under penalty of perjury that the following  
 11 are true:

12 (A) That the individual and the individual's spouse maintain  
 13 separate principal places of residence.

14 (B) That neither the individual nor the individual's spouse has  
 15 an ownership interest in the other's principal place of  
 16 residence.

17 (C) That neither the individual nor the individual's spouse has,  
 18 for that same year, claimed a standard or substantially similar  
 19 deduction for any property other than the property maintained  
 20 as a principal place of residence by the respective individuals.

21 A county auditor may require an individual or an individual's spouse to  
 22 provide evidence of the accuracy of the information contained in an  
 23 affidavit submitted under this subsection. The evidence required of the  
 24 individual or the individual's spouse may include state income tax  
 25 returns, excise tax payment information, property tax payment  
 26 information, driver license information, and voter registration  
 27 information.

28 (o) If:

29 (1) a property owner files a statement under subsection (e) to  
 30 claim the deduction provided by this section for a particular  
 31 property; and

32 (2) the county auditor receiving the filed statement determines  
 33 that the property owner's property is not eligible for the deduction;  
 34 the county auditor shall inform the property owner of the county  
 35 auditor's determination in writing. If a property owner's property is not  
 36 eligible for the deduction because the county auditor has determined  
 37 that the property is not the property owner's principal place of  
 38 residence, the property owner may appeal the county auditor's  
 39 determination to the county property tax assessment board of appeals  
 40 as provided in IC 6-1.1-15. The county auditor shall inform the  
 41 property owner of the owner's right to appeal to the county property tax  
 42 assessment board of appeals when the county auditor informs the



1 property owner of the county auditor's determination under this  
2 subsection.

3 *(p) An individual is entitled to the deduction under this section for*  
4 *a homestead for a particular assessment date if:*

5 *(1) either:*

6 *(A) the individual's interest in the homestead as described in*  
7 *subsection (a)(2)(B) is conveyed to the individual after the*  
8 *assessment date, but within the calendar year in which the*  
9 *assessment date occurs; or*

10 *(B) the individual contracts to purchase the homestead after*  
11 *the assessment date, but within the calendar year in which the*  
12 *assessment date occurs;*

13 *(2) on the assessment date:*

14 *(A) the property on which the homestead is currently located*  
15 *was vacant land; or*

16 *(B) the construction of the dwelling that constitutes the*  
17 *homestead was not completed;*

18 *(3) either:*

19 *(A) the individual files the certified statement required by*  
20 *subsection (e) on or before December 31 of the calendar year*  
21 *in which the assessment date occurs to claim the deduction*  
22 *under this section; or*

23 *(B) a sales disclosure form that meets the requirements of*  
24 *section 44 of this chapter is submitted to the county assessor*  
25 *on or before December 31 of the calendar year for the*  
26 *individual's purchase of the homestead; and*

27 *(4) the individual files with the county auditor on or before*  
28 *December 31 of the calendar year in which the assessment date*  
29 *occurs a statement that:*

30 *(A) lists any other property for which the individual would*  
31 *otherwise receive a deduction under this section for the*  
32 *assessment date; and*

33 *(B) cancels the deduction described in clause (A) for that*  
34 *property.*

35 *An individual who satisfies the requirements of subdivisions (1)*  
36 *through (4) is entitled to the deduction under this section for the*  
37 *homestead for the assessment date, even if on the assessment date the*  
38 *property on which the homestead is currently located was vacant land*  
39 *or the construction of the dwelling that constitutes the homestead was*  
40 *not completed. The county auditor shall apply the deduction for the*  
41 *assessment date and for the assessment date in any later year in which*  
42 *the homestead remains eligible for the deduction. A homestead that*



1 *qualifies for the deduction under this section as provided in this*  
 2 *subsection is considered a homestead for purposes of section 37.5 of*  
 3 *this chapter and IC 6-1.1-20.6. The county auditor shall cancel the*  
 4 *deduction under this section for any property that is located in the*  
 5 *county and is listed on the statement filed by the individual under*  
 6 *subdivision (4). If the property listed on the statement filed under*  
 7 *subdivision (4) is located in another county, the county auditor who*  
 8 *receives the statement shall forward the statement to the county*  
 9 *auditor of that other county, and the county auditor of that other*  
 10 *county shall cancel the deduction under this section for that property.*

11 ~~(p)~~ **(q)** *This subsection applies to an application for the deduction*  
 12 *provided by this section that is filed for an assessment date occurring*  
 13 *after December 31, 2013. Notwithstanding any other provision of this*  
 14 *section, an individual buying a mobile home that is not assessed as*  
 15 *real property or a manufactured home that is not assessed as real*  
 16 *property under a contract providing that the individual is to pay the*  
 17 *property taxes on the mobile home or manufactured home is not*  
 18 *entitled to the deduction provided by this section unless the parties to*  
 19 *the contract comply with IC 9-17-6-17.*

20 ~~(q)~~ **(r)** *This subsection:*

21 *(1) applies to an application for the deduction provided by this*  
 22 *section that is filed for an assessment date occurring after*  
 23 *December 31, 2013; and*

24 *(2) does not apply to an individual described in subsection ~~(p)~~*  
 25 **(q).**

26 *The owner of a mobile home that is not assessed as real property or a*  
 27 *manufactured home that is not assessed as real property must attach*  
 28 *a copy of the owner's title to the mobile home or manufactured home*  
 29 *to the application for the deduction provided by this section.*

30 SECTION 20. IC 6-1.1-18-12, AS AMENDED BY P.L.218-2013,  
 31 SECTION 4, AND AS AMENDED BY P.L.257-2013, SECTION 10,  
 32 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 33 [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) For purposes of this  
 34 section, "maximum rate" refers to the maximum:

35 (1) property tax rate or rates; or

36 (2) special benefits tax rate or rates;

37 referred to in the statutes listed in subsection (d).

38 (b) The maximum rate for taxes first due and payable after 2003 is  
 39 the maximum rate that would have been determined under subsection  
 40 (e) for taxes first due and payable in 2003 if subsection (e) had applied  
 41 for taxes first due and payable in 2003.

42 (c) The maximum rate must be adjusted each year to account for the



- 1 change in assessed value of real property that results from:
- 2 (1) an annual adjustment of the assessed value of real property
- 3 under IC 6-1.1-4-4.5;
- 4 (2) a general reassessment of real property under IC 6-1.1-4-4; or
- 5 (3) a reassessment under a county's reassessment plan prepared
- 6 under IC 6-1.1-4-4.2.
- 7 (d) The statutes to which subsection (a) refers are:
- 8 (1) IC 8-10-5-17;
- 9 (2) IC 8-22-3-11;
- 10 (3) IC 8-22-3-25;
- 11 (4) IC 12-29-1-1;
- 12 (5) IC 12-29-1-2;
- 13 (6) IC 12-29-1-3;
- 14 (7) IC 12-29-3-6;
- 15 (8) IC 13-21-3-12;
- 16 (9) IC 13-21-3-15;
- 17 (10) IC 14-27-6-30;
- 18 (11) IC 14-33-7-3;
- 19 (12) IC 14-33-21-5;
- 20 (13) IC 15-14-7-4;
- 21 (14) IC 15-14-9-1;
- 22 (15) IC 15-14-9-2;
- 23 (16) IC 16-20-2-18;
- 24 (17) IC 16-20-4-27;
- 25 (18) IC 16-20-7-2;
- 26 (19) IC 16-22-14;
- 27 (20) IC 16-23-1-29;
- 28 (21) IC 16-23-3-6;
- 29 (22) IC 16-23-4-2;
- 30 (23) IC 16-23-5-6;
- 31 (24) IC 16-23-7-2;
- 32 (25) IC 16-23-8-2;
- 33 (26) IC 16-23-9-2;
- 34 (27) IC 16-41-15-5;
- 35 (28) IC 16-41-33-4;
- 36 (29) IC 20-46-2-3 (before its repeal on January 1, 2009);
- 37 (30) IC 20-46-6-5;
- 38 (31) IC 20-49-2-10;
- 39 (32) IC 36-1-19-1;
- 40 (33) IC 23-14-66-2;
- 41 (34) IC 23-14-67-3;
- 42 (35) IC 36-7-13-4;



- 1 (36) IC 36-7-14-28;  
 2 (37) IC 36-7-15.1-16;  
 3 (38) IC 36-8-19-8.5;  
 4 (39) IC 36-9-6.1-2;  
 5 (40) IC 36-9-17.5-4;  
 6 (41) IC 36-9-27-73;  
 7 (42) IC 36-9-29-31;  
 8 (43) IC 36-9-29.1-15;  
 9 (44) IC 36-10-6-2;  
 10 (45) IC 36-10-7-7;  
 11 (46) IC 36-10-7-8;  
 12 (47) IC 36-10-7.5-19;  
 13 (48) IC 36-10-13-5;  
 14 (49) IC 36-10-13-7;  
 15 (50) IC 36-10-14-4;  
 16 (51) IC 36-12-7-7;  
 17 (52) IC 36-12-7-8;  
 18 (53) IC 36-12-12-10;  
 19 (54) a statute listed in IC 6-1.1-18.5-9.8; and  
 20 (55) any statute enacted after December 31, 2003, that:  
 21 (A) establishes a maximum rate for any part of the:  
 22 (i) property taxes; or  
 23 (ii) special benefits taxes;  
 24 imposed by a political subdivision; and  
 25 (B) does not exempt the maximum rate from the adjustment  
 26 under this section.  
 27 (e) For property tax rates imposed for property taxes first due and  
 28 payable after December 31, ~~2012~~, 2013, the new maximum rate under  
 29 a statute listed in subsection (d) is the tax rate determined under STEP  
 30 EIGHT of the following STEPS:  
 31 STEP ONE: Except as provided in subsection (g), determine the  
 32 maximum rate for the political subdivision levying a property tax  
 33 or special benefits tax under the statute for the *previous calendar*  
 34 *year preceding the year in which the annual adjustment or the*  
 35 *reassessment under IC 6-1.1-4-4 or IC 6-1.1-4-4.2 takes effect.*  
 36 STEP TWO: Determine the actual percentage change (rounded to  
 37 the nearest one-hundredth percent (0.01%)) in the assessed value  
 38 *(before the adjustment, if any, under IC 6-1.1-4-4.5)* of the  
 39 taxable property from the *previous calendar year preceding the*  
 40 *year the annual adjustment or the reassessment under*  
 41 *IC 6-1.1-4-4 or IC 6-1.1-4-4.2 takes effect to the year that the*  
 42 *annual adjustment or the reassessment under IC 6-1.1-4-4 or*



- 1 ~~IC 6-1.1-4-4.2 takes effect.~~ in which the affected property taxes  
 2 will be imposed.
- 3 STEP THREE: Determine the three (3) calendar years that  
 4 immediately precede the *ensuing calendar year and in which a*  
 5 *statewide general reassessment of real property under*  
 6 ~~IC 6-1.1-4-4~~ *does not first take effect.* year in which the affected  
 7 property taxes will be imposed.
- 8 STEP FOUR: Compute separately, for each of the calendar years  
 9 determined in STEP THREE, the actual percentage change  
 10 (rounded to the nearest one-hundredth percent (0.01%)) in the  
 11 assessed value (before the adjustment, if any, under  
 12 IC 6-1.1-4-4.5) of the taxable property from the preceding year.
- 13 STEP FIVE: Divide the sum of the three (3) quotients computed  
 14 in STEP FOUR by three (3).
- 15 STEP SIX: Determine the greater of the following:  
 16 (A) Zero (0).  
 17 (B) The STEP FIVE result.
- 18 STEP SEVEN: Determine the greater of the following:  
 19 (A) Zero (0).  
 20 (B) The result of the STEP TWO percentage minus the STEP  
 21 SIX percentage, **if any**.
- 22 STEP EIGHT: Determine the quotient of the STEP ONE tax rate  
 23 divided by the sum of one (1) plus the STEP SEVEN percentage,  
 24 **if any**.
- 25 (f) The department of local government finance shall compute the  
 26 maximum rate allowed under subsection (e) and provide the rate to  
 27 each political subdivision with authority to levy a tax under a statute  
 28 listed in subsection (d).
- 29 (g) This subsection applies only when calculating the maximum rate  
 30 for taxes due and payable in calendar year 2013. The STEP ONE result  
 31 is the greater of the following:  
 32 (1) The actual maximum rate established for property taxes first  
 33 due and payable in calendar year 2012.  
 34 (2) The maximum rate that would have been established for  
 35 property taxes first due and payable in calendar year 2012 if the  
 36 maximum rate had been established under the formula under this  
 37 section, as amended in the 2012 session of the general assembly.
- 38 (h) *This subsection applies only when calculating the maximum rate*  
 39 *allowed under subsection (e) for the Vincennes Community School*  
 40 *Corporation with respect to property taxes first due and payable in*  
 41 *2014. The subsection (e) STEP ONE result for the school corporation's*  
 42 *capital projects fund is nineteen and forty-two hundredths cents*



1 (*\$0.1942*).

2 SECTION 21. IC 6-1.1-18.5-8.1, AS ADDED BY P.L.218-2013,  
3 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 UPON PASSAGE]: Sec. 8.1. (a) This section applies to a township that  
5 is allowed an increase in its maximum permissible ad valorem property  
6 tax levy under section 13(c) of this chapter for property taxes first due  
7 and payable in 2014.

8 (b) The property tax levy limit imposed under section 3 of this  
9 chapter on the township may be exceeded in calendar years 2014,  
10 2015, and 2016 by:

11 (1) the amount of ad valorem property taxes imposed by ~~a~~ **the**  
12 township to repay money borrowed under IC 36-6-6-14(f); **or**

13 (2) **the amount of ad valorem property taxes imposed by the**  
14 **township** to repay money borrowed under IC 36-6-6-14(b) in  
15 2012 or 2013;

16 but not both.

17 (c) For purposes of computing the ad valorem property tax levy limit  
18 imposed on a township under section 3 of this chapter, the township's  
19 ad valorem property tax levy for a particular calendar year does not  
20 include that part of the levy imposed to repay money borrowed under  
21 IC 36-6-6-14(f).

22 SECTION 22. IC 6-1.1-20.3-7.5, AS AMENDED BY P.L.234-2013,  
23 SECTION 4, AND AS AMENDED BY P.L.257-2013, SECTION 22,  
24 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
25 [EFFECTIVE UPON PASSAGE]: Sec. 7.5. (a) This section does not  
26 apply to a school corporation designated *before July 1, 2013*, as a  
27 distressed political subdivision.

28 (b) If the board designates a political subdivision as a distressed  
29 political subdivision under section 6.5 *or* 6.7 of this chapter, the board  
30 shall appoint an emergency manager for the distressed political  
31 subdivision. An emergency manager serves at the pleasure of the  
32 board.

33 (c) The chairperson of the board shall oversee the activities of an  
34 emergency manager.

35 (d) The distressed political subdivision shall pay the emergency  
36 manager's compensation and reimburse the emergency manager for  
37 actual and necessary expenses.

38 SECTION 23. IC 6-1.1-20.3-8.5, AS AMENDED BY P.L.257-2013,  
39 SECTION 25, AND AS AMENDED BY P.L.234-2013, SECTION 5,  
40 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
41 [EFFECTIVE UPON PASSAGE]: Sec. 8.5. (a) This section does not  
42 apply to ~~a school corporations~~ *corporation designated before July 1,*



- 1       2013, as a distressed political subdivision.
- 2       (b) Notwithstanding any other law, an emergency manager of a
- 3       distressed political subdivision appointed under section 7.5 of this
- 4       chapter shall do the following:
- 5           (1) Assume and exercise the authority and responsibilities of both
- 6           the executive and the fiscal body of the political subdivision
- 7           concerning the adoption, amendment, and enforcement of
- 8           ordinances and resolutions relating to or affecting the fiscal
- 9           stability of the political subdivision. However, the emergency
- 10          manager does not have the power to impose taxes or fees in
- 11          addition to the taxes or fees authorized by the political
- 12          subdivision before the political subdivision was designated a
- 13          distressed political subdivision.
- 14          (2) Review the political subdivision's budget.
- 15          (3) Review salaries of the political subdivision's employees.
- 16          (4) Conduct a financial and compliance audit of the internal
- 17          operations of the political subdivision.
- 18          (5) Develop a written financial plan in consultation with the
- 19          officials of the political subdivision not later than six (6) months
- 20          after appointment.
- 21          (6) Develop a plan for paying all the political subdivision's
- 22          outstanding obligations.
- 23          (7) Review existing labor contracts.
- 24          (8) Adopt a budget for the political subdivision for each calendar
- 25          or fiscal year, as applicable, that the political subdivision remains
- 26          a distressed political subdivision.
- 27          (9) Review payrolls and other claims against the political
- 28          subdivision before payment.
- 29          (10) Make, approve, or disapprove the following:
- 30               (A) A contract.
- 31               (B) An expenditure.
- 32               (C) A loan.
- 33               (D) The creation of any new position.
- 34               (E) The filling of any vacant position.
- 35          (11) Submit a written report to the board every three (3) months
- 36          concerning:
- 37               (A) actions taken by the emergency manager;
- 38               (B) expenditures made by the distressed political subdivision;
- 39               and
- 40               (C) the work that has been done to remove the distressed
- 41               political subdivision from distressed status.
- 42          (12) Petition the board to terminate a political subdivision's status





1 as a distressed political subdivision when the conditions found in  
 2 section 6.5 of this chapter are no longer applicable to the political  
 3 subdivision.

4 (c) An emergency manager of a distressed political subdivision  
 5 appointed under section 7.5 of this chapter may do the following:

6 (1) Renegotiate existing labor contracts and act as an agent of the  
 7 political subdivision in collective bargaining.

8 (2) Reduce or suspend salaries of the political subdivision's  
 9 employees.

10 (3) Enter into agreements with other political subdivisions for the  
 11 provision of services.

12 (d) Except as provided in section ~~13(c)~~ 13(d) of this chapter, an  
 13 emergency manager of a distressed political subdivision retains the  
 14 powers and duties described in subsections (b) and (c) until:

15 (1) the emergency manager resigns or dies;

16 (2) the board removes the emergency manager; or

17 (3) the political subdivision's status as a distressed political  
 18 subdivision is terminated under section 13(b) *or* 13(c) of this  
 19 chapter.

20 SECTION 24. IC 6-1.1-20.3-10, AS AMENDED BY P.L.257-2013,  
 21 SECTION 26, AND AS AMENDED BY P.L.234-2013, SECTION 6,  
 22 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 23 [EFFECTIVE UPON PASSAGE]: Sec. 10. A distressed political  
 24 subdivision may petition the tax court for judicial review of a  
 25 determination of the board under section 6.5 *or* 6.7 of this chapter. *A*  
 26 *school corporation may also petition the tax court for judicial review*  
 27 *of a determination of the board under section 8.4 of this chapter.* The  
 28 action must be taken to the tax court under IC 6-1.1-15 in the same  
 29 manner that an action is taken to appeal a final determination of the  
 30 Indiana board of tax review. The petition must be filed in the tax court  
 31 not more than forty-five (45) days after the board enters its final  
 32 determination.

33 SECTION 25. IC 6-1.1-20.3-13, AS AMENDED BY P.L.257-2013,  
 34 SECTION 27, AND AS AMENDED BY P.L.234-2013, SECTION 7,  
 35 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 36 [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) If:

37 (1) an emergency manager of a distressed political subdivision;  
 38 ~~that is not a school corporation;~~

39 (2) the fiscal body and executive of the political subdivision  
 40 jointly; or

41 (3) the governing body of a school corporation that:

42 (A) employs a new superintendent; or



1 (B) has a new member elected or appointed to its governing  
 2 body;  
 3 during the time the school corporation is a distressed political  
 4 subdivision;

5 files a petition with the board for termination of the political  
 6 subdivision's status as a distressed political subdivision, the board shall  
 7 conduct a public hearing on the question of whether to terminate the  
 8 political subdivision's status as a distressed political subdivision.

9 (b) *In the case of a political subdivision designated as distressed*  
 10 *under section 6.5 of this chapter*, the board shall terminate the political  
 11 subdivision's status as a distressed political subdivision if the board  
 12 finds that the conditions found in section 6.5 of this chapter are no  
 13 longer applicable to the political subdivision.

14 (c) *In the case of a township designated as distressed under section*  
 15 *6.7 of this chapter*, the board shall terminate the township's status as  
 16 a distressed political subdivision if the board finds that the township's  
 17 township assistance property tax rate (as defined in section 6.7(a) of  
 18 this chapter) for the current calendar year is not more than the result  
 19 of:

20 (1) the statewide average township assistance property tax rate  
 21 (as determined by the department of local government finance)  
 22 for property taxes first due and payable in that same year;  
 23 multiplied by

24 (2) twelve (12).

25 ~~(c)~~ (d) Notwithstanding any other section of this chapter, not later  
 26 than ninety (90) days after taking office, a new executive of a distressed  
 27 political subdivision may petition the board for suspension of the  
 28 political subdivision's distressed status. *In the case of a political*  
 29 *subdivision designated as distressed under section 6.5 of this chapter*,  
 30 the executive must include in its petition a written plan to resolve the  
 31 applicable issues described in section 6.5 of this chapter. *In the case of*  
 32 *a township designated as distressed under section 6.7 of this chapter*,  
 33 *the executive must include in its petition a written plan to lower the*  
 34 *township's township assistance property tax rate (as defined in section*  
 35 *6.7(a) of this chapter)*. If the board approves the executive's written  
 36 plan, the board may suspend the political subdivision's distressed status  
 37 for one hundred eighty (180) days. Suspension under this chapter  
 38 terminates automatically upon expiration of the one hundred eighty  
 39 (180) day period. The board may consider a petition to terminate the  
 40 political subdivision's distressed status during a period of suspension.

41 SECTION 26. IC 6-1.1-25-4.1, AS AMENDED BY P.L.146-2008,  
 42 SECTION 259, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE UPON PASSAGE]: Sec. 4.1. (a) If, as provided in  
 2 section ~~4(h)~~ 4(i) of this chapter, the county auditor does not issue a  
 3 deed to the county for property for which a certificate of sale has been  
 4 issued to the county under IC 6-1.1-24-9 because the county executive  
 5 determines that the property contains hazardous waste or another  
 6 environmental hazard for which the cost of abatement or alleviation  
 7 will exceed the fair market value of the property, the property may be  
 8 transferred consistent with this section.

9 (b) A person who desires to obtain title to and eliminate the  
 10 hazardous conditions of property containing hazardous waste or  
 11 another environmental hazard for which a county holds a certificate of  
 12 sale but to which a deed may not be issued to the county under section  
 13 ~~4(h)~~ 4(i) of this chapter may file a petition with the county auditor  
 14 seeking a waiver of the delinquent taxes, special assessments, interest,  
 15 penalties, and costs assessed against the property and transfer of the  
 16 title to the property to the petitioner. The petition must:

- 17 (1) be on a form prescribed by the state board of accounts and  
 18 approved by the department of local government finance;
- 19 (2) state the amount of taxes, special assessments, penalties, and  
 20 costs assessed against the property for which a waiver is sought;
- 21 (3) describe the conditions existing on the property that have  
 22 prevented the sale or the transfer of title to the county;
- 23 (4) describe the plan of the petitioner for elimination of the  
 24 hazardous condition on the property under IC 13-25-5 and the  
 25 intended use of the property; and
- 26 (5) be accompanied by a fee established by the county auditor for  
 27 completion of a title search and processing.

28 (c) Upon receipt of a petition described in subsection (b), the county  
 29 auditor shall review the petition to determine whether the petition is  
 30 complete. If the petition is not complete, the county auditor shall return  
 31 the petition to the petitioner and describe the defects in the petition.  
 32 The petitioner may correct the defects and file the completed petition  
 33 with the county auditor. Upon receipt of a completed petition, the  
 34 county auditor shall forward a copy of the petition to:

- 35 (1) the assessor of the township in which the property is located,  
 36 or the county assessor if there is no township assessor for the  
 37 township;
- 38 (2) the owner;
- 39 (3) all persons who have, as of the date of the filing of the  
 40 petition, a substantial interest of public record in the property;
- 41 (4) the county property tax assessment board of appeals; and
- 42 (5) the department of local government finance.



1 (d) Upon receipt of a petition described in subsection (b), the county  
2 property tax assessment board of appeals shall, at the county property  
3 tax assessment board of appeals' earliest opportunity, conduct a public  
4 hearing on the petition. The county property tax assessment board of  
5 appeals shall, by mail, give notice of the date, time, and place fixed for  
6 the hearing to:

7 (1) the petitioner;

8 (2) the owner;

9 (3) all persons who have, as of the date the petition was filed, a  
10 substantial interest of public record in the property; and

11 (4) the assessor of the township in which the property is located,  
12 or the county assessor if there is no township assessor for the  
13 township.

14 In addition, notice of the public hearing on the petition shall be  
15 published one (1) time at least ten (10) days before the hearing in a  
16 newspaper of countywide circulation and posted at the principal office  
17 of the county property tax assessment board of appeals, or at the  
18 building where the meeting is to be held.

19 (e) After the hearing and completion of any additional investigation  
20 of the property or of the petitioner that is considered necessary by the  
21 county property tax assessment board of appeals, the county board shall  
22 give notice, by mail, to the parties listed in subsection (d) of the county  
23 property tax assessment board of appeals' recommendation as to  
24 whether the petition should be granted. The county property tax  
25 assessment board of appeals shall forward to the department of local  
26 government finance a copy of the county property tax assessment board  
27 of appeals' recommendation and a copy of the documents submitted to  
28 or collected by the county property tax assessment board of appeals at  
29 the public hearing or during the course of the county board of appeals'  
30 investigation of the petition.

31 (f) Upon receipt by the department of local government finance of  
32 a recommendation by the county property tax assessment board of  
33 appeals, the department of local government finance shall review the  
34 petition and all other materials submitted by the county property tax  
35 assessment board of appeals and determine whether to grant the  
36 petition. Notice of the determination by the department of local  
37 government finance and the right to seek an appeal of the  
38 determination shall be given by mail to:

39 (1) the petitioner;

40 (2) the owner;

41 (3) all persons who have, as of the date the petition was filed, a  
42 substantial interest of public record in the property;



1 (4) the assessor of the township in which the property is located,  
 2 or the county assessor if there is no township assessor for the  
 3 township; and

4 (5) the county property tax assessment board of appeals.

5 (g) Any person aggrieved by a determination of the department of  
 6 local government finance under subsection (f) may file an appeal  
 7 seeking additional review by the department of local government  
 8 finance and a public hearing. In order to obtain a review under this  
 9 subsection, the aggrieved person must file a petition for appeal with the  
 10 county auditor in the county where the tract or item of real property is  
 11 located not more than thirty (30) days after issuance of notice of the  
 12 determination of the department of local government finance. The  
 13 county auditor shall transmit the petition for appeal to the department  
 14 of local government finance not more than ten (10) days after the  
 15 petition is filed.

16 (h) Upon receipt by the department of local government finance of  
 17 an appeal, the department of local government finance shall set a date,  
 18 time, and place for a hearing. The department of local government  
 19 finance shall give notice, by mail, of the date, time, and place fixed for  
 20 the hearing to:

21 (1) the person filing the appeal;

22 (2) the petitioner;

23 (3) the owner;

24 (4) all persons who have, as of the date the petition was filed, a  
 25 substantial interest of public record in the property;

26 (5) the assessor of the township in which the property is located,  
 27 or the county assessor if there is no township assessor for the  
 28 township; and

29 (6) the county property tax assessment board of appeals.

30 The department of local government finance shall give the notices at  
 31 least ten (10) days before the day fixed for the hearing.

32 (i) After the hearing, the department of local government finance  
 33 shall give the parties listed in subsection (h) notice by mail of the final  
 34 determination of the department of local government finance.

35 (j) If the department of local government finance decides to:

36 (1) grant the petition submitted under subsection (b) after initial  
 37 review of the petition under subsection (f) or after an appeal  
 38 under subsection (h); and

39 (2) waive the taxes, special assessments, interest, penalties, and  
 40 costs assessed against the property;

41 the department of local government finance shall issue to the county  
 42 auditor an order directing the removal from the tax duplicate of the



1 taxes, special assessments, interest, penalties, and costs for which the  
2 waiver is granted.

3 (k) After:

- 4 (1) at least thirty (30) days have passed since the issuance of a  
5 notice by the department of local government finance to the  
6 county property tax assessment board of appeals granting a  
7 petition filed under subsection (b), if no appeal has been filed; or  
8 (2) not more than thirty (30) days after receipt by the county  
9 property tax assessment board of appeals of a notice of a final  
10 determination of the department of local government finance  
11 granting a petition filed under subsection (b) after an appeal has  
12 been filed and heard under subsection (h);

13 the county auditor shall file a verified petition and an application for an  
14 order on the petition in the court in which the judgment of sale was  
15 entered asking the court to direct the county auditor to issue a tax deed  
16 to the real property. The petition shall contain the certificate of sale  
17 issued to the county, a copy of the petition filed under subsection (b),  
18 and a copy of the notice of the final determination of the department of  
19 local government finance directing the county auditor to remove the  
20 taxes, interest, penalties, and costs from the tax duplicate. Notice of the  
21 filing of the petition and application for an order on the petition shall  
22 be given, by mail, to the owner and any person with a substantial  
23 interest of public record in the property. A person owning or having an  
24 interest in the property may appear to object to the petition.

25 (l) The court shall enter an order directing the county auditor to  
26 issue a tax deed to the petitioner under subsection (b) if the court finds  
27 that the following conditions exist:

- 28 (1) The time for redemption has expired.  
29 (2) The property has not been redeemed before the expiration of  
30 the period of redemption specified in section 4 of this chapter.  
31 (3) All taxes, special assessments, interest, penalties, and costs  
32 have been waived by the department of local government finance  
33 or, to the extent not waived, paid by the petitioner under  
34 subsection (b).  
35 (4) All notices required by this section and sections 4.5 and 4.6 of  
36 this chapter have been given.  
37 (5) The petitioner under subsection (b) has complied with all the  
38 provisions of law entitling the petitioner to a tax deed.

39 (m) A tax deed issued under this section is uncontestable except by  
40 appeal from the order of the court directing the county auditor to issue  
41 the tax deed. The appeal must be filed not later than sixty (60) days  
42 after the date of the court's order.



1 SECTION 27. IC 6-2.5-3.5-2 IS REPEALED [EFFECTIVE UPON  
2 PASSAGE]. Sec. 2: As used in this chapter, "E85" has the meaning set  
3 forth in IC 6-6-1.1-103.

4 SECTION 28. IC 6-2.5-3.5-7 IS REPEALED [EFFECTIVE JULY  
5 1, 2014]. Sec. 7: As used in this chapter, "price per unit before the  
6 addition of state and federal taxes" means an amount that equals the  
7 remainder of:

8 (1) the total price per unit; minus

9 (2) the gasoline use tax, Indiana gasoline tax, and federal gasoline  
10 taxes that are part of the total price per unit.

11 SECTION 29. IC 6-2.5-7-5, AS AMENDED BY P.L.227-2013,  
12 SECTION 8, AND AS AMENDED BY P.L.293-2013(ts), SECTION  
13 7, IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
14 [EFFECTIVE JULY 1, 2014]: Sec. 5. (a) Each retail merchant who  
15 dispenses gasoline or special fuel from a metered pump shall, in the  
16 manner prescribed in IC 6-2.5-6, report to the department the following  
17 information:

18 (1) *The total number of gallons of gasoline sold from a metered*  
19 *pump during the period covered by the report.*

20 (2) *The total amount of money received from the sale of gasoline*  
21 *described in subdivision (1) during the period covered by the*  
22 *report.*

23 (3) *That portion of the amount described in subdivision (2) which*  
24 *represents state and federal taxes imposed under this article,*  
25 *IC 6-6-1.1, or Section 4081 of the Internal Revenue Code.*

26 (4) (1) The total number of gallons of special fuel sold from a  
27 metered pump during the period covered by the report.

28 (5) (2) The total amount of money received from the sale of  
29 special fuel during the period covered by the report.

30 (6) (3) That portion of the amount described in subdivision (5) (2)  
31 that represents state and federal taxes imposed under this article,  
32 IC 6-6-2.5, or Section 4041 or Section 4081 of the Internal  
33 Revenue Code.

34 (7) *The total number of gallons of E85 sold from a metered pump*  
35 *during the period covered by the report.*

36 (b) Concurrently with filing the report, the retail merchant shall  
37 remit the state gross retail tax in an amount which equals six and  
38 fifty-four hundredths percent (6.54%) of the gross receipts, including  
39 state gross retail taxes but excluding Indiana and federal *gasoline and*  
40 *special fuel* taxes, received by the retail merchant from the sale of the  
41 *gasoline and* special fuel that is covered by the report and on which the  
42 retail merchant was required to collect state gross retail tax. The retail



1 merchant shall remit that amount regardless of the amount of state  
 2 gross retail tax which the merchant has actually collected under this  
 3 chapter. However, the retail merchant is entitled to deduct and retain  
 4 the amounts prescribed in *subsection (c)*, IC 6-2.5-6-10, and  
 5 IC 6-2.5-6-11.

6 *(c) A retail merchant is entitled to deduct from the amount of state*  
 7 *gross retail tax required to be remitted under subsection (b) an amount*  
 8 *equal to:*

9 *(1) the sum of the prepayment amounts made during the period*  
 10 *covered by the retail merchant's report; minus*

11 *(2) the sum of prepayment amounts collected by the retail*  
 12 *merchant, in the merchant's capacity as a qualified distributor,*  
 13 *during the period covered by the retail merchant's report.*

14 *For purposes of this section, a prepayment of the gross retail tax is*  
 15 *presumed to occur on the date on which it is invoiced.*

16 SECTION 30. IC 6-8.1-1-1, AS AMENDED BY P.L.277-2013,  
 17 SECTION 15, AND AS AMENDED BY P.L.288-2013, SECTION 68,  
 18 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 19 [EFFECTIVE JANUARY 1, 2014 (RETROACTIVE)]: Sec. 1. "Listed  
 20 taxes" or "taxes" includes only the pari-mutuel taxes (IC 4-31-9-3  
 21 through IC 4-31-9-5); the riverboat admissions tax (IC 4-33-12); the  
 22 riverboat wagering tax (IC 4-33-13); the slot machine wagering tax  
 23 (IC 4-35-8); the type II gambling game excise tax (IC 4-36-9); the gross  
 24 income tax (IC 6-2.1) (repealed); the utility receipts and utility services  
 25 use taxes (IC 6-2.3); the state gross retail and use taxes (IC 6-2.5); the  
 26 adjusted gross income tax (IC 6-3); the supplemental net income tax  
 27 (IC 6-3-8) (repealed); the county adjusted gross income tax  
 28 (IC 6-3.5-1.1); the county option income tax (IC 6-3.5-6); the county  
 29 economic development income tax (IC 6-3.5-7); the auto rental excise  
 30 tax (IC 6-6-9); the financial institutions tax (IC 6-5.5); the gasoline tax  
 31 (IC 6-6-1.1); *the alternative fuel permit fee (IC 6-6-2.1)*; the special  
 32 fuel tax (IC 6-6-2.5); the motor carrier fuel tax (IC 6-6-4.1); a motor  
 33 fuel tax collected under a reciprocal agreement under IC 6-8.1-3; the  
 34 motor vehicle excise tax (IC 6-6-5); *the aviation fuel excise tax*  
 35 *(IC 6-6-13)*; the commercial vehicle excise tax (IC 6-6-5.5); the excise  
 36 tax imposed on recreational vehicles and truck campers (IC 6-6-5.1);  
 37 the hazardous waste disposal tax (IC 6-6-6.6); the cigarette tax  
 38 (IC 6-7-1); the beer excise tax (IC 7.1-4-2); the liquor excise tax  
 39 (IC 7.1-4-3); the wine excise tax (IC 7.1-4-4); the hard cider excise tax  
 40 (IC 7.1-4-4.5); the malt excise tax (IC 7.1-4-5); the petroleum  
 41 severance tax (IC 6-8-1); the various innkeeper's taxes (IC 6-9); the  
 42 various food and beverage taxes (IC 6-9); the county admissions tax





1 (IC 6-9-13 and IC 6-9-28); the regional transportation improvement  
 2 income tax (IC 8-24-17); the oil inspection fee (IC 16-44-2); the  
 3 emergency and hazardous chemical inventory form fee (IC 6-6-10); the  
 4 penalties assessed for oversize vehicles (IC 9-20-3 and IC 9-30); the  
 5 fees and penalties assessed for overweight vehicles (IC 9-20-4 and  
 6 IC 9-30); the underground storage tank fee (IC 13-23); the solid waste  
 7 management fee (IC 13-20-22); and any other tax or fee that the  
 8 department is required to collect or administer.

9 SECTION 31. IC 6-8.1-7-1, AS AMENDED BY P.L.205-2013,  
 10 SECTION 131, P.L.227-2013, SECTION 20, P.L.261-2013, SECTION  
 11 38, AND P.L.293-2013(ts), SECTION 29, IS CORRECTED AND  
 12 AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON  
 13 PASSAGE]: Sec. 1. (a) This subsection does not apply to the disclosure  
 14 of information concerning a conviction on a tax evasion charge. Unless  
 15 in accordance with a judicial order or as otherwise provided in this  
 16 chapter, the department, its employees, former employees, counsel,  
 17 agents, or any other person may not divulge the amount of tax paid by  
 18 any taxpayer, terms of a settlement agreement executed between a  
 19 taxpayer and the department, investigation records, investigation  
 20 reports, or any other information disclosed by the reports filed under  
 21 the provisions of the law relating to any of the listed taxes, including  
 22 required information derived from a federal return, except to:

- 23 (1) members and employees of the department;  
 24 (2) the governor;  
 25 (3) *a member of the general assembly or an employee of the*  
 26 *house of representatives or the senate when acting on behalf of*  
 27 *a taxpayer located in the member's legislative district who has*  
 28 *provided sufficient information to the member or employee for the*  
 29 *department to determine that the member or employee is acting*  
 30 *on behalf of the taxpayer;*  
 31 ~~(3)~~ (4) the attorney general or any other legal representative of the  
 32 state in any action in respect to the amount of tax due under the  
 33 provisions of the law relating to any of the listed taxes; or  
 34 ~~(4)~~ (5) any authorized officers of the United States;

35 when it is agreed that the information is to be confidential and to be  
 36 used solely for official purposes.

37 (b) The information described in subsection (a) may be revealed  
 38 upon the receipt of a certified request of any designated officer of the  
 39 state tax department of any other state, district, territory, or possession  
 40 of the United States when:

- 41 (1) the state, district, territory, or possession permits the exchange  
 42 of like information with the taxing officials of the state; and



- 1           (2) it is agreed that the information is to be confidential and to be  
2           used solely for tax collection purposes.
- 3           (c) The information described in subsection (a) relating to a person  
4           on public welfare or a person who has made application for public  
5           welfare may be revealed to the director of the division of family  
6           resources, and to any director of a county office of the division of  
7           family resources located in Indiana, upon receipt of a written request  
8           from either director for the information. The information shall be  
9           treated as confidential by the directors. In addition, the information  
10          described in subsection (a) relating to a person who has been  
11          designated as an absent parent by the state Title IV-D agency shall be  
12          made available to the state Title IV-D agency upon request. The  
13          information shall be subject to the information safeguarding provisions  
14          of the state and federal Title IV-D programs.
- 15          (d) The name, address, Social Security number, and place of  
16          employment relating to any individual who is delinquent in paying  
17          educational loans owed to a postsecondary educational institution may  
18          be revealed to that institution if it provides proof to the department that  
19          the individual is delinquent in paying for educational loans. This  
20          information shall be provided free of charge to approved postsecondary  
21          educational institutions (as defined by IC 21-7-13-6(a)). The  
22          department shall establish fees that all other institutions must pay to the  
23          department to obtain information under this subsection. However, these  
24          fees may not exceed the department's administrative costs in providing  
25          the information to the institution.
- 26          (e) The information described in subsection (a) relating to reports  
27          submitted under IC 6-6-1.1-502 concerning the number of gallons of  
28          gasoline sold by a distributor and IC 6-6-2.5 concerning the number of  
29          gallons of special fuel sold by a supplier and the number of gallons of  
30          special fuel exported by a licensed exporter or imported by a licensed  
31          transporter may be released by the commissioner upon receipt of a  
32          written request for the information.
- 33          (f) The information described in subsection (a) may be revealed  
34          upon the receipt of a written request from the administrative head of a  
35          state agency of Indiana when:
- 36                 (1) the state agency shows an official need for the information;  
37                 and  
38                 (2) the administrative head of the state agency agrees that any  
39                 information released will be kept confidential and will be used  
40                 solely for official purposes.
- 41          (g) The information described in subsection (a) may be revealed  
42          upon the receipt of a written request from the chief law enforcement



1 officer of a state or local law enforcement agency in Indiana when it is  
 2 agreed that the information is to be confidential and to be used solely  
 3 for official purposes.

4 (h) The name and address of retail merchants, including township,  
 5 as specified in ~~IC 6-2.5-8-1(f)~~ IC 6-2.5-8-1(k) may be released solely  
 6 for tax collection purposes to township assessors and county assessors.

7 (i) The department shall notify the appropriate innkeepers' tax  
 8 board, bureau, or commission that a taxpayer is delinquent in remitting  
 9 innkeepers' taxes under IC 6-9.

10 (j) All information relating to the delinquency or evasion of the  
 11 motor vehicle excise tax may be disclosed to the bureau of motor  
 12 vehicles in Indiana and may be disclosed to another state, if the  
 13 information is disclosed for the purpose of the enforcement and  
 14 collection of the taxes imposed by IC 6-6-5.

15 (k) All information relating to the delinquency or evasion of  
 16 commercial vehicle excise taxes payable to the bureau of motor  
 17 vehicles in Indiana may be disclosed to the bureau and may be  
 18 disclosed to another state, if the information is disclosed for the  
 19 purpose of the enforcement and collection of the taxes imposed by  
 20 IC 6-6-5.5.

21 (l) All information relating to the delinquency or evasion of  
 22 commercial vehicle excise taxes payable under the International  
 23 Registration Plan may be disclosed to another state, if the information  
 24 is disclosed for the purpose of the enforcement and collection of the  
 25 taxes imposed by IC 6-6-5.5.

26 (m) All information relating to the delinquency or evasion of the  
 27 excise taxes imposed on recreational vehicles and truck campers that  
 28 are payable to the bureau of motor vehicles in Indiana may be disclosed  
 29 to the bureau and may be disclosed to another state if the information  
 30 is disclosed for the purpose of the enforcement and collection of the  
 31 taxes imposed by IC 6-6-5.1.

32 (n) This section does not apply to:

- 33 (1) the beer excise tax, including brand and packaged type
- 34 (IC 7.1-4-2);
- 35 (2) the liquor excise tax (IC 7.1-4-3);
- 36 (3) the wine excise tax (IC 7.1-4-4);
- 37 (4) the hard cider excise tax (IC 7.1-4-4.5);
- 38 (5) the malt excise tax (IC 7.1-4-5);
- 39 (6) the motor vehicle excise tax (IC 6-6-5);
- 40 (7) the commercial vehicle excise tax (IC 6-6-5.5); and
- 41 (8) the fees under IC 13-23.

42 (o) The name and business address of retail merchants within each



1 county that sell tobacco products may be released to the division of  
 2 mental health and addiction and the alcohol and tobacco commission  
 3 solely for the purpose of the list prepared under IC 6-2.5-6-14.2.

4 ~~(p)~~ *The names name and business addresses address of persons a*  
 5 *person issued licenses licensed by the department under IC 6-6 and or*  
 6 *IC 6-7 may be released for the purpose of reporting the status of the*  
 7 *person's license.*

8 ~~(p)~~ **(q)** *The department may release information concerning total*  
 9 *incremental tax amounts under:*

10 *(1) IC 5-28-26;*

11 *(2) IC 36-7-13;*

12 *(3) IC 36-7-26;*

13 *(4) IC 36-7-27;*

14 *(5) IC 36-7-31;*

15 *(6) IC 36-7-31.3; or*

16 *(7) any other statute providing for the calculation of incremental*  
 17 *state taxes that will be distributed to or retained by a political*  
 18 *subdivision or other entity;*

19 *to the fiscal officer of the political subdivision or other entity that*  
 20 *established the district or area from which the incremental taxes were*  
 21 *received if that fiscal officer enters into an agreement with the*  
 22 *department specifying that the political subdivision or other entity will*  
 23 *use the information solely for official purposes.*

24 SECTION 32. IC 7.1-5-9-7, AS AMENDED BY P.L.109-2013,  
 25 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 UPON PASSAGE]: Sec. 7. **Except as provided in IC 7.1-3-27-6**, it is  
 27 unlawful for the holder of an artisan distiller's, a distiller's, or a  
 28 rectifier's permit to own, acquire, possess or cause to be transferred to  
 29 the holder shares of stock of a corporation that holds an Indiana permit  
 30 to sell alcoholic beverages at retail, or in a permit to sell at retail in this  
 31 state, or to own or acquire an interest in the business being conducted  
 32 under the permit, or in or to shares of stock in a corporation that owns  
 33 a permit to sell at retail.

34 SECTION 33. IC 8-14-1-3, AS AMENDED BY P.L.261-2013,  
 35 SECTION 40, AND AS AMENDED BY P.L.205-2013, SECTION  
 36 134, IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 37 [EFFECTIVE UPON PASSAGE]: Sec. 3. The money collected for the  
 38 motor vehicle highway account fund and remaining after refunds and  
 39 the payment of all expenses incurred in the collection thereof, and after  
 40 the deduction of the amount appropriated to the department for traffic  
 41 safety, *and after the deduction of one-half (1/2) of the amount*  
 42 *appropriated for the state police department*, shall be allocated to and



1 distributed among the department and subdivisions designated as  
2 follows:

3 (1) Of the net amount in the motor vehicle highway account the  
4 auditor of state shall set aside for the cities and towns of the state  
5 fifteen percent (15%) thereof. This sum shall be allocated to the  
6 cities and towns upon the basis that the population of each city  
7 and town bears to the total population of all the cities and towns  
8 and shall be used for the construction or reconstruction and  
9 maintenance of streets and alleys and shall be annually budgeted  
10 as now provided by law. However, no part of such sum shall be  
11 used for any other purpose than for the purposes defined in this  
12 chapter. If any funds allocated to any city or town shall be used by  
13 any officer or officers of such city or town for any purpose or  
14 purposes other than for the purposes as defined in this chapter,  
15 such officer or officers shall be liable upon their official bonds to  
16 such city or town in such amount so used for other purposes than  
17 for the purposes as defined in this chapter, together with the costs  
18 of said action and reasonable attorney fees, recoverable in an  
19 action or suit instituted in the name of the state of Indiana on the  
20 relation of any taxpayer or taxpayers resident of such city or town.  
21 A monthly distribution thereof of funds accumulated during the  
22 preceding month shall be made by the auditor of state.

23 (2) Of the net amount in the motor vehicle highway account, the  
24 auditor of state shall set aside for the counties of the state  
25 thirty-two percent (32%) thereof. However, as to the allocation to  
26 cities and towns under subdivision (1) and as to the allocation to  
27 counties under this subdivision, in the event that the amount in  
28 the motor vehicle highway account fund remaining after refunds  
29 and *after* the payment of all expenses incurred in the collection  
30 thereof *and after deduction of any amount appropriated by the*  
31 *general assembly for public safety and policing* shall be less than  
32 twenty-two million six hundred and fifty thousand dollars  
33 (\$22,650,000) in any fiscal year, then the amount so set aside in  
34 the next calendar year for distributions to counties shall be  
35 reduced fifty-four percent (54%) of such deficit and the amount  
36 so set aside for distribution in the next calendar year to cities and  
37 towns shall be reduced thirteen percent (13%) of such deficit.  
38 Such reduced distributions shall begin with the distribution  
39 January 1 of each year.

40 (3) The amount set aside for the counties of the state under the  
41 provisions of subdivision (2) shall be allocated monthly upon the  
42 following basis:



- 1 (A) Five percent (5%) of the amount allocated to the counties  
 2 to be divided equally among the ninety-two (92) counties.  
 3 (B) Sixty-five percent (65%) of the amount allocated to the  
 4 counties to be divided on the basis of the ratio of the actual  
 5 miles, now traveled and in use, of county roads in each county  
 6 to the total mileage of county roads in the state, which shall be  
 7 annually determined, accurately, by the department *and*  
 8 *submitted to the auditor of state before April 1 of each year.*  
 9 (C) Thirty percent (30%) of the amount allocated to the  
 10 counties to be divided on the basis of the ratio of the motor  
 11 vehicle registrations of each county to the total motor vehicle  
 12 registration of the state.
- 13 All money so distributed to the several counties of the state shall  
 14 constitute a special road fund for each of the respective counties  
 15 and shall be under the exclusive supervision and direction of the  
 16 board of county commissioners in the construction,  
 17 reconstruction, maintenance, or repair of the county highways or  
 18 bridges on such county highways within such county.
- 19 (4) Each month the remainder of the net amount in the motor  
 20 vehicle highway account shall be credited to the state highway  
 21 fund for the use of the department.
- 22 (5) Money in the fund may not be used for any toll road or toll  
 23 bridge project.
- 24 (6) Notwithstanding any other provisions of this section, money  
 25 in the motor vehicle highway account fund may be appropriated  
 26 to the Indiana department of transportation from the forty-seven  
 27 percent (47%) distributed to the political subdivisions of the state  
 28 to pay the costs incurred by the department in providing services  
 29 to those subdivisions.
- 30 (7) Notwithstanding any other provisions of this section or of  
 31 IC 8-14-8, for the purpose of maintaining a sufficient working  
 32 balance in accounts established primarily to facilitate the  
 33 matching of federal and local money for highway projects, money  
 34 may be appropriated to the Indiana department of transportation  
 35 as follows:
- 36 (A) One-half (1/2) from the forty-seven percent (47%) set  
 37 aside under subdivisions (1) and (2) for counties and for those  
 38 cities and towns with a population greater than five thousand  
 39 (5,000).  
 40 (B) One-half (1/2) from the distressed road fund under  
 41 IC 8-14-8.  
 42 SECTION 34. IC 8-21-1-8 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) The  
2 department shall encourage, foster, and assist in the development of  
3 aeronautics in this state and shall encourage the establishment of  
4 airports, landing fields, and other navigation facilities.

5 (b) The department shall cooperate with and assist the federal  
6 government, the political subdivisions of this state, and others engaged  
7 in aeronautics or the advancement of aeronautics and shall seek to  
8 coordinate the aeronautical activities of these bodies.

9 (c) All rules prescribed by the department concerning aeronautics  
10 shall be kept in conformity with, and limited to as nearly as may be, the  
11 then current federal legislation governing aeronautics and the  
12 regulations duly promulgated thereunder.

13 (d) The department shall develop and continuously update a  
14 proposed state airports system plan which will best serve the interests  
15 of the state and its political subdivisions. Such state airports system  
16 plan shall be coordinated with the national airport plan prepared by the  
17 federal agency fostering civil aviation.

18 (e) The department may publish and revise from time to time a state  
19 airways system plan, and maps, directories, or other materials deemed  
20 necessary may be sold by the department at a price which shall be fixed  
21 by the department. All money accruing from the sale of any such  
22 publication:

23 (1) shall be paid into the state treasury;

24 (2) shall be credited to the department; and

25 (3) is hereby appropriated to such department to be used for  
26 future publications by the department, without reversion to the  
27 general fund of the state at the end of any fiscal year. However,  
28 any time the balance in said fund exceeds ten thousand dollars  
29 (\$10,000), such excess shall revert to the general fund of the state.

30 (f) The department may offer the engineering or other technical  
31 advice of the department, without charge, to any municipality or person  
32 desiring them in connection with the construction, maintenance, or  
33 operation or proposed construction, maintenance, or operation of an  
34 airport or landing field.

35 (g) The department may recommend necessary legislation to  
36 advance the interests of the state in aeronautics and represent the state  
37 in aeronautical matters before federal agencies and other state agencies.

38 (h) The department shall have the power to approve or disapprove  
39 all purchases made by any municipality of any land to be used by said  
40 municipality for the establishment of any airport or landing field, and  
41 the establishment by any municipality of any airport or landing field.

42 (i) The department may participate as party plaintiff or defendant,



1 or as intervener on behalf of the state or any municipality or citizen  
 2 thereof in any controversy having to do with any claimed encroachment  
 3 by the federal government or any foreign state upon any state or  
 4 individual rights pertaining to aeronautics.

5 (j) Municipalities are authorized to cooperate with the department  
 6 in the development of aeronautics and aeronautical facilities and  
 7 services of other agencies of the state to the utmost extent possible, and  
 8 such agencies are authorized and directed to make available such  
 9 facilities and services.

10 (k) The department, or any employee designated by it, shall have the  
 11 power to hold investigations, and hearings concerning matters covered  
 12 by this chapter and orders and rules of the department, in accordance  
 13 with IC 4-21.5. All hearings so conducted shall be open to the public.  
 14 The reports of investigations or hearings, or any part thereof, shall not  
 15 be admitted in evidence or used for any purpose in any suit, action, or  
 16 proceeding, growing out of any matter referred to in said investigation,  
 17 hearing, or report thereof, except in case of criminal or other  
 18 proceedings instituted in behalf of the department or this state under  
 19 the provisions of this chapter and other laws of this state.

20 (l) The department may render advice in the acquisition,  
 21 development, operation, or maintenance of airports owned, controlled,  
 22 or operated, or to be owned, controlled, or operated, by municipalities  
 23 in this state.

24 (m) The department may not grant any exclusive right for the use of  
 25 any airway, airport, landing field, or other air navigation facility under  
 26 its jurisdiction. This subsection shall not prevent the making of leases  
 27 in accordance with other provisions of this chapter.

28 (n) Gifts or grants of money for aeronautical purposes may be  
 29 received by the state and shall be deposited in an aviation fund.  
 30 Disbursal of such funds shall be for aeronautical purposes only or for  
 31 the purpose for which they were given or granted. Gifts or grants of  
 32 property for aeronautical purposes may be received by the state and  
 33 shall be used for the purpose given or granted. Gifts or grants of money  
 34 or property for aeronautical purposes must be administered in the same  
 35 manner as other gifts and grants received by the state are administered.

36 (o) The department may adopt rules under IC 4-22-2 ~~and subject to~~  
 37 ~~IC 8-9-5-2.6(7)~~ for the control of aircraft accident sites in Indiana. Until  
 38 representatives of appropriate federal agencies arrive on the site of an  
 39 aircraft accident, state and local law enforcement agencies and accident  
 40 investigation agencies shall comply with any rules adopted by the  
 41 department under this section.

42 (p) The department may, with written approval of the budget





1 agency, purchase and operate aircraft forfeited under IC 34-24-1 (or  
 2 IC 34-4-30.1 before its repeal). When the department acquires an  
 3 aircraft, it shall pay all proper expenses of the proceedings for  
 4 forfeiture and sale, including expenses of seizure, maintenance of  
 5 custody, and advertising and court costs.

6 SECTION 35. IC 9-13-2-19.4, AS ADDED BY P.L.22-2013,  
 7 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 8 UPON PASSAGE]: Sec. 19.4. "Chaplain", for purposes of  
 9 IC 9-19-14.5, has the meaning set forth in ~~IC 9-19-14-0.5.~~  
 10 **IC 9-19-14.5-0.5.**

11 SECTION 36. IC 9-14-3-5, AS AMENDED BY P.L.125-2012,  
 12 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 UPON PASSAGE]: Sec. 5. (a) Except as provided in subsection (b),  
 14 (d), or (e), the bureau shall prepare and deliver information on titles,  
 15 registrations, and licenses and permits upon the request of any person.  
 16 All requests must be:

- 17 (1) submitted in writing; or
- 18 (2) made electronically through the computer gateway
- 19 administered under IC 4-13.1-2-2(a)(5) by the office of
- 20 technology;

21 to the bureau and, unless exempted under IC 9-29, must be  
 22 accompanied by the payment of the fee prescribed in IC 9-29-2-2.

23 (b) The bureau shall not disclose:

- 24 (1) the Social Security number;
- 25 (2) the federal identification number;
- 26 (3) the driver's license number;
- 27 (4) the digital image of the driver's license applicant;
- 28 (5) a reproduction of the signature secured under IC 9-24-9-1 or
- 29 ~~IC 9-24-16-3~~; **IC 9-24-16-2**; or
- 30 (6) medical or disability information;

31 of any person except as provided in subsection (c).

32 (c) The bureau may disclose any information listed in subsection  
 33 (b):

- 34 (1) to a law enforcement officer;
- 35 (2) to an agent or a designee of the department of state revenue;
- 36 (3) for uses permitted under IC 9-14-3.5-10(1), IC 9-14-3.5-10(4),
- 37 IC 9-14-3.5-10(6), and IC 9-14-3.5-10(9); or
- 38 (4) for voter registration and election purposes required under
- 39 IC 3-7 or IC 9-24-2.5.

40 (d) As provided under 42 U.S.C. 1973gg-3(b), the bureau may not  
 41 disclose any information concerning the failure of an applicant for a  
 42 motor vehicle driver's license to sign a voter registration application,



1 except as authorized under IC 3-7-14.

2 (e) The bureau may not disclose any information concerning the  
3 failure of an applicant for a title, registration, license, or permit (other  
4 than a motor vehicle license described under subsection (d)) to sign a  
5 voter registration application, except as authorized under IC 3-7-14.

6 SECTION 37. IC 9-18-2-7, AS AMENDED BY P.L.262-2013,  
7 SECTION 48, AS AMENDED BY P.L.203-2013, SECTION 17, AND  
8 AS AMENDED BY P.L.293-2013(ts), SECTION 39, IS CORRECTED  
9 AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON  
10 PASSAGE]: Sec. 7. (a) A person who owns a vehicle *that is operated*  
11 *on Indiana roadways and* subject to registration shall register ~~the~~ *each*  
12 *vehicle owned by the person* as follows:

13 (1) A vehicle subject to section 8 of this chapter shall be  
14 registered under section 8 of this chapter.

15 (2) Subject to subsection (g) or (h), a vehicle not subject to  
16 section 8 or 8.5 of this chapter or to the International Registration  
17 Plan shall be registered before:

18 (A) March 1 of each year; ~~or~~

19 (B) *February 1 or later dates each year, if:*

20 (i) *the vehicle is being registered with the department of*  
21 *state revenue; and*

22 (ii) *staggered registration has been adopted by the*  
23 *department of state revenue; or*

24 ~~(B)~~ (C) *an earlier date subsequent to January 1 of each year as*  
25 *set by the bureau, if the vehicle is being registered with the*  
26 *bureau.*

27 (3) School buses owned by a school corporation are exempt from  
28 annual registration but are subject to registration under  
29 IC 20-27-7.

30 (4) Subject to subsection (f), a vehicle subject to the International  
31 Registration Plan shall be registered before April 1 of each year.

32 (5) A school bus not owned by a school corporation shall be  
33 registered subject to section 8.5 of this chapter.

34 (b) Registrations and reregistrations under this section are for the  
35 calendar year. Registration and reregistration for school buses owned  
36 by a school corporation may be for more than a calendar year.

37 (c) License plates for a vehicle subject to this section may be  
38 displayed during:

39 (1) the calendar year for which the vehicle is registered; and

40 (2) the period of time:

41 (A) subsequent to the calendar year; and

42 (B) before the date that the vehicle must be reregistered.



1 (d) Except as provided in IC 9-18-12-2.5, a person who owns or  
 2 operates a vehicle may not operate or permit the operation of a vehicle  
 3 that:

- 4 (1) is required to be registered under this chapter; and  
 5 (2) has expired license plates.

6 (e) If a vehicle that is required to be registered under this chapter  
 7 has:

- 8 (1) been operated on the highways; and  
 9 (2) not been properly registered under this chapter;

10 the bureau shall, before the vehicle is reregistered, collect the  
 11 registration fee that the owner of the vehicle would have paid if the  
 12 vehicle had been properly registered.

13 (f) The department of state revenue may adopt rules under IC 4-22-2  
 14 to issue staggered registration to motor vehicles subject to the  
 15 International Registration Plan.

16 (g) Except as provided in section 8.5 of this chapter, the bureau may  
 17 adopt rules under IC 4-22-2 to issue staggered registration to motor  
 18 vehicles described in subsection (a)(2).

19 (h) After June 30, 2011, the registration of a vehicle under  
 20 *IC 9-18-16-1(a)(1) or IC 9-18-16-1(a)(2)* ~~IC 9-18-16-1(1) or~~  
 21 ~~IC 9-18-16-1(2)~~ expires on December 14 of each year. However, if a  
 22 vehicle is registered under *IC 9-18-16-1(a)(1) or IC 9-18-16-1(a)(2)*  
 23 ~~IC 9-18-16-1(1) or IC 9-18-16-1(2)~~ and the registration of the vehicle  
 24 is in effect on June 30, 2011, the registration of the vehicle remains  
 25 valid:

- 26 (1) throughout calendar year 2011; and  
 27 (2) during the period that:  
 28 (A) begins January 1, 2012; and  
 29 (B) ends on the date on which the vehicle was due for  
 30 reregistration under the law in effect before this subsection  
 31 took effect.

32 SECTION 38. IC 9-22-3-30 IS REPEALED [EFFECTIVE UPON  
 33 PASSAGE]. ~~Sec. 30: A seller that is:~~

- 34 ~~(1) a dealer; or~~  
 35 ~~(2) any other person who sells, exchanges, or transfers at least~~  
 36 ~~five (5) vehicles each year;~~

37 ~~may not sell, exchange, or transfer a rebuilt vehicle without disclosing~~  
 38 ~~in writing to the purchaser, customer, or transferee before~~  
 39 ~~consummating the sale, exchange, or transfer the fact that the vehicle~~  
 40 ~~is a rebuilt vehicle if the dealer or other person knows or should~~  
 41 ~~reasonably know the vehicle is a rebuilt vehicle.~~

42 SECTION 39. IC 9-24-2-3, AS AMENDED BY P.L.207-2013,



1 SECTION 7, AS AMENDED BY P.L.207-2013, SECTION 8, AND  
 2 AS AMENDED BY P.L.85-2013, SECTION 24, IS CORRECTED  
 3 AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON  
 4 PASSAGE]: Sec. 3. (a) The bureau may not issue a driver's license or  
 5 learner's permit or grant driving privileges to the following individuals:

6 (1) An individual whose *license issued under Indiana law to*  
 7 *operate a motor vehicle as an operator, a chauffeur, or a public*  
 8 *passenger chauffeur has driving privileges have been suspended,*  
 9 *during the period for which the license was driving privileges are*  
 10 *suspended, or to an individual whose driver's license has been*  
 11 *revoked, until the time the bureau is authorized under Indiana law*  
 12 *to issue the individual a new license.*

13 (2) An individual whose learner's permit has been suspended or  
 14 revoked until the time the bureau is authorized under Indiana law  
 15 to issue the individual a new permit.

16 (3) An individual who, in the opinion of the bureau, is afflicted  
 17 with or suffering from a physical or mental disability or disease  
 18 that prevents the individual from exercising reasonable and  
 19 ordinary control over a motor vehicle while operating the vehicle  
 20 upon the public highways.

21 (4) An individual who is unable to understand highway warnings  
 22 or direction signs written in the English language.

23 (5) An individual who is required under this article to take an  
 24 examination unless:

25 (A) the person successfully passes the examination; or

26 (B) the bureau waives the examination requirement.

27 (6) An individual who is required under IC 9-25 or any other  
 28 statute to deposit or provide proof of financial responsibility and  
 29 who has not deposited or provided that proof.

30 (7) An individual when the bureau has good cause to believe that  
 31 the operation of a motor vehicle on a public highway of Indiana  
 32 by the individual would be inimical to public safety or welfare.

33 (8) An individual who is the subject of an order issued by:

34 (A) a court under ~~IC 31-14-12-4~~ or IC 31-16-12-7 (or  
 35 IC 31-1-11.5-13, ~~or~~ IC 31-6-6.1-16, or IC 31-14-12-4 before  
 36 their repeal); or

37 (B) the Title IV-D agency;

38 ordering that a driver's license or permit not be issued to the  
 39 individual.

40 (9) An individual who has not presented valid documentary  
 41 evidence to the bureau of the person's legal status in the United  
 42 States, as required by IC 9-24-9-2.5.



1           (10) *An individual who does not otherwise satisfy the*  
2           *requirements of this article.*

3           (b) An individual subject to epileptic seizures may not be denied a  
4           driver's license or permit under this section if the individual presents  
5           a statement from a licensed physician, on a form prescribed by the  
6           bureau, that the individual is under medication and is free from  
7           seizures while under medication.

8           SECTION 40. IC 9-24-4-4.5 IS REPEALED [EFFECTIVE UPON  
9           PASSAGE]. ~~Sec. 4.5. To receive a chauffeur's license, an individual~~  
10          ~~must surrender any and all driver's licenses issued to the individual by~~  
11          ~~Indiana or any other jurisdiction.~~

12          SECTION 41. IC 9-24-11-5.5, AS AMENDED BY P.L.85-2013,  
13          SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14          UPON PASSAGE]: Sec. 5.5. If a permittee or licensee has under  
15          ~~IC 9-24-9-2(e); IC 9-24-9-2(d):~~

16                 (1) indicated on the application that the permittee or licensee is a  
17                 veteran of the armed forces of the United States and wishes to  
18                 have an indication of the permittee's or licensee's veteran status  
19                 appear on the license or permit; and

20                 (2) provided proof of discharge or separation, other than a  
21                 dishonorable discharge, from the armed forces of the United  
22                 States;

23          an indication of the permittee's or licensee's veteran status shall be  
24          shown on the license or permit.

25          SECTION 42. IC 9-24-12-4, AS AMENDED BY P.L.109-2011,  
26          SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
27          UPON PASSAGE]: Sec. 4. (a) Except as provided in subsections (b)  
28          and (c), the application for renewal of:

29                 (1) an operator's license;

30                 (2) a chauffeur's license;

31                 (3) a public passenger chauffeur's license; or

32                 (4) an identification card;

33          under this article may be filed not more than twelve (12) months before  
34          the expiration date of the license or identification card held by the  
35          applicant.

36          (b) When the applicant complies with IC 9-24-9-2.5(5) through  
37          IC 9-24-9-2.5(10), an application for renewal of a driver's license in  
38          subsection (a)(1), (a)(2), or (a)(3) may be filed not more than one (1)  
39          month before the expiration date of the license held by the applicant.

40          (c) When the applicant complies with IC 9-24-16-3.5(1)(E) through  
41          IC 9-24-16-3.5(1)(J), an application for renewal of an identification  
42          card ~~in~~ **under** subsection ~~(a)(5)~~ **(a)(4)** may be filed not more than one



1 (1) month before the expiration date of the identification card held by  
2 the applicant.

3 SECTION 43. IC 9-24-16-3, AS AMENDED BY P.L.85-2013,  
4 SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 UPON PASSAGE]: Sec. 3. (a) An identification card must have the  
6 same dimensions and shape as a driver's license, but the card must have  
7 markings sufficient to distinguish the card from a driver's license.

8 (b) Except as provided in subsection (g), the front side of an  
9 identification card must contain the expiration date of the identification  
10 card and the following information about the individual to whom the  
11 card is being issued:

12 (1) Full legal name.

13 (2) The address of the principal residence.

14 (3) Date of birth.

15 (4) Date of issue and date of expiration.

16 (5) Unique identification number.

17 (6) Gender.

18 (7) Weight.

19 (8) Height.

20 (9) Color of eyes and hair.

21 (10) Reproduction of the signature of the individual identified.

22 (11) Whether the individual is blind (as defined in  
23 IC 12-7-2-21(1)).

24 (12) If the individual is less than eighteen (18) years of age at the  
25 time of issuance, the dates on which the individual will become:

26 (A) eighteen (18) years of age; and

27 (B) twenty-one (21) years of age.

28 (13) If the individual is at least eighteen (18) years of age but less  
29 than twenty-one (21) years of age at the time of issuance, the date  
30 on which the individual will become twenty-one (21) years of age.

31 (14) Digital photograph of the individual.

32 (c) The information contained on the identification card as required  
33 by subsection (b)(12) or (b)(13) for an individual who is less than  
34 twenty-one (21) years of age at the time of issuance shall be printed  
35 prominently on the ~~permit or license~~ **identification card**.

36 (d) If the individual:

37 (1) has indicated on the application that the individual is a veteran  
38 of the armed forces of the United States and wishes to have an  
39 indication of the applicant's veteran status appear on the  
40 identification card; and

41 (2) has provided proof of any discharge or separation, other than  
42 a dishonorable discharge, from the armed forces of the United



1 States;  
 2 an indication of the individual's veteran status shall be shown on the  
 3 identification card.

4 (e) If the applicant for an identification card submits information to  
 5 the bureau concerning the applicant's medical condition, the bureau  
 6 shall place an identifying symbol on the face of the identification card  
 7 to indicate that the applicant has a medical condition of note. The  
 8 bureau shall include information on the identification card that briefly  
 9 describes the medical condition of the holder of the card. The  
 10 information must be printed in a manner that alerts a person reading the  
 11 card to the existence of the medical condition. The applicant for an  
 12 identification card is responsible for the accuracy of the information  
 13 concerning the medical condition submitted under this subsection. The  
 14 bureau shall inform an applicant that submission of information under  
 15 this subsection is voluntary.

16 (f) An identification card issued by the state to an individual who:  
 17 (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant  
 18 visa status for entry in the United States;  
 19 (2) has a pending application for asylum in the United States;  
 20 (3) has a pending or approved application for temporary protected  
 21 status in the United States;  
 22 (4) has approved deferred action status; or  
 23 (5) has a pending application for adjustment of status to that of an  
 24 alien lawfully admitted for permanent residence in the United  
 25 States or conditional permanent residence status in the United  
 26 States;  
 27 must be clearly identified as a temporary identification card. A  
 28 temporary identification card issued under this subsection may not be  
 29 renewed without the presentation of valid documentary evidence  
 30 proving that the holder of the identification card's temporary status has  
 31 been extended.

32 (g) For purposes of subsection (b), an individual certified as a  
 33 program participant in the address confidentiality program under  
 34 IC 5-26.5 is not required to provide the address of the individual's  
 35 principal residence, but may provide an address designated by the  
 36 office of the attorney general under IC 5-26.5 as the address of the  
 37 individual's principal residence.

38 SECTION 44. IC 9-29-5-43, AS AMENDED BY P.L.92-2013,  
 39 SECTION 65, AND AS AMENDED BY P.L.259-2013, SECTION 28,  
 40 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON  
 41 PASSAGE]: Sec. 43. (a) Except as otherwise provided by this chapter,  
 42 ~~subsection (d)~~; **subsection (b)**, and IC 9-29-1-2, registration fees



1 collected under this chapter shall be paid into the state general fund for  
2 credit to the motor vehicle highway account under IC 8-14-1.

3 (b) Fees collected for the registration of off-road vehicles and  
4 snowmobiles under IC 9-18-2.5 and collected as set forth in section 44  
5 of this chapter shall be deposited in the off-road vehicle and  
6 snowmobile fund established under IC 14-16-1-30.

7 SECTION 45. IC 9-29-6-1.5 IS AMENDED TO READ AS  
8 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.5. (a) The fee for  
9 the annual registration required under IC 9-20-5-7 is twenty-five  
10 dollars (\$25). The fee imposed under this section must be deposited in  
11 the motor carrier regulation fund established under IC 8-2.1-23.

12 (b) The department of state revenue may impose an additional  
13 permit fee in an amount that may not exceed one dollar (\$1) on each  
14 trip permitted for a vehicle registered under IC 9-20-5-7. This  
15 additional fee is for the use and maintenance of an automated vehicle  
16 identifier. ~~The fee imposed under this subsection is in addition to the~~  
17 ~~permit fee required under section 4 of this chapter.~~ The fee imposed  
18 under this section must be deposited in the motor carrier regulation  
19 fund established under IC 8-2.1-23.

20 SECTION 46. IC 9-30-13-6, AS AMENDED BY P.L.207-2013,  
21 SECTION 9, AS AMENDED BY P.L.207-2013, SECTION 10, AND  
22 AS AMENDED BY P.L.85-2013, SECTION 111, IS CORRECTED  
23 AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON  
24 PASSAGE]: Sec. 6. (a) The bureau shall, upon receiving an order of a  
25 court issued under ~~IC 31-14-12-4~~ ~~or~~ IC 31-16-12-7 *(or IC 31-14-12-4*  
26 *before its repeal)*, suspend the driving privileges of the person who is  
27 the subject of the order.

28 (b) The bureau may not reinstate driving privileges suspended under  
29 this section until the bureau receives an order allowing reinstatement  
30 from the court that issued the order for suspension.

31 (c) Upon receiving an order for suspension under subsection (a), the  
32 bureau shall promptly mail a notice to the last known address of the  
33 person who is the subject of the order, stating the following:

34 (1) That the person's driving privileges are suspended, beginning  
35 ~~five (5)~~ *eighteen (18)* business days after the date the notice is  
36 mailed, and that the suspension will terminate ten (10) business  
37 days after the bureau receives an order allowing reinstatement  
38 from the court that issued the suspension order.

39 (2) That the person has the right to petition for reinstatement of  
40 driving privileges to the court that issued the order for suspension.

41 (3) That the person may be granted restricted driving privileges  
42 under IC 9-24-15-6.7 if the person otherwise qualifies and can





- 1           prove that public transportation is unavailable for travel by the  
2           person:
- 3           (A) to and from the person's regular place of employment;  
4           (B) in the course of the person's regular employment;  
5           (C) to and from the person's place of worship; or  
6           (D) to participate in parenting time with the petitioner's  
7           children consistent with a court order granting parenting time.
- 8           (d) A person who operates a motor vehicle in violation of this  
9           section commits a Class A infraction, unless:
- 10           (1) the person's driving privileges are suspended under this  
11           section; and  
12           (2) the person has been granted restricted driving privileges under  
13           IC 9-24-15 as a result of the suspension under this section.
- 14           (e) *The bureau shall, upon receiving a record of conviction of a*  
15           *person upon a charge of driving a motor vehicle while the driving*  
16           *privileges, permit, or license of the person is suspended, fix the period*  
17           *of suspension in accordance with the recommendation of the court. If*  
18           *the court fails to recommend a term of suspension, or recommends a*  
19           *fixed term that is not prescribed by statute, the bureau shall impose the*  
20           *applicable period of suspension required by statute.*
- 21           SECTION 47. IC 9-32-11-6, AS ADDED BY P.L.92-2013,  
22           SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
23           UPON PASSAGE]: Sec. 6. (a) The license issued to a factory branch,  
24           an automobile auctioneer, a transfer dealer, or a dealer under this  
25           chapter:
- 26           (1) must specify the location of each place of business; and  
27           (2) shall be conspicuously displayed at each business location.
- 28           (b) If a licensee's business name or location is changed, the licensee  
29           shall notify the secretary not later than ten (10) days after the change  
30           and remit the fee required under IC 9-29-17. The secretary shall  
31           endorse the change on the license if the secretary determines that the  
32           change is not subject to other provisions of this article.
- 33           (c) A dealer who uses the Internet or another computer network to  
34           facilitate the sale of motor vehicles as set forth in section 2(c) of this  
35           chapter shall notify the secretary not later than ten (10) days after any  
36           change in a name, address, or telephone number documented in  
37           business records located outside Indiana that have been created in  
38           transactions made in Indiana by the dealer. A report made under this  
39           subsection is not subject to the fee required under IC 9-29-17.
- 40           (d) A dealer who wants to change a location must submit to the  
41           secretary an application for approval of the change. The application  
42           must be accompanied by an affidavit from:



- 1 (1) the person charged with enforcing a zoning ordinance  
 2 described in this subsection; or  
 3 (2) the zoning enforcement officer under IC 36-7-4, if one exists;  
 4 who has jurisdiction over the real property where the applicant wants  
 5 to operate as a dealer. The affidavit must state that the proposed  
 6 location is zoned for the operation of a dealer's establishment. The  
 7 secretary may not approve a change of location or endorse a change of  
 8 location on the dealer's license until the dealer provides the affidavit.
- 9 (e) For the purpose of this section, an offsite **sales** license issued  
 10 under section 11 of this chapter does not constitute a change of  
 11 location.
- 12 SECTION 48. IC 9-32-13-23, AS ADDED BY P.L.92-2013,  
 13 SECTION 78, AND AS AMENDED BY P.L.152-2013, SECTION 2,  
 14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON  
 15 PASSAGE]: **Sec. 23.** (a) It is an unfair practice for a manufacturer,  
 16 distributor, officer, or agent to do any of the following:
- 17 (1) Require, coerce, or attempt to coerce a new motor vehicle  
 18 dealer in Indiana to:
- 19 (A) change the location of the dealership;  
 20 (B) make any substantial alterations to the use of franchises;  
 21 or  
 22 (C) make any substantial alterations to the dealership premises  
 23 or facilities;
- 24 if to do so would be unreasonable or would not be justified by  
 25 current economic conditions or reasonable business  
 26 considerations. This subdivision does not prevent a manufacturer  
 27 or distributor from establishing and enforcing reasonable facility  
 28 requirements. However, a motor vehicle dealer may elect to use  
 29 for the facility alteration locally sourced materials or supplies that  
 30 are substantially similar to those required by the manufacturer or  
 31 distributor, subject to the approval of the manufacturer or  
 32 distributor.
- 33 (2) Require, coerce, or attempt to coerce a new motor vehicle  
 34 dealer in Indiana to divest ownership of or management in  
 35 another line or make of motor vehicles that the dealer has  
 36 established in its dealership facilities with the prior written  
 37 approval of the manufacturer or distributor.
- 38 (3) Establish or acquire wholly or partially a franchisor owned  
 39 outlet engaged wholly or partially in a substantially identical  
 40 business to that of the franchisee within the exclusive territory  
 41 granted the franchisee by the franchise agreement or, if no  
 42 exclusive territory is designated, competing unfairly with the



1 franchisee within a reasonable market area. A franchisor is not  
2 considered to be competing unfairly if operating:

3 (A) a business for less than two (2) years;

4 (B) in a bona fide retail operation that is for sale to any  
5 qualified independent person at a fair and reasonable price; or

6 (C) in a bona fide relationship in which an independent person  
7 has made a significant investment subject to loss in the  
8 business operation and can reasonably expect to acquire  
9 majority ownership or managerial control of the business on  
10 reasonable terms and conditions.

11 (4) Require a dealer, as a condition of granting or continuing a  
12 franchise, approving the transfer of ownership or assets of a new  
13 motor vehicle dealer, or approving a successor to a new motor  
14 vehicle dealer to:

15 (A) construct a new dealership facility;

16 (B) modify or change the location of an existing dealership; or

17 (C) grant the manufacturer or distributor control rights over  
18 any real property owned, leased, controlled, or occupied by the  
19 dealer.

20 (5) Prohibit a dealer from representing more than one (1) line  
21 make of motor vehicles from the same or a modified facility if:

22 (A) reasonable facilities exist for the combined operations;

23 (B) the dealer meets reasonable capitalization requirements for  
24 the original line make and complies with the reasonable  
25 facilities requirements of the manufacturer or distributor; and

26 (C) the prohibition is not justified by the reasonable business  
27 considerations of the manufacturer or distributor.

28 Subdivisions (3) through (5) do not apply to recreational vehicle  
29 manufacturer franchisors.

30 (b) This section does not prohibit the enforcement of a voluntary  
31 agreement between the manufacturer or distributor and the franchisee  
32 where separate and valuable consideration has been offered and  
33 accepted.

34 SECTION 49. IC 9-32-16-1, AS ADDED BY P.L.92-2013,  
35 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
36 UPON PASSAGE]: Sec. 1. (a) This chapter shall be administered by  
37 the secretary.

38 (b) The secretary:

39 (1) shall employ employees, including a director, investigators, or  
40 attorneys, necessary for the administration of this article; and

41 (2) shall fix the compensation of the employees with the approval  
42 of the budget agency.



1 (c) It is unlawful for the director or an officer, employee, or  
 2 designee of the secretary to use for personal benefit or the benefit of  
 3 others records or other information obtained by or filed with the dealer  
 4 services division under this article that are confidential. This article  
 5 does not authorize the director or an officer, employee, or designee of  
 6 the secretary to disclose the record or information, except in  
 7 accordance with this chapter.

8 (d) This article does not create or diminish a privilege or exemption  
 9 that exists at common law, by statute or rule, or otherwise.

10 (e) The secretary may develop and implement dealer's and vehicle  
 11 purchaser's education initiatives to inform dealers and the public about  
 12 the offer or sale of vehicles, with particular emphasis on the prevention  
 13 and detection of fraud involving vehicle sales. In developing and  
 14 implementing these initiatives, the secretary may collaborate with  
 15 public and nonprofit organizations with an interest in consumer  
 16 education. The secretary may accept a grant or donation from a person  
 17 that is not affiliated with the dealer industry or from a nonprofit  
 18 organization, regardless of whether the organization is affiliated with  
 19 the dealer industry, to develop and implement consumer education  
 20 initiatives. This subsection does not authorize the secretary to require  
 21 participation or monetary contributions of a registrant in an education  
 22 program.

23 (f) Fees and funds accruing from the administration of this article:

24 (1) described in IC 9-32-7-1(d) shall be accounted for by the  
 25 secretary and shall be deposited with the treasurer of state to be  
 26 deposited in the dealer compliance account established by  
 27 IC 9-32-7-1(a);

28 (2) described in IC 9-32-7-2(b) shall be accounted for by the  
 29 secretary and shall be deposited with the treasurer of state to be  
 30 deposited in the dealer enforcement account established by  
 31 IC 9-32-7-2(a);

32 (3) described in IC 9-29-17-14(b)(2), ~~IC 9-29-17-14(c)(2)~~,  
 33 **IC 9-29-17-14(c)(3)**, IC 9-29-17-15, and IC 9-32-7-3(2) shall be  
 34 accounted for by the secretary and shall be deposited with the  
 35 treasurer of state to be deposited in the motor vehicle highway  
 36 account under IC 8-14-1;

37 (4) described in IC 9-32-7-3(3) shall be accounted for by the  
 38 secretary and shall be deposited with the treasurer of state to be  
 39 deposited with the state police department, and these fees and  
 40 funds are continuously appropriated to the department for its use  
 41 in enforcing odometer laws;

42 (5) described in IC 9-32-7-3(4) shall be accounted for by the



1 secretary and shall be deposited with the treasurer of state to be  
 2 deposited with the attorney general, and these fees and funds are  
 3 continuously appropriated to the attorney general for use in  
 4 enforcing odometer laws; and

5 (6) described in IC 9-29-1-4(a) shall be accounted for by the  
 6 secretary and shall be deposited with the treasurer of state to be  
 7 deposited in the state police building account.

8 Expenses incurred in the administration of this article shall be paid  
 9 from the state general fund upon appropriation being made for the  
 10 expenses in the manner provided by law for the making of those  
 11 appropriations. However, grants and donations under subsection (e),  
 12 costs of investigations, and civil penalties recovered under this chapter  
 13 shall be deposited by the treasurer of state in the dealer enforcement  
 14 account established by IC 9-32-7-2. The funds in the dealer compliance  
 15 account established by IC 9-32-7-1 must be available, with the  
 16 approval of the budget agency, to augment and supplement the funds  
 17 appropriated for the administration of this article.

18 (g) In connection with the administration and enforcement of this  
 19 article, the attorney general shall render all necessary assistance to the  
 20 director upon the request of the director. To that end, the attorney  
 21 general shall employ legal and other professional services as are  
 22 necessary to adequately and fully perform the service under the  
 23 direction of the director as the demands of the division require.  
 24 Expenses incurred by the attorney general for the purposes stated under  
 25 this subsection are chargeable against and shall be paid out of funds  
 26 appropriated to the attorney general for the administration of the  
 27 attorney general's office. The attorney general may authorize the  
 28 director and the director's designee to represent the director and the  
 29 division in any proceeding involving enforcement or defense of this  
 30 article.

31 (h) The secretary, director, and employees of the division are not  
 32 liable in an individual capacity, except to the state, for an act done or  
 33 omitted in connection with the performance of their duties under this  
 34 article.

35 (i) The director and each attorney or investigator designated by the  
 36 secretary:

- 37 (1) are police officers of the state;
- 38 (2) have all the powers and duties of police officers in conducting  
 39 investigations for violations of this article, or in serving any  
 40 process, notice, or order issued by an officer, authority, or court  
 41 in connection with the enforcement of this article; and
- 42 (3) comprise the enforcement department of the division.



1 The division is a criminal justice agency for purposes of IC 5-2-4-1(3)  
2 and IC 10-13-3-6.

3 (j) The provisions of this article delegating and granting power to  
4 the secretary, division, and director shall be liberally construed to the  
5 end that:

6 (1) the practice or commission of fraud may be prohibited and  
7 prevented; and

8 (2) disclosure of sufficient and reliable information in order to  
9 afford reasonable opportunity for the exercise of independent  
10 judgment of the persons involved may be assured.

11 (k) Copies of any statements and documents filed in the office of the  
12 secretary and of any records of the secretary certified by the director  
13 are admissible in any prosecution, action, suit, or proceeding based on,  
14 arising out of, or under this article to the same effect as the original of  
15 the statement, document, or record would be if actually produced.

16 SECTION 50. IC 9-32-16-3, AS ADDED BY P.L.92-2013,  
17 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
18 UPON PASSAGE]: Sec. 3. Information or documents obtained by the  
19 division in the course of an investigation, including an audit conducted  
20 under section 6(c) of this chapter, are law enforcement records for the  
21 purposes of IC 5-14-3-4(b)(1).

22 SECTION 51. IC 10-11-2-26, AS AMENDED BY P.L.135-2013,  
23 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 UPON PASSAGE]: Sec. 26. (a) The superintendent may assign  
25 qualified persons who are not state police officers to supervise or  
26 operate permanent or portable weigh stations. A person assigned under  
27 this section may stop, inspect, and issue citations to operators of trucks  
28 and trailers having a declared gross weight of at least ten thousand one  
29 (10,001) pounds and buses at a permanent or portable weigh station or  
30 while operating a clearly marked Indiana state police vehicle for  
31 violations of the following:

32 (1) IC 6-1.1-7-10.

33 (2) IC 6-6-1.1-1202.

34 (3) IC 6-6-2.5.

35 (4) IC 6-6-4.1-12.

36 (5) IC 8-2.1.

37 (6) IC 9-18.

38 (7) IC 9-19.

39 (8) IC 9-20.

40 (9) IC 9-21-7-2 through IC 9-21-7-11.

41 (10) IC 9-21-8-41 pertaining to the duty to obey an official traffic  
42 control device for a weigh station.



- 1 (11) IC 9-21-8-45 through IC 9-21-8-48.  
 2 (12) IC 9-21-9.  
 3 (13) IC 9-21-15.  
 4 (14) IC 9-21-21.  
 5 (15) IC 9-24-1-1 through IC 9-24-1-1.5.  
 6 (16) IC 9-24-1-7.  
 7 (17) Except as provided in subsection (c), IC 9-24-1-6,  
 8 IC 9-24-6-16, IC 9-24-6-17, and IC 9-24-6-18, commercial  
 9 driver's license.  
 10 (18) IC 9-24-4.  
 11 (19) IC 9-24-5.  
 12 (20) IC 9-24-11-4.  
 13 (21) IC 9-24-13-3.  
 14 (22) IC 9-24-18-1 through IC 9-24-18-2.  
 15 (23) IC 9-25-4-3.  
 16 (24) IC 9-28-4.  
 17 (25) IC 9-28-5.  
 18 (26) IC 9-28-6.  
 19 (27) IC 9-29-5-11 through IC 9-29-5-13.  
 20 (28) IC 9-29-5-42.  
 21 ~~(29) IC 9-29-6-1.~~  
 22 ~~(30)~~ (29) IC 10-14-8.  
 23 ~~(31)~~ (30) IC 13-17-5-1, IC 13-17-5-2, IC 13-17-5-3, or  
 24 IC 13-17-5-4.  
 25 ~~(32)~~ (31) IC 13-30-2-1.

26 (b) For the purpose of enforcing this section, a person assigned  
 27 under this section may detain a person in the same manner as a law  
 28 enforcement officer under IC 34-28-5-3.

29 (c) A person assigned under this section may not enforce  
 30 IC 9-24-6-14 or IC 9-24-6-15.

31 ~~(d) Subsection (a)(29) expires on the date that IC 9-29-6-1 expires.~~

32 SECTION 52. IC 10-13-8-11, AS ADDED BY P.L.38-2013,  
 33 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 UPON PASSAGE]: Sec. 11. A broadcaster or an electronic billboard  
 35 operator participating in the blue alert program shall immediately  
 36 display the information that the department considers necessary to the  
 37 general public in accordance with the blue alert ~~plan~~ **program**  
 38 agreement between the department and the broadcaster or operator.

39 SECTION 53. IC 10-13-8-13, AS ADDED BY P.L.38-2013,  
 40 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 UPON PASSAGE]: Sec. 13. A law enforcement agency that locates or  
 42 apprehends the suspect or locates the missing **law enforcement** officer



1 described in section 8(a)(1) of this chapter shall notify the department  
2 as soon as practicable.

3 SECTION 54. IC 10-14-9-2, AS ADDED BY P.L.78-2013,  
4 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 UPON PASSAGE]: Sec. 2. As used in this chapter, "highway route  
6 controlled quantity (HRCQ) radioactive material" or "**HRCQ**  
7 **materials**" means a quantity within a single package that exceeds the  
8 least of the following:

9 (1) For special form Class 7 (radioactive) material, three thousand  
10 (3,000) times the  $A_1$  value of the radionuclides listed in 49 CFR  
11 173.435.

12 (2) For normal form Class 7 (radioactive) material, three thousand  
13 (3,000) times the  $A_2$  value of the radionuclides listed in 49 CFR  
14 173.435.

15 (3) One thousand (1,000) TBq (27,000 Ci).

16 SECTION 55. IC 11-12-3.7-7, AS AMENDED BY P.L.108-2010,  
17 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
18 UPON PASSAGE]: Sec. 7. (a) An advisory board shall develop a  
19 forensic diversion plan to provide an adult who:

20 (1) has a mental illness, an addictive disorder, or both a mental  
21 illness and an addictive disorder; and

22 (2) has been charged with a crime that is not a violent crime;

23 an opportunity, pre-conviction or post-conviction, to receive  
24 community treatment and other services addressing mental health and  
25 addictions instead of or in addition to incarceration.

26 (b) The forensic diversion plan may include any combination of the  
27 following program components:

28 (1) Pre-conviction diversion for adults with mental illness.

29 (2) Pre-conviction diversion for adults with addictive disorders.

30 (3) Post-conviction diversion for adults with mental illness.

31 (4) Post-conviction diversion for adults with addictive disorders.

32 (c) In developing a plan, the advisory board must consider the  
33 ability of existing programs and resources within the community,  
34 including:

35 (1) a problem solving court established under IC 33-23-16;

36 (2) a court alcohol and drug program certified under  
37 IC 12-23-14-13;

38 (3) treatment providers certified by the division of mental health  
39 and addiction under IC 12-23-1-6 or ~~IC 12-21-2-3(a)(5)~~;  
40 **IC 12-21-2-3(5)**; and

41 (4) other public and private agencies.

42 (d) Development of a forensic diversion program plan under this





1 chapter or IC 11-12-2-3 does not require implementation of a forensic  
2 diversion program.

3 (e) The advisory board may:

4 (1) operate the program;

5 (2) contract with existing public or private agencies to operate one

6 (1) or more components of the program; or

7 (3) take any combination of actions under subdivisions (1) or (2).

8 (f) Any treatment services provided under the forensic diversion  
9 program:

10 (1) for addictions must be provided by an entity that is certified by  
11 the division of mental health and addiction under IC 12-23-1-6;

12 or

13 (2) for mental health must be provided by an entity that is:

14 (A) certified by the division of mental health and addiction  
15 under ~~IC 12-21-2-3(a)(5)~~; **IC 12-21-2-3(5)**;

16 (B) accredited by an accrediting body approved by the division  
17 of mental health and addiction; or

18 (C) licensed to provide mental health services under IC 25.

19 SECTION 56. IC 12-7-2-35, AS AMENDED BY P.L.205-2013,  
20 SECTION 172, IS AMENDED TO READ AS FOLLOWS  
21 [EFFECTIVE UPON PASSAGE]: Sec. 35. "Committee" means the  
22 following:

23 (1) For purposes of IC 12-15-33, the meaning set forth in  
24 IC 12-15-33-1.

25 (2) For purposes of IC 12-17.2-3.3, the meaning set forth in  
26 IC 12-17.2-3.3-1.

27 (3) For the purposes of ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.6**, has the  
28 meaning set forth in ~~IC 12-17.2-3.7-1~~. **IC 12-17.2-3.6-1**.

29 SECTION 57. IC 12-7-2-75.7, AS ADDED BY P.L.205-2013,  
30 SECTION 173, IS AMENDED TO READ AS FOLLOWS  
31 [EFFECTIVE UPON PASSAGE]: Sec. 75.7. "Eligible child", for  
32 purposes of ~~IC 12-17.2-3.7~~; **IC 12-17.2-3.6**, has the meaning set forth  
33 in ~~IC 12-17.2-3.7-2~~. **IC 12-17.2-3.6-2**.

34 SECTION 58. IC 12-7-2-76.2, AS ADDED BY P.L.205-2013,  
35 SECTION 174, IS AMENDED TO READ AS FOLLOWS  
36 [EFFECTIVE UPON PASSAGE]: Sec. 76.2. "Eligible provider", for  
37 purposes of ~~IC 12-17.2-3.7~~; **IC 12-17.2-3.6**, has the meaning set forth  
38 in ~~IC 12-17.2-3.7-3~~. **IC 12-17.2-3.6-3**.

39 SECTION 59. IC 12-7-2-76.3, AS ADDED BY P.L.205-2013,  
40 SECTION 175, IS AMENDED TO READ AS FOLLOWS  
41 [EFFECTIVE UPON PASSAGE]: Sec. 76.3. "Eligible services", for  
42 purposes of ~~IC 12-17.2-3.7~~; **IC 12-17.2-3.6**, has the meaning set forth



1 in ~~IC 12-17.2-3.7-4~~. **IC 12-17.2-3.6-4.**

2 SECTION 60. IC 12-7-2-91, AS AMENDED BY P.L.205-2013,  
3 SECTION 176, IS AMENDED TO READ AS FOLLOWS  
4 [EFFECTIVE UPON PASSAGE]: Sec. 91. "Fund" means the  
5 following:

6 (1) For purposes of IC 12-12-1-9, the fund described in  
7 IC 12-12-1-9.

8 (2) For purposes of IC 12-15-20, the meaning set forth in  
9 IC 12-15-20-1.

10 (3) For purposes of IC 12-17-12, the meaning set forth in  
11 IC 12-17-12-4.

12 (4) For purposes of ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.6**, the meaning  
13 set forth in ~~IC 12-17.2-3.7-5~~. **IC 12-17.2-3.6-5.**

14 (5) For purposes of IC 12-17.6, the meaning set forth in  
15 IC 12-17.6-1-3.

16 (6) For purposes of IC 12-23-2, the meaning set forth in  
17 IC 12-23-2-1.

18 (7) For purposes of IC 12-23-18, the meaning set forth in  
19 IC 12-23-18-4.

20 (8) For purposes of IC 12-24-6, the meaning set forth in  
21 IC 12-24-6-1.

22 (9) For purposes of IC 12-24-14, the meaning set forth in  
23 IC 12-24-14-1.

24 (10) For purposes of IC 12-30-7, the meaning set forth in  
25 IC 12-30-7-3.

26 SECTION 61. IC 12-7-2-93.7, AS ADDED BY P.L.205-2013,  
27 SECTION 177, IS AMENDED TO READ AS FOLLOWS  
28 [EFFECTIVE UPON PASSAGE]: Sec. 93.7. "Grant", for purposes of  
29 ~~IC 12-17.2-5~~, **IC 12-17.2-3.6**, has the meaning set forth in  
30 ~~IC 12-17.2-3.7-6~~. **IC 12-17.2-3.6-6.**

31 SECTION 62. IC 12-7-2-135.8, AS ADDED BY P.L.205-2013,  
32 SECTION 178, AND AS ADDED BY P.L.267-2013, SECTION 1, IS  
33 CORRECTED AND AMENDED TO READ AS FOLLOWS  
34 [EFFECTIVE UPON PASSAGE]: Sec. 135.8. **(a)** "Paths to QUALITY  
35 program", for purposes of ~~IC 12-17.2-2-14~~, **IC 12-17.2-2-14.2** and  
36 ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.6**, *refers to the paths to QUALITY*  
37 *program refers to the program established in IC 12-17.2-2-14.2(b).*

38 **(b)** "Paths to QUALITY program", for purposes of ~~IC 12-17.2-3.7~~,  
39 **IC 12-17.2-3.8**, *has the meaning set forth in ~~IC 12-17.2-3.7-4~~.*  
40 **IC 12-17.2-3.8-1.**

41 SECTION 63. IC 12-7-2-146, AS AMENDED BY P.L.205-2013,  
42 SECTION 179, AND AS AMENDED BY P.L.267-2013, SECTION 2,



1 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 2 [EFFECTIVE UPON PASSAGE]: Sec. 146. "Program" refers to the  
 3 following:

4 (1) For purposes of IC 12-8-12.5, the meaning set forth in  
 5 IC 12-8-12.5-1.

6 (2) For purposes of IC 12-10-7, the adult guardianship services  
 7 program established by IC 12-10-7-5.

8 (3) For purposes of IC 12-10-10, the meaning set forth in  
 9 IC 12-10-10-5.

10 (4) For purposes of ~~IC 12-17.2-2-14~~, **IC 12-17.2-2-14.2**, the  
 11 meaning set forth in ~~IC 12-17.2-2-14~~. **IC 12-17.2-2-14.2(a)**.

12 (5) For purposes of ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.6**, the meaning  
 13 set forth in ~~IC 12-17.2-3.7~~. **IC 12-17.2-3.6-7**.

14 ~~(4)~~ **(6)** For purposes of ~~IC 12-17.2-3.7~~, **IC 12-17.2-3.8**, the  
 15 meaning set forth in ~~IC 12-17.2-3.7-5~~. **IC 12-17.2-3.8-2**.

16 ~~(5)~~ ~~(6)~~ **(7)** For purposes of IC 12-17.6, the meaning set forth in  
 17 IC 12-17.6-1-5.

18 SECTION 64. IC 12-15-16-7, AS ADDED BY P.L.205-2013,  
 19 SECTION 197, IS AMENDED TO READ AS FOLLOWS  
 20 [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) This section applies to  
 21 Medicaid disproportionate share payments for the state fiscal year  
 22 beginning:

23 (1) July 1, 2012, if hospital fees authorized under P.L.229-2011,  
 24 SECTION 281 or authorized to be transferred and used for  
 25 payments are used as state share dollars for the payments; and

26 (2) July 1, 2013, and for each state fiscal year after, for which  
 27 hospital fees authorized under IC 16-21-10 are used as state share  
 28 dollars for the payments.

29 (b) As used in this section, "hospital assessment fee committee"  
 30 refers to the committee established by IC 16-21-10-7.

31 (c) As used in this section, "hospital specific limit" refers to the  
 32 hospital specific limit provided under 42 U.S.C. 1396r-4(g).

33 (d) As used in this section, "municipal hospital payment amount"  
 34 means, concerning a hospital established and operated under  
 35 IC 16-22-2 or IC 16-23, an amount equal to the lesser of:

36 (1) the hospital specific limit for the hospital for the state fiscal  
 37 year; or

38 (2) the hospital's net 2009 supplemental payment amount.

39 (e) As used in this section, "nongovernmental hospital" refers to a  
 40 hospital that is licensed under IC 16-21-2, that is not a unit of state or  
 41 local government, and is not owned or operated by a unit of state or  
 42 local government.



1 (f) As used in this section, "SECTION 281 hospital assessment fee  
2 committee" refers to the hospital assessment fee committee established  
3 by P.L.229-2011, SECTION 281, subsection (e).

4 (g) The following providers are eligible for Medicaid  
5 disproportionate share payments under this section:

6 (1) A hospital or psychiatric institution described in Attachment  
7 4.19-A, Section III, page 6.1(a) of the Medicaid state plan in  
8 effect July 1, 2011.

9 (2) A hospital that satisfies the following for the state fiscal year  
10 for which Medicaid disproportionate share payments are made  
11 under this section:

12 (A) A nongovernmental hospital that:

13 (i) has a Medicaid inpatient utilization rate for the state  
14 fiscal year that is at least equal to the mean Medicaid  
15 inpatient utilization rate as calculated for purposes of  
16 determining Medicaid disproportionate share eligibility, but  
17 does not equal or exceed one (1) standard deviation above  
18 the mean Medicaid inpatient utilization rate; and

19 (ii) satisfies the obstetric service provisions of 42 U.S.C.  
20 1396r-4(d).

21 (B) A hospital established and operated under IC 16-22-2 or  
22 IC 16-23 that:

23 (i) has a Medicaid inpatient utilization rate for the state  
24 fiscal year greater than one percent (1%); and

25 (ii) satisfies the obstetric service provisions of 42 U.S.C.  
26 1396r-4(d).

27 (3) A nongovernmental hospital that satisfies the following for the  
28 state fiscal year for which Medicaid disproportionate share  
29 payments are made under this section:

30 (A) The hospital has a Medicaid inpatient utilization rate for  
31 the state fiscal year that is less than the mean Medicaid  
32 inpatient utilization rate, as calculated for purposes of  
33 determining Medicaid disproportionate share eligibility, but is  
34 at least greater than one percent (1%).

35 (B) The hospital satisfies the obstetric service provisions of 42  
36 U.S.C. 1396r-4(d).

37 (h) This subsection applies to a payment of Medicaid  
38 disproportionate share payments, if any, to hospitals described in  
39 subsection (g)(2) and (g)(3). For Medicaid disproportionate share  
40 payments for the state fiscal year beginning July 1, 2012, the office,  
41 subject to approval by the SECTION 281 hospital assessment fee  
42 committee, may develop and implement a Medicaid state plan



1 amendment that provides Medicaid disproportionate share payments  
2 for the hospitals described in:

3 (1) subsection (g)(2), as long as each hospital and psychiatric  
4 institution described in subsection (g)(1) has received a Medicaid  
5 disproportionate share payment for the state fiscal year in an  
6 amount equal to either:

7 (A) the hospital specific limit; or

8 (B) the municipal hospital payment amount;

9 for the hospital or psychiatric institution for the state fiscal year;  
10 and

11 (2) subsection (g)(3), as long as each hospital described in  
12 subsection (g)(2) has received a Medicaid disproportionate share  
13 payment for the state fiscal year in an amount equal to the hospital  
14 specific limit for the hospital for the state fiscal year.

15 (i) This subsection applies to a payment of Medicaid  
16 disproportionate share payments, if any, to hospitals described in  
17 subsection (g)(2) and (g)(3). For Medicaid disproportionate share  
18 payments for the state fiscal year beginning July 1, 2013, and each state  
19 fiscal year thereafter under this section, the office, subject to the  
20 approval by the hospital assessment fee committee, may develop and  
21 implement a Medicaid state plan amendment that:

22 (1) renews, for state fiscal year beginning July 1, 2013, and each  
23 state fiscal year thereafter under this section, the Medicaid  
24 disproportionate share provisions of Attachment 4.19-A, Section  
25 III, page 6.1(a) of the Medicaid state plan in effect on July 1,  
26 2011;

27 (2) provides Medicaid disproportionate share payments for the  
28 hospitals described in subsection (g)(2), as long as each hospital  
29 and psychiatric institution described in subsection (g)(1) has  
30 received a Medicaid disproportionate share payment for the state  
31 fiscal year in an amount equal to the:

32 (A) hospital specific limit; or

33 (B) municipal hospital payment amount;

34 for the hospital or psychiatric institution for the state fiscal year;  
35 and

36 (3) provides Medicaid disproportionate share payments for the  
37 hospitals described in subsection (g)(3), as long as each hospital  
38 described in subsection (g)(2) has received a Medicaid  
39 disproportionate share payment for the state fiscal year in an  
40 amount equal to the hospital specific limit of the hospital for the  
41 state fiscal year.

42 (j) This subsection does not apply to Medicaid disproportionate



1 share payments made to hospitals described in subsection (g)(2)(B)  
 2 under Attachment 4.19-A, Section III, page 6.1(a) of the Medicaid state  
 3 plan in effect on July 1, 2011, or any renewal. Nothing in this section:

4 (1) requires that the hospitals described in subsection (g)(2) or  
 5 (g)(3) receive Medicaid disproportionate share payments for a  
 6 state fiscal year;

7 (2) requires that the ~~hospital~~ **hospitals** described in subsection  
 8 (g)(2) or (g)(3) receive Medicaid disproportionate share payments  
 9 for a state fiscal year in an amount equal to the respective hospital  
 10 specific limits for the state fiscal year; or

11 (3) prescribes how Medicaid disproportionate share payments are  
 12 to be distributed among the hospitals described in:

13 (A) subsection (g)(2); or

14 (B) subsection (g)(3).

15 (k) Nothing in this section prohibits the use of unexpended federal  
 16 Medicaid disproportionate share allotments for a state fiscal year under  
 17 a program authorized by the SECTION 281 hospital assessment fee  
 18 committee or the hospital assessment fee committee, as long as each  
 19 hospital listed in subsection (g)(1), (g)(2), and (g)(3) has received  
 20 Medicaid disproportionate share payments for the state fiscal year  
 21 equal to the hospital specific limit for the hospital for the state fiscal  
 22 year.

23 SECTION 65. IC 12-15-35-51, AS AMENDED BY P.L.205-2013,  
 24 SECTION 207, AND AS AMENDED BY P.L.185-2013, SECTION 1,  
 25 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 26 [EFFECTIVE UPON PASSAGE]: Sec. 51. (a) As used in this section,  
 27 "advisory committee" refers to the mental health Medicaid quality  
 28 advisory committee established by subsection (b).

29 (b) The mental health Medicaid quality advisory committee is  
 30 established. The advisory committee consists of the following  
 31 members:

32 (1) The director of the office or the director's designee, who shall  
 33 serve as chairperson of the advisory committee.

34 (2) The director of the division of mental health and addiction or  
 35 the director's designee.

36 (3) A representative of a statewide mental health advocacy  
 37 organization.

38 (4) A representative of a statewide mental health provider  
 39 organization.

40 (5) A representative from a managed care organization that  
 41 participates in the state's Medicaid program.

42 (6) A member with expertise in psychiatric research representing



- 1 an academic institution.
- 2 (7) A pharmacist licensed under IC 25-26.
- 3 (8) The commissioner of the department of correction or the  
4 commissioner's designee.
- 5 The governor shall make the appointments for a term of four (4) years  
6 under subdivisions (3) through (7) and fill any vacancy on the advisory  
7 committee.
- 8 (c) The office shall staff the advisory committee. The expenses of  
9 the advisory committee shall be paid by the office.
- 10 (d) Each member of the advisory committee who is not a state  
11 employee is entitled to the minimum salary per diem provided by  
12 IC 4-10-11-2.1(b). The member is also entitled to reimbursement for  
13 traveling expenses as provided under IC 4-13-1-4 and other expenses  
14 actually incurred in connection with the member's duties as provided  
15 in the state policies and procedures established by the Indiana  
16 department of administration and approved by the budget agency.
- 17 (e) Each member of the advisory committee who is a state employee  
18 is entitled to reimbursement for traveling expenses as provided under  
19 IC 4-13-1-4 and other expenses actually incurred in connection with  
20 the member's duties as provided in the state policies and procedures  
21 established by the Indiana department of administration and approved  
22 by the budget agency.
- 23 (f) The affirmative votes of a majority of the voting members  
24 appointed to the advisory committee are required by the advisory  
25 committee to take action on any measure.
- 26 (g) The advisory committee shall advise the office and make  
27 recommendations concerning the clinical use of mental health and  
28 addiction medications, including the implementation of  
29 IC 12-15-35.5-7(c), and consider the following:
- 30 (1) Peer reviewed medical literature.
- 31 (2) Observational studies.
- 32 (3) Health economic studies.
- 33 (4) Input from physicians and patients.
- 34 (5) Any other information determined by the advisory committee  
35 to be appropriate.
- 36 (h) The office shall report recommendations made by the advisory  
37 committee to the drug utilization review board established by section  
38 19 of this chapter.
- 39 (i) The office shall report the following information to the ~~select~~  
40 ~~joint commission on Medicaid oversight established by IC 2-5-26-3:~~  
41 ~~health finance commission established by IC 2-5-23-3:~~
- 42 (1) The advisory committee's advice and recommendations made



- 1 under this section.
- 2 (2) The number of restrictions implemented under
- 3 IC 12-15-35.5-7(c) and the outcome of each restriction.
- 4 (3) The transition of individuals who are aged, blind, or disabled
- 5 to the risk based managed care program. *This information shall*
- 6 *also be reported to the health finance commission established by*
- 7 *IC 2-5-23-3.*
- 8 (4) Any decision by the office to change the health care delivery
- 9 system in which Medicaid is provided to recipients.
- 10 (j) Notwithstanding subsection (b); the initial members appointed
- 11 to the advisory committee under this section are appointed for the
- 12 following terms:
- 13 (1) Individuals appointed under subsection (b)(3) and (b)(4) are
- 14 appointed for a term of four (4) years.
- 15 (2) An individual appointed under subsection (b)(5) is appointed
- 16 for a term of three (3) years.
- 17 (3) An individual appointed under subsection (b)(6) is appointed
- 18 for a term of two (2) years.
- 19 (4) An individual appointed under subsection (b)(7) is appointed
- 20 for a term of one (1) year.
- 21 This subsection expires December 31, 2013.
- 22 SECTION 66. IC 12-17.2-2-14, AS ADDED BY P.L.205-2013,
- 23 SECTION 210, IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec.
- 24 14. (a) As used in this section; "program" refers to the paths to
- 25 QUALIFY program established by subsection (b).
- 26 (b) The paths to QUALIFY program is established. The program is
- 27 a voluntary child care facility quality rating and improvement system
- 28 implemented by the division in partnership with the following
- 29 organizations under the trademark "Paths to QUALIFY":
- 30 (1) Indiana Association for the Education of Young Children.
- 31 (2) Indiana Association for Child Care Resource and Referral.
- 32 (3) Indiana Head Start Collaboration Office.
- 33 (4) Department of education established by IC 20-19-3-1.
- 34 (5) Early Childhood Alliance.
- 35 (6) 4C of Southern Indiana.
- 36 (c) The program shall use four (4) levels at which a child care
- 37 facility participating in the program may be rated; with level 4
- 38 indicating the highest level of quality child care.
- 39 (d) The office of the secretary shall adopt rules under IC 4-22-2 to
- 40 administer the paths to QUALIFY program rating system. The rules
- 41 must include procedures that outline eligibility and application
- 42 procedures for the program; the establishment of procedures relating





1 to the rating process, and the establishment or alteration of standards  
2 used in the rating process.

3 (e) The office of the secretary shall adopt rules under IC 4-22-2 to  
4 establish the steering council of the program to make recommendations  
5 to the division on program issues and resources. Rules adopted under  
6 this subsection must require that council members be appointed from  
7 partner organizations that assist in the implementation of the program  
8 and serve to coordinate the program plan.

9 SECTION 67. IC 12-17.2-2-14, AS ADDED BY P.L.287-2013,  
10 SECTION 5, IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec.  
11 14. (a) The state police department shall release the results of a  
12 national criminal history background check conducted in accordance  
13 with this article to the division.

14 (b) The division may not release records received from the state  
15 police department under subsection (a).

16 SECTION 68. IC 12-17.2-2-14.2 IS ADDED TO THE INDIANA  
17 CODE AS A NEW SECTION TO READ AS FOLLOWS  
18 [EFFECTIVE UPON PASSAGE]: Sec. 14.2. (a) As used in this  
19 section, "program" refers to the paths to QUALITY program  
20 established by subsection (b).

21 (b) The paths to QUALITY program is established. The  
22 program is a voluntary child care facility quality rating and  
23 improvement system implemented by the division in partnership  
24 with the following organizations under the trademark "Paths to  
25 QUALITY":

- 26 (1) Indiana Association for the Education of Young Children.
- 27 (2) Indiana Association for Child Care Resource and Referral.
- 28 (3) Indiana Head Start Collaboration Office.
- 29 (4) Department of education established by IC 20-19-3-1.
- 30 (5) Early Childhood Alliance.
- 31 (6) 4C of Southern Indiana.

32 (c) The program shall use four (4) levels at which a child care  
33 facility participating in the program may be rated, with Level 4  
34 indicating the highest level of quality child care.

35 (d) The office of the secretary shall adopt rules under IC 4-22-2  
36 to administer the paths to QUALITY program rating system. The  
37 rules must include procedures that outline eligibility and  
38 application procedures for the program, the establishment of  
39 procedures relating to the rating process, and the establishment or  
40 alteration of standards used in the rating process.

41 (e) The office of the secretary shall adopt rules under IC 4-22-2  
42 to establish the steering council of the program to make



1 recommendations to the division on program issues and resources.  
 2 Rules adopted under this subsection must require that council  
 3 members be appointed from partner organizations that assist in  
 4 the implementation of the program and serve to coordinate the  
 5 program plan.

6 SECTION 69. IC 12-17.2-2-14.4 IS ADDED TO THE INDIANA  
 7 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 8 [EFFECTIVE UPON PASSAGE]: **Sec. 14.4. (a) The state police**  
 9 **department shall release the results of a national criminal history**  
 10 **background check conducted in accordance with this article to the**  
 11 **division.**

12 **(b) The division may not release records received from the state**  
 13 **police department under subsection (a).**

14 SECTION 70. IC 12-17.2-3.6 IS ADDED TO THE INDIANA  
 15 CODE AS A NEW CHAPTER TO READ AS FOLLOWS  
 16 [EFFECTIVE UPON PASSAGE]:

17 **Chapter 3.6. Early Learning Advisory Committee; Early**  
 18 **Education Matching Grant Program**

19 **Sec. 1. As used in this chapter, "committee" refers to the early**  
 20 **learning advisory committee established by section 8 of this**  
 21 **chapter.**

22 **Sec. 2. As used in this chapter, "eligible child" refers to a child**  
 23 **who qualifies as an eligible child under section 15 of this chapter.**

24 **Sec. 3. As used in this chapter, "eligible provider" refers to an**  
 25 **entity that qualifies as an eligible provider under section 16 of this**  
 26 **chapter.**

27 **Sec. 4. As used in this chapter, "eligible services" refers to a**  
 28 **program of early education services that meets the standards of**  
 29 **quality recognized by a Level 3 or Level 4 paths to QUALITY**  
 30 **program rating.**

31 **Sec. 5. As used in this chapter, "fund" refers to the early**  
 32 **education matching grant program fund established by section 11**  
 33 **of this chapter.**

34 **Sec. 6. As used in this chapter, "grant" refers to a matching**  
 35 **grant from the fund.**

36 **Sec. 7. As used in this chapter, "program" refers to the early**  
 37 **education matching grant program established by this chapter.**

38 **Sec. 8. (a) The early learning advisory committee is established.**

39 **(b) The committee consists of six (6) members appointed by the**  
 40 **governor as follows:**

- 41 **(1) A representative of the department of education.**  
 42 **(2) A representative of the division.**



- 1           **(3) A representative of a Head Start program under 42 U.S.C.**  
 2           **9831 et seq.**  
 3           **(4) A representative of a family advocacy group that has an**  
 4           **interest in early childhood education.**  
 5           **(5) An early childhood education provider.**  
 6           **(6) A representative of business with an interest in early**  
 7           **childhood education.**  
 8           **(c) The governor shall appoint the chairperson of the committee.**  
 9           **(d) The division shall staff the committee.**  
 10          **(e) The expenses of the committee shall be paid from the funds**  
 11          **of the division.**  
 12          **(f) Each member of the committee who is not a state employee**  
 13          **is entitled to the minimum salary per diem provided by**  
 14          **IC 4-10-11-2.1(b). The member is also entitled to reimbursement**  
 15          **for traveling expenses as provided under IC 4-13-1-4 and other**  
 16          **expenses actually incurred in connection with the member's duties**  
 17          **as provided in the state policies and procedures established by the**  
 18          **Indiana department of administration and approved by the budget**  
 19          **agency.**  
 20          **(g) Each member of the committee who is a state employee but**  
 21          **who is not a member of the general assembly is entitled to**  
 22          **reimbursement for traveling expenses as provided under**  
 23          **IC 4-13-1-4 and other expenses actually incurred in connection**  
 24          **with the member's duties as provided in the state policies and**  
 25          **procedures established by the Indiana department of**  
 26          **administration and approved by the budget agency.**  
 27          **(h) Each member of the committee who is a member of the**  
 28          **general assembly is entitled to receive the same per diem, mileage,**  
 29          **and travel allowances paid to legislative members of interim study**  
 30          **committees established by the legislative council. Per diem,**  
 31          **mileage, and travel allowances paid under this section shall be paid**  
 32          **from appropriations made to the legislative council or the**  
 33          **legislative services agency.**  
 34          **(i) The affirmative votes of a majority of the voting members**  
 35          **appointed to the committee are required for the committee to take**  
 36          **action on any measure, including final reports.**  
 37          **Sec. 9. (a) The committee shall do the following:**  
 38               **(1) Conduct periodic statewide needs assessments concerning**  
 39               **the quality and availability of early education programs for**  
 40               **children from birth to the age of school entry, including the**  
 41               **availability of high quality prekindergarten education for low**  
 42               **income children in Indiana.**



1           **(2) Identify opportunities for, and barriers to, collaboration**  
 2           **and coordination among federally and state funded child**  
 3           **development, child care, and early childhood education**  
 4           **programs and services, including governmental agencies that**  
 5           **administer the programs and services.**

6           **(3) Assess the capacity and effectiveness of two (2) and four**  
 7           **(4) year public and private higher education institutions in**  
 8           **Indiana for the support of development of early educators,**  
 9           **including:**

10           **(A) professional development and career advancement**  
 11           **plans; and**

12           **(B) practice or internships with Head Start or**  
 13           **prekindergarten programs.**

14           **(4) Recommend to the division procedures, policies, and**  
 15           **eligibility criteria for the program.**

16           **(5) Other duties as determined necessary by the chairperson**  
 17           **of the committee.**

18           **(b) Not later than June 30 of each year, the committee shall**  
 19           **develop and make recommendations to the governor and, in an**  
 20           **electronic format under IC 5-14-6, to the legislative council**  
 21           **concerning the results of the committee's work under this section.**

22           **Sec. 10. The division shall administer an early education**  
 23           **matching grant program in compliance with this chapter. The**  
 24           **division may establish procedures, forms, and standards to carry**  
 25           **out this chapter. The office of the secretary may adopt rules under**  
 26           **IC 4-22-2 to carry out this chapter.**

27           **Sec. 11. (a) The early education matching grant program fund**  
 28           **is established for the purpose of providing matching grants to**  
 29           **providers of eligible services. The fund shall be administered by the**  
 30           **division.**

31           **(b) The fund consists of the following:**

32           **(1) Appropriations by the general assembly.**

33           **(2) Grants and gifts that the state receives for the fund under**  
 34           **terms, obligations, and liabilities that the division considers**  
 35           **appropriate.**

36           **(c) The treasurer of state shall invest the money in the fund not**  
 37           **currently needed to meet the obligations of the fund in the same**  
 38           **manner as other public money may be invested. Interest that**  
 39           **accrues from these investments shall be deposited in the fund.**

40           **(d) Money in the fund at the end of a state fiscal year does not**  
 41           **revert to the state general fund. The fund is a trust fund and may**  
 42           **not be transferred to another fund under IC 4-9.1-1-7.**



1           **Sec. 12. The division shall establish an application process for**  
2 **grants from the fund.**

3           **Sec. 13. The division may award a grant from the fund to an**  
4 **applicant that:**

- 5           (1) agrees to operate as an eligible provider;
- 6           (2) either:
  - 7           (A) has obtained a matching gift or grant; or
  - 8           (B) has a commitment for a matching gift or grant;
- 9           **from any combination of foundations, other nonprofit entities,**  
10 **individuals, or for-profit entities for the purposes of the**  
11 **applicant's program of eligible services;**
- 12           (3) provides the division with a plan for use of the grant and  
13 **any related matching funds that demonstrates to the**  
14 **satisfaction of the division that use of the grant and related**  
15 **matching funds will increase the number of eligible children**  
16 **receiving eligible services;**
- 17           (4) enters into a written agreement with the division  
18 **concerning the delivery of eligible services and the use of a**  
19 **grant provided under this chapter that incorporates the plan**  
20 **approved by the division under subdivision (3); and**
- 21           (5) provides to the division any other information that the  
22 **division determines necessary or appropriate for the grant.**

23           **Sec. 14. Foundations, nonprofit entities, individuals, and**  
24 **for-profit entities may contribute an amount to the fund:**

- 25           (1) for the purposes of providing a matching gift or grant  
26 **described in section 13(2) of this chapter; or**
- 27           (2) as unrestricted funds.

28           **Sec. 15. To qualify as an eligible child, the child must be:**

- 29           (1) a member of a household with an annual income that does  
30 **not exceed one hundred percent (100%) of the federal poverty**  
31 **level;**
- 32           (2) at least four (4) years of age and less than five (5) years of  
33 **age when the child receives eligible services; and**
- 34           (3) a resident of Indiana or otherwise have legal settlement in  
35 **Indiana, as determined under IC 20-26-11.**

36           **Sec. 16. To qualify as an eligible provider, an applicant must:**

- 37           (1) be an entity other than an individual;
- 38           (2) provide eligible services to individuals for at least one  
39 **hundred eighty (180) days per year;**
- 40           (3) administer the kindergarten readiness assessment  
41 **(ISTAR-KR) adopted by the department of education to**  
42 **children receiving eligible services as required by the division;**



1 (4) include a parental involvement component in the delivery  
 2 of eligible services that is based on the requirements and  
 3 guidelines established by the division;

4 (5) comply with the agreement with the division concerning  
 5 the delivery of eligible services and the use of a grant  
 6 provided under this chapter; and

7 (6) comply with any other standards and procedures  
 8 established under this chapter.

9 Sec. 17. The division shall monitor for compliance of a recipient  
 10 of a grant with the terms of the grant.

11 Sec. 18. (a) The division shall monitor the educational outcomes  
 12 resulting from the delivery of eligible services by eligible providers  
 13 that receive a grant under this chapter over the period established  
 14 by the division to evaluate the contribution that eligible services  
 15 make toward improved education outcomes.

16 (b) The division shall provide the department of education with  
 17 information necessary for the department of education to assign a  
 18 child who receives early education services from a provider that  
 19 participates in the program under this chapter a student testing  
 20 number. Upon receipt of the information, the department of  
 21 education shall assign the child a student testing number to track  
 22 the child's educational growth and development.

23 (c) The department of education shall cooperate with the  
 24 division as necessary or appropriate to assist the division to carry  
 25 out this section, including the sharing of information related to the  
 26 educational outcomes assigned a student testing number under  
 27 subsection (b) to the extent permitted by the laws governing the  
 28 disclosure of student information.

29 (d) Beginning in 2015, the division shall annually provide the  
 30 committee, the governor, and (in an electronic format under  
 31 IC 5-14-6) the legislative council a report of the findings of the  
 32 division under this section in a form that complies with all laws  
 33 governing the disclosure of student information.

34 SECTION 71. IC 12-17.2-3.7, AS ADDED BY P.L.205-2013,  
 35 SECTION 211, IS REPEALED [EFFECTIVE UPON PASSAGE].  
 36 (Early Learning Advisory Committee; Early Education Matching Grant  
 37 Program).

38 SECTION 72. IC 12-17.2-3.7, AS ADDED BY P.L.267-2013,  
 39 SECTION 3, IS REPEALED [EFFECTIVE UPON PASSAGE]. (Early  
 40 Education Evaluation Program).

41 SECTION 73. IC 12-17.2-3.8 IS ADDED TO THE INDIANA  
 42 CODE AS A NEW CHAPTER TO READ AS FOLLOWS



1 [EFFECTIVE UPON PASSAGE]:

2 **Chapter 3.8. Early Education Evaluation Program**

3 **Sec. 1. As used in this chapter, "Paths to QUALITY program"**  
 4 **refers to a voluntary quality rating and improvement system for**  
 5 **child care administered:**

- 6 (1) statewide by the division; and  
 7 (2) under the trademark "Paths to QUALITY".

8 **Sec. 2. As used in this chapter, "program" refers to the early**  
 9 **education evaluation program established by section 3 of this**  
 10 **chapter.**

11 **Sec. 3. The early education evaluation program is established to**  
 12 **gather data concerning the school readiness of low income children**  
 13 **who have received early education services through providers with**  
 14 **programs of demonstrated quality that require parental**  
 15 **involvement in the children's education.**

16 **Sec. 4. (a) The division shall conduct a study of the school**  
 17 **readiness of low income children receiving early education services**  
 18 **from providers that:**

- 19 (1) meet the standards of quality recognized by a Level 3 or  
 20 Level 4 Paths to QUALITY program rating; and  
 21 (2) require parental involvement based on the guidelines  
 22 developed under section 7 of this chapter.

23 (b) The division shall select representative providers in multiple  
 24 locations across Indiana who administer kindergarten readiness  
 25 assessments and other indicators of school readiness to children  
 26 receiving services from the providers to participate in the  
 27 program. The division shall work with the department of education  
 28 to assign student testing numbers to low income children  
 29 completing kindergarten readiness assessments.

30 (c) Not later than October 1 of each year, the division shall  
 31 prepare an annual report of the results of the program and provide  
 32 the report to the governor, to the department of education, and, in  
 33 an electronic format under IC 5-14-6, to the legislative council.

34 (d) The division shall administer the program, which must begin  
 35 on July 1, 2013.

36 **Sec. 5. (a) The early learning advisory committee is established**  
 37 **to do the following:**

- 38 (1) Conduct periodic statewide needs assessments concerning  
 39 the quality and availability of early education programs for  
 40 children from birth to the age of school entry, including the  
 41 availability of high quality prekindergarten education for low  
 42 income children in Indiana.



- 1           **(2) Identify opportunities for, and barriers to, collaboration**  
 2           **and coordination among federally and state funded child**  
 3           **development, child care, and early childhood education**  
 4           **programs and services, including governmental agencies that**  
 5           **administer the programs and services.**  
 6           **(3) Assess the capacity and effectiveness of two (2) and four**  
 7           **(4) year public and private higher education institutions in**  
 8           **Indiana for the support of development of early educators,**  
 9           **including:**  
 10           **(A) professional development and career advancement**  
 11           **plans; and**  
 12           **(B) practice or internships with Head Start or**  
 13           **prekindergarten programs.**  
 14           **(4) Other duties as determined necessary by the chairperson**  
 15           **of the committee.**  
 16           **(5) Not later than June 30 of each year, develop and make**  
 17           **recommendations to the governor and, in an electronic format**  
 18           **under IC 5-14-6, to the legislative council concerning the**  
 19           **results of the committee's work under subdivisions (1)**  
 20           **through (4).**  
 21           **(b) The committee consists of six (6) members appointed by the**  
 22           **governor as follows:**  
 23           **(1) A representative of the department of education.**  
 24           **(2) A representative of the division.**  
 25           **(3) A representative of a Head Start program under 42 U.S.C.**  
 26           **9831 et seq.**  
 27           **(4) A representative of a family advocacy group that has an**  
 28           **interest in early childhood education.**  
 29           **(5) An early childhood education provider.**  
 30           **(6) A representative of business with an interest in early**  
 31           **childhood education.**  
 32           **(c) The governor shall appoint the chairperson of the committee.**  
 33           **(d) The division shall staff the committee.**  
 34           **(e) The expenses of the committee shall be paid from the funds**  
 35           **of the division.**  
 36           **(f) Each member of the committee who is not a state employee**  
 37           **is entitled to the minimum salary per diem provided by**  
 38           **IC 4-10-11-2.1(b). The member is also entitled to reimbursement**  
 39           **for traveling expenses as provided under IC 4-13-1-4 and other**  
 40           **expenses actually incurred in connection with the member's duties**  
 41           **as provided in the state policies and procedures established by the**  
 42           **Indiana department of administration and approved by the budget**





1 agency.

2 (g) Each member of the committee who is a state employee but  
3 who is not a member of the general assembly is entitled to  
4 reimbursement for traveling expenses as provided under  
5 IC 4-13-1-4 and other expenses actually incurred in connection  
6 with the member's duties as provided in the state policies and  
7 procedures established by the Indiana department of  
8 administration and approved by the budget agency.

9 (h) Each member of the committee who is a member of the  
10 general assembly is entitled to receive the same per diem, mileage,  
11 and travel allowances paid to legislative members of interim study  
12 committees established by the legislative council. Per diem,  
13 mileage, and travel allowances paid under this section shall be paid  
14 from appropriations made to the legislative council or the  
15 legislative services agency.

16 (i) The affirmative votes of a majority of the voting members  
17 appointed to the committee are required for the committee to take  
18 action on any measure, including final reports.

19 **Sec. 6.** The division shall provide the department of education  
20 with information necessary for the department of education to  
21 assign a child who receives early education services from a  
22 provider who participates in the program under this chapter a  
23 student testing number. Upon receipt of the information, the  
24 department of education shall assign the child a student testing  
25 number to track the child's educational growth and development.

26 **Sec. 7.** The division shall develop and maintain guidelines for the  
27 inclusion in every provider's services under this chapter of a  
28 component increasing parental engagement and involvement in the  
29 child's education.

30 SECTION 74. IC 12-29-2-2, AS AMENDED BY P.L.123-2008,  
31 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
32 UPON PASSAGE]: Sec. 2. (a) A county shall fund the operation of  
33 community mental health centers in the amount determined under  
34 subsection (b), unless a lower tax levy amount will be adequate to  
35 fulfill the county's financial obligations under this chapter in any of the  
36 following situations:

- 37 (1) If the total population of the county is served by one (1)  
38 center.  
39 (2) If the total population of the county is served by more than one  
40 (1) center.  
41 (3) If the partial population of the county is served by one (1)  
42 center.



- 1 (4) If the partial population of the county is served by more than  
 2 one (1) center.
- 3 (b) The amount of funding under subsection (a) for taxes first due  
 4 and payable in a calendar year is the following:
- 5 (1) For 2004, the amount is the amount determined under STEP  
 6 THREE of the following formula:
- 7 STEP ONE: Determine the amount that was levied within the  
 8 county to comply with this section from property taxes first  
 9 due and payable in 2002.
- 10 STEP TWO: Multiply the STEP ONE result by the county's  
 11 assessed value growth quotient for the ensuing year 2003, as  
 12 determined under IC 6-1.1-18.5-2.
- 13 STEP THREE: Multiply the STEP TWO result by the county's  
 14 assessed value growth quotient for the ensuing year 2004, as  
 15 determined under IC 6-1.1-18.5-2.
- 16 (2) Except as provided in subsection (c), for 2005 and each year  
 17 thereafter, the result equal to:
- 18 (A) the amount that was levied in the county to comply with  
 19 this section from property taxes first due and payable in the  
 20 calendar year immediately preceding the ensuing calendar  
 21 year; multiplied by
- 22 (B) the county's assessed value growth quotient for the ensuing  
 23 calendar year, as determined under IC 6-1.1-18.5-2.
- 24 (c) This subsection applies only to property taxes first due and  
 25 payable after December 31, 2007. This subsection applies only to a  
 26 county for which a county adjusted gross income tax rate is first  
 27 imposed or is increased in a particular year under IC 6-3.5-1.1-24 or a  
 28 county option income tax rate is first imposed or is increased in a  
 29 particular year under IC 6-3.5-6-30. Notwithstanding any provision in  
 30 this section or any other section of this chapter, for a county subject to  
 31 this subsection, the county's maximum property tax levy under this  
 32 section to fund the operation of community mental health centers for  
 33 the ensuing calendar year is equal to the county's maximum property  
 34 tax levy to fund the operation of community mental health centers for  
 35 the current calendar year.
- 36 (d) Except as provided in subsection (h), the county shall pay to the  
 37 division of mental health and addiction the part of the funding  
 38 determined under subsection (b) that is appropriated solely for funding  
 39 the operations of a community health center. The funding required  
 40 under this section for operations of a community health center shall be  
 41 paid by the county to the division of mental health and addiction. These  
 42 funds shall be used solely for satisfying the non-federal share of



1 medical assistance payments to community mental health centers  
2 serving the county for:

- 3 (1) allowable administrative services; and  
4 (2) community mental health rehabilitation services.

5 All other funding appropriated for the purposes allowed under section  
6 1.2(b)(1) of this chapter shall be paid by the county directly to the  
7 community mental health center semiannually at the times that the  
8 payments are made under subsection (e).

9 (e) The county shall appropriate and disburse the funds for  
10 operations semiannually not later than December 1 and June 1 in an  
11 amount equal to the amount determined under subsection (b) and  
12 requested in writing by the division of mental health and addiction. The  
13 total funding amount paid to the division of mental health and  
14 addiction for a county for each calendar year may not exceed the  
15 amount that is calculated in subsection (b) and set forth in writing by  
16 the division of mental health and addiction for the county. Funds paid  
17 to the division of mental health and addiction by the county shall be  
18 submitted by the county in a timely manner after receiving the written  
19 request from the division of mental health and addiction, to ensure  
20 current year compliance with the community mental health  
21 rehabilitation program and any administrative requirements of the  
22 program.

23 (f) The division of mental health and addiction shall ensure that the  
24 non-federal share of funding received from a county under this program  
25 is applied only for matching federal funds for the designated  
26 community mental health centers to the extent a center is eligible to  
27 receive county funding under ~~IC 12-21-2-3(a)(5)(E)~~.  
28 **IC 12-21-2-3(5)(D).**

29 (g) The division of mental health and addiction:

- 30 (1) shall first apply state funding to a community mental health  
31 center's non-federal share of funding under this program; and  
32 (2) may next apply county funding received under ~~IC 12-29-2-2~~  
33 **this section** to any remaining non-federal share of funding for the  
34 community mental health center.

35 The division shall distribute any excess state funds that exceed the  
36 community mental health rehabilitation services non-federal share  
37 applied to a community mental health center that is entitled to the  
38 excess state funds.

39 (h) The health and hospital corporation of Marion County created  
40 by IC 16-22-8-6 may make payments to the division for the operation  
41 of a community mental health center as described in this chapter.

42 SECTION 75. IC 14-9-5-4, AS AMENDED BY P.L.124-2013,



1 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 UPON PASSAGE]: Sec. 4. (a) As used in this section, "account" means  
3 the Indiana sportsmen's benevolence account established by subsection  
4 (b).

5 (b) The Indiana sportsmen's benevolence account is established  
6 within the fund for the division of law enforcement to encourage  
7 citizen participation in feeding the state's hungry through donations of  
8 wild game that has been lawfully hunted.

9 (c) The account consists of:

10 (1) gifts;

11 (2) donations;

12 (3) proceeds derived from marketing by the division of law  
13 enforcement of goods related to the feeding of the state's hungry  
14 through donations of wild game under subsection ~~(a)~~; **(b)**; and

15 (4) donations collected under IC 14-22-12-1(c).

16 (d) The expenses of administering the account shall be paid from  
17 money in the account.

18 (e) The division of law enforcement shall:

19 (1) conduct a publicity campaign relating to feeding the state's  
20 hungry through donations of wild game;

21 (2) coordinate with nonprofit entities and other entities created  
22 with goals of feeding the state's hungry;

23 (3) coordinate with nonprofit entities to use the money collected  
24 under IC 14-22-12-1(c) to assist meat processors in processing  
25 donations of wild game related to feeding the state's hungry; and

26 (4) engage in any other activities to further the goals of this  
27 section.

28 (f) A person who receives money from the fund must submit a  
29 budget request for providing estimated payments to participating meat  
30 processors for the number of donated wild game animals to be included  
31 in the program. The division of law enforcement must certify the  
32 information on the application and determine:

33 (1) whether the participating meat processor may receive a grant;  
34 and

35 (2) the amount of the grant each participating meat processor may  
36 receive under this section.

37 (g) An eligible meat processor may use money granted to the meat  
38 processor from the account as authorized under this section. However,  
39 an eligible meat processor must submit to the division of law  
40 enforcement any information that is requested of the meat processor.  
41 At the request of the division of law enforcement or the state board of  
42 accounts, the eligible meat processor shall submit to an audit of the



- 1 funds received.
- 2 (h) The division of law enforcement shall make grant distributions  
3 under this section to eligible meat processors as soon as practical after  
4 receipt of an approved invoice for payment.
- 5 (i) The department shall adopt rules under IC 4-22-2 to implement  
6 this chapter, including rules governing:
- 7 (1) the deadlines for applying for a grant under this section;  
8 (2) the types of expenses incurred for which grant money may be  
9 used; and  
10 (3) any expense documentation required to satisfy program  
11 accounting needs.
- 12 (j) Money in the account is annually appropriated for the purposes  
13 described in this section.
- 14 (k) The treasurer of state shall invest the money in the account not  
15 currently needed to meet the obligations of the account in the same  
16 manner as other public money may be invested. Interest that accrues  
17 from these investments shall be deposited in the account.
- 18 (l) Money in the account at the end of a state fiscal year does not  
19 revert to the state general fund.
- 20 SECTION 76. IC 14-22-12-7 IS REPEALED [EFFECTIVE UPON  
21 PASSAGE]. Sec. 7: (a) Before July 1, 2005, the director may issue to  
22 residents of Indiana lifetime licenses to hunt, fish, or trap. Subject to  
23 subsection (b), the following license fees shall be charged:
- 24 (1) Lifetime basic fishing license; twenty (20) times the fee  
25 charged for a resident yearly license to fish. This license replaces  
26 the resident yearly license to fish.
- 27 (2) Lifetime basic hunting license; twenty (20) times the fee  
28 charged for a resident yearly license to hunt. This license replaces  
29 the resident yearly license to hunt.
- 30 (3) Lifetime comprehensive fishing license; thirty (30) times the  
31 fee charged for a resident yearly license to fish. This license  
32 replaces the resident yearly license to fish and all other yearly  
33 licenses, stamps, or permits to fish for a specific species.
- 34 (4) Lifetime comprehensive hunting license; sixty (60) times the  
35 fee charged for a resident yearly license to hunt. This license  
36 replaces the resident yearly license to hunt and all other yearly  
37 licenses, stamps, or permits to hunt for a specific species or by a  
38 specific means.
- 39 (5) Lifetime comprehensive hunting and fishing license; the fee  
40 charged under subdivisions (3) and (4) less ten percent (10%).  
41 This license replaces the following:
- 42 (A) The resident yearly license to hunt.



- 1 (B) All other yearly licenses, stamps, or permits to hunt for a
- 2 specific species or by a specific means:
- 3 (C) The resident yearly license to fish:
- 4 (D) All other yearly licenses, stamps, or permits to fish for a
- 5 specific species:
- 6 (6) Lifetime trapping license, twenty (20) times the fee charged
- 7 for a resident yearly license to trap. This license replaces the
- 8 resident yearly license to trap.
- 9 (b) This subsection applies only to individuals who are at least fifty
- 10 (50) years of age. The license fees under subsection (a) shall be
- 11 reduced by the amount determined under STEP THREE of the
- 12 following formula:
- 13 STEP ONE: Subtract forty-nine (49) from the resident applicant's
- 14 age in years:
- 15 STEP TWO: Multiply the difference determined under STEP
- 16 ONE by two and one-half percent (2.5%):
- 17 STEP THREE: Multiply the percentage determined under STEP
- 18 TWO by the amount of the appropriate fee under subsection (a):
- 19 (c) Each lifetime license:
- 20 (1) is nontransferable;
- 21 (2) expires on the death of the person to whom the license was
- 22 issued; and
- 23 (3) may be suspended or revoked for the same causes and
- 24 according to the same procedures that a resident yearly license to
- 25 hunt, fish, or trap, as appropriate, may be suspended or revoked:
- 26 (d) No part of a lifetime hunting, fishing, or trapping license is
- 27 refundable. However, the holder of:
- 28 (1) a basic license to hunt or fish may be given credit for the
- 29 current cost of such a license when purchasing a comprehensive
- 30 license to hunt or fish or hunt and fish; and
- 31 (2) a comprehensive license to hunt or fish may be given credit
- 32 for the current cost of such a license when purchasing a lifetime
- 33 comprehensive license to hunt and fish:
- 34 (e) All money received under this section shall be deposited in the
- 35 lifetime hunting, fishing, and trapping license trust fund established by
- 36 ~~IC 14-22-4.~~
- 37 SECTION 77. IC 16-21-10-7, AS ADDED BY P.L.205-2013,
- 38 SECTION 214, IS AMENDED TO READ AS FOLLOWS
- 39 [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) The hospital assessment
- 40 fee committee is established. The committee consists of the following
- 41 four (4) voting members:
- 42 (1) The secretary of family and social services established by



- 1 ~~IC 12-8-1.5-1~~, **appointed under IC 12-8-1.5-2** or the secretary's
- 2 designee, who shall serve as the chair of the committee.
- 3 (2) The budget director or the budget director's designee.
- 4 (3) Two (2) individuals appointed by the governor from a list of
- 5 at least four (4) individuals submitted by the Indiana Hospital
- 6 Association.
- 7 If a vacancy occurs among the members appointed under subdivision
- 8 (3), the governor shall appoint a replacement committee member from
- 9 a list of at least two (2) individuals submitted by the Indiana Hospital
- 10 Association.
- 11 (b) The committee shall review any Medicaid state plan
- 12 amendments, waiver requests, or revisions to any Medicaid state plan
- 13 amendments or waiver requests, to implement or continue the
- 14 implementation of this chapter for the purpose of establishing favorable
- 15 review of the amendments, requests, and revisions by the United States
- 16 Department of Health and Human Services.
- 17 (c) The committee shall meet at the call of the chair. The members
- 18 serve without compensation.
- 19 (d) A quorum consists of at least three (3) members. An affirmative
- 20 vote of at least three (3) members of the committee is necessary to
- 21 approve Medicaid state plan amendments, waiver requests, or revisions
- 22 to the Medicaid state plan or waiver requests.
- 23 SECTION 78. IC 16-36-6-20, AS ADDED BY P.L.164-2013,
- 24 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 25 UPON PASSAGE]: Sec. 20. The execution or revocation of a POST
- 26 form by or for a qualified person does not revoke or impair the validity
- 27 of any of the following:
- 28 (1) A power of attorney that is executed by a qualified person
- 29 when the qualified person is competent.
- 30 (2) Health care powers that are granted to an attorney in fact
- 31 under IC 30-5-5-16 or IC 30-5-5-17.
- 32 (3) An appointment of a health care representative that is
- 33 executed by a qualified person, except to the extent that the POST
- 34 form contains a superseding appointment of a new health care
- 35 representative under section 9(b)(7) of this chapter.
- 36 (4) The authority of a health care representative under IC 16-36-1
- 37 to consent to health care on behalf of the qualified ~~patient~~:
- 38 **person.**
- 39 (5) The authority of an attorney in fact holding health care powers
- 40 under IC 30-5-5-16 or IC 30-5-5-17 to issue and enforce
- 41 instructions under IC 30-5-7 concerning the qualified person's
- 42 health care.



1 SECTION 79. IC 16-38-5-2, AS AMENDED BY P.L.191-2013,  
 2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 UPON PASSAGE]: Sec. 2. (a) Except as provided in subsection (c), a  
 4 provider, a physician's designee, a pharmacist's designee, or a person  
 5 approved by the state department may provide immunization data to the  
 6 immunization data registry in a manner prescribed by the state  
 7 department and for the purposes allowed under this chapter.

8 (b) This subsection takes effect July 1, 2015. Except as provided in  
 9 subsections (c) and (e), a provider who is licensed under IC 25 and who  
 10 is authorized within the provider's scope of practice to administer  
 11 immunizations or the provider's designee shall electronically provide  
 12 immunization data to the immunization data registry for all  
 13 immunizations administered to individuals who are less than nineteen  
 14 (19) years of age:

15 (1) not later than seven (7) business days after providing the  
 16 immunization;

17 (2) in a manner prescribed by the state department, after  
 18 reasonable notice; and

19 (3) for the purposes allowed under this chapter.

20 (c) A person is exempt from providing immunization data to the  
 21 immunization data registry if:

22 (1) the patient or the patient's parent or guardian, if the patient is  
 23 less than eighteen (18) years of age, has completed and filed a  
 24 written immunization data exemption form with either the person  
 25 who provides the immunization or the state department; or

26 (2) the patient is a resident of or is receiving services from a  
 27 facility licensed under IC 16-28.

28 (d) The minimum immunization data that must be provided under  
 29 subsection (b) ~~is:~~ **are the following:**

30 (1) Patient identification number.

31 (2) Patient first and last name.

32 (3) Patient date of birth.

33 (4) Patient address.

34 (5) Patient race.

35 (6) Patient gender.

36 (7) Vaccine for Children program eligibility, if the patient is  
 37 eligible for the Vaccine for Children program.

38 (8) Dose at the administration level under the Vaccine for  
 39 Children program, if the patient is eligible for the Vaccine for  
 40 Children program.

41 (9) Vaccination presentation or vaccination code using approved  
 42 Immunization Information System (IIS) code type.





1           (10) Vaccination date administered.  
2           (11) Lot number of the administered vaccine.  
3       The state department may expand or modify the list of minimum  
4       immunization data that must be provided under this section based on  
5       Centers for Disease Control Immunization Information System (IIS)  
6       minimum field requirements.  
7       (e) A provider who is unable to electronically provide immunization  
8       data to the immunization **data** registry by July 1, 2015, shall submit a  
9       detailed plan for compliance with the requirements of subsection (b) to  
10      the state department no later than March 31, 2015. The state  
11      department will assist the provider so the provider is able to  
12      electronically provide immunization data in a reasonable amount of  
13      time.  
14      (f) The state department shall create and provide copies of  
15      immunization data exemption forms to:  
16          (1) providers who are:  
17              (A) licensed under IC 25; and  
18              (B) authorized within the provider's scope of practice to  
19              administer immunizations; and  
20          (2) individuals;  
21      who request the form.  
22      (g) The state department shall distribute, upon request, written  
23      information to be disseminated to patients that describes the  
24      immunization data registry. The written information must include the  
25      following:  
26          (1) That, beginning July 1, 2015, the provider is required to report  
27          immunization data to the immunization data registry.  
28          (2) That the patient or the patient's parent or guardian, if the  
29          patient is less than eighteen (18) years of age, has a right to  
30          exempt disclosure of immunization data to the registry and may  
31          prevent disclosure by signing an immunization data exemption  
32          form.  
33          (3) That the patient or the patient's parent or guardian, if the  
34          patient is less than eighteen (18) years of age, may have the  
35          individual's information removed from the immunization data  
36          registry.  
37          (4) Instructions on how to have the information removed.  
38      SECTION 80. IC 16-49-2-7, AS ADDED BY P.L.119-2013,  
39      SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
40      UPON PASSAGE]: Sec. 7. Not later than ninety (90) days after the  
41      first meeting of the child fatality committee, the prosecuting attorney  
42      of the county or prosecuting attorney's representative shall submit a



1 report to the state child fatality review coordinator that includes the  
2 following information:

3 (1) Whether the child fatality committee established a:

4 (A) county child fatality review team; or

5 (B) regional child fatality review team.

6 (2) The names and contact numbers of all of the members of the  
7 local child fatality review team.

8 (3) Whether the child fatality committee will or has entered into  
9 a **memorandum of understanding written agreement** described  
10 under section 3(3) of this chapter.

11 (4) Any assistance the child fatality committee would like from  
12 the state child fatality review coordinator in forming the local  
13 child fatality review team.

14 SECTION 81. IC 16-49-3-7, AS ADDED BY P.L.119-2013,  
15 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
16 UPON PASSAGE]: Sec. 7. (a) A local child fatality review team shall  
17 prepare and release a report that may include the following  
18 information:

19 (1) A summary of the data collected regarding the reviews  
20 conducted by the local child fatality review team.

21 (2) Actions **recommend recommended** by the local child fatality  
22 review team to prevent injuries to children and child deaths in the  
23 area served by the local child fatality review team.

24 (3) Solutions proposed for system inadequacies.

25 (b) A report released under this section may not contain identifying  
26 information relating to the fatalities reviewed by the local child fatality  
27 review team.

28 (c) Except as otherwise provided in this article, review data  
29 concerning a child fatality is confidential and may not be released.

30 (d) A local child fatality review team may prepare and release a  
31 joint report for the report required by subsection (a) with another child  
32 fatality review team if the local child fatality review team reviewed  
33 fewer than two (2) child fatalities in the previous calendar year.

34 SECTION 82. IC 20-23-5-8, AS ADDED BY P.L.1-2005,  
35 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
36 UPON PASSAGE]: Sec. 8. An annexation may be effected by any  
37 school corporation as follows:

38 (1) The acquiring and the losing school corporations shall each  
39 adopt a substantially identical annexation resolution. The  
40 resolution must contain the following items:

41 (A) The name of the acquiring school corporation, which may  
42 differ from the name of the acquiring corporation at the time



- 1 of the adoption of the resolution, after the effective date.
- 2 (B) A description of the annexed territory. The description:
- 3 shall as near as reasonably possible:
- 4 (i) **must, to the greatest extent reasonably possible**, be by
- 5 streets and other boundaries known by common names; and
- 6 (ii) does not have to be by legal description unless the
- 7 additional description is necessary to identify the annexed
- 8 territory.
- 9 A notice is not defective if there is a good faith compliance
- 10 with this section and if the area designated may be ascertained
- 11 with reasonable certainty by persons skilled in the area of real
- 12 estate description.
- 13 (C) The time the annexation takes place.
- 14 (D) Any terms and conditions facilitating education of students
- 15 in the:
- 16 (i) annexed territory;
- 17 (ii) losing school corporation; or
- 18 (iii) acquiring school corporation.
- 19 The terms may provide for the continued attendance by
- 20 students in the annexed territory at schools in the losing school
- 21 corporation for specified periods after annexation on a transfer
- 22 basis. If students will continue attendance in schools in the
- 23 losing school corporation, transfer tuition for the students shall
- 24 be paid by the acquiring school corporation to the losing
- 25 school corporation:
- 26 (i) using the method; and
- 27 (ii) at the rates;
- 28 provided by the Indiana statutes governing the computation
- 29 and payment of transfer tuition costs.
- 30 (E) Disposition of assets and liabilities of the losing school
- 31 corporation to the acquiring school corporation.
- 32 (F) Allocation between the acquiring and losing school
- 33 corporations of subsequently collected school taxes levied on
- 34 property in the annexed territory.
- 35 (G) The amount, if any, to be paid by the acquiring school
- 36 corporation to the losing school corporation on account of
- 37 property received from the losing school corporation.
- 38 (H) Dispositions, allocations, and amounts transferred under
- 39 this subsection must be equitable.
- 40 (2) After the adoption of the resolution, notice shall be given by
- 41 publication in both the acquiring school corporation and the
- 42 losing school corporation setting out:



- 1 (A) the text of the resolution; and
- 2 (B) a statement that the resolution has been adopted and that
- 3 a right of remonstrance exists as provided in this chapter.
- 4 (3) It is not necessary to set out the remonstrance provisions of
- 5 this chapter. A general reference to a right of remonstrance with
- 6 a reference to this chapter is sufficient.
- 7 (4) The annexation takes effect:
- 8 (A) within thirty (30) days after publication; or
- 9 (B) at the time provided in the resolution;
- 10 whichever is later, unless within the period during which a
- 11 remonstrance may be filed a remonstrance is filed in the circuit or
- 12 superior court of the county where the annexed territory or any
- 13 part of the annexed territory is located, by registered voters
- 14 residing in the losing school corporation at least equal in number
- 15 to the greater of ten percent (10%) of the number of registered
- 16 voters residing in the losing school corporation or fifty-one
- 17 percent (51%) of the number of registered voters residing in the
- 18 annexed territory.
- 19 SECTION 83. IC 20-26-5-4, AS AMENDED BY P.L.205-2013,
- 20 SECTION 240, AND AS AMENDED BY P.L.286-2013, SECTION
- 21 57, IS CORRECTED AND AMENDED TO READ AS FOLLOWS
- 22 [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) In carrying out the school
- 23 purposes of a school corporation, the governing body acting on the
- 24 school corporation's behalf has the following specific powers:
- 25 (1) In the name of the school corporation, to sue and be sued and
- 26 to enter into contracts in matters permitted by applicable law.
- 27 However, a governing body may not use funds received from the
- 28 state to bring or join in an action against the state, unless the
- 29 governing body is challenging an adverse decision by a state
- 30 agency, board, or commission.
- 31 (2) To take charge of, manage, and conduct the educational affairs
- 32 of the school corporation and to establish, locate, and provide the
- 33 necessary schools, school libraries, other libraries where
- 34 permitted by law, other buildings, facilities, property, and
- 35 equipment.
- 36 (3) To appropriate from the school corporation's general fund an
- 37 amount, not to exceed the greater of three thousand dollars
- 38 (\$3,000) per budget year or one dollar (\$1) per pupil, not to
- 39 exceed twelve thousand five hundred dollars (\$12,500), based on
- 40 the school corporation's *ADM of the previous year's ADM, year*
- 41 *(as defined in IC 20-43-1-7)* to promote the best interests of the
- 42 school corporation through:



- 1 (A) the purchase of meals, decorations, memorabilia, or  
2 awards;
- 3 (B) provision for expenses incurred in interviewing job  
4 applicants; or
- 5 (C) developing relations with other governmental units.
- 6 (4) **To do the following:**
- 7 (A) Acquire, construct, erect, maintain, hold, and contract for  
8 construction, erection, or maintenance of real estate, real estate  
9 improvements, or an interest in real estate or real estate  
10 improvements, as the governing body considers necessary for  
11 school purposes, including buildings, parts of buildings,  
12 additions to buildings, rooms, gymnasiums, auditoriums,  
13 playgrounds, playing and athletic fields, facilities for physical  
14 training, buildings for administrative, office, warehouse, repair  
15 activities, or housing school owned buses, landscaping, walks,  
16 drives, parking areas, roadways, easements and facilities for  
17 power, sewer, water, roadway, access, storm and surface  
18 water, drinking water, gas, electricity, other utilities and  
19 similar purposes, by purchase, either outright for cash (or  
20 under conditional sales or purchase money contracts providing  
21 for a retention of a security interest by the seller until payment  
22 is made or by notes where the contract, security retention, or  
23 note is permitted by applicable law), by exchange, by gift, by  
24 devise, by eminent domain, by lease with or without option to  
25 purchase, or by lease under IC 20-47-2, IC 20-47-3, or  
26 IC 20-47-5.
- 27 (B) Repair, remodel, remove, or demolish, or to contract for  
28 the repair, remodeling, removal, or demolition of the real  
29 estate, real estate improvements, or interest in the real estate  
30 or real estate improvements, as the governing body considers  
31 necessary for school purposes.
- 32 (C) Provide for conservation measures through utility  
33 efficiency programs or under a guaranteed savings contract as  
34 described in IC 36-1-12.5.
- 35 (5) To acquire personal property or an interest in personal  
36 property as the governing body considers necessary for school  
37 purposes, including buses, motor vehicles, equipment, apparatus,  
38 appliances, books, furniture, and supplies, either by cash purchase  
39 or under conditional sales or purchase money contracts providing  
40 for a security interest by the seller until payment is made or by  
41 notes where the contract, security, retention, or note is permitted  
42 by applicable law, by gift, by devise, by loan, or by lease with or



1 without option to purchase and to repair, remodel, remove,  
2 relocate, and demolish the personal property. All purchases and  
3 contracts specified under the powers authorized under subdivision  
4 (4) and this subdivision are subject solely to applicable law  
5 relating to purchases and contracting by municipal corporations  
6 in general and to the supervisory control of state agencies as  
7 provided in section 6 of this chapter.

8 (6) To sell or exchange real or personal property or interest in real  
9 or personal property that, in the opinion of the governing body, is  
10 not necessary for school purposes, in accordance with IC 20-26-7,  
11 to demolish or otherwise dispose of the property if, in the opinion  
12 of the governing body, the property is not necessary for school  
13 purposes and is worthless, and to pay the expenses for the  
14 demolition or disposition.

15 (7) To lease any school property for a rental that the governing  
16 body considers reasonable or to permit the free use of school  
17 property for:

- 18 (A) civic or public purposes; or
- 19 (B) the operation of a school age child care program for  
20 children who are at least five (5) years of age and less than  
21 fifteen (15) years of age that operates before or after the school  
22 day, or both, and during periods when school is not in session;  
23 if the property is not needed for school purposes. Under this  
24 subdivision, the governing body may enter into a long term lease  
25 with a nonprofit corporation, community service organization, or  
26 other governmental entity, if the corporation, organization, or  
27 other governmental entity will use the property to be leased for  
28 civic or public purposes or for a school age child care program.  
29 However, if payment for the property subject to a long term lease  
30 is made from money in the school corporation's debt service fund,  
31 all proceeds from the long term lease must be deposited in the  
32 school corporation's debt service fund so long as payment for the  
33 property has not been made. The governing body may, at the  
34 governing body's option, use the procedure specified in  
35 IC 36-1-11-10 in leasing property under this subdivision.

- 36 (8) To **do the following**:  
37 (A) Employ, contract for, and discharge superintendents,  
38 supervisors, principals, teachers, librarians, athletic coaches  
39 (whether or not they are otherwise employed by the school  
40 corporation and whether or not they are licensed under  
41 IC 20-28-5), business managers, superintendents of buildings  
42 and grounds, janitors, engineers, architects, physicians,



- 1 dentists, nurses, accountants, teacher aides performing  
 2 noninstructional duties, educational and other professional  
 3 consultants, data processing and computer service for school  
 4 purposes, including the making of schedules, the keeping and  
 5 analyzing of grades and other student data, the keeping and  
 6 preparing of warrants, payroll, and similar data where  
 7 approved by the state board of accounts as provided below,  
 8 and other personnel or services as the governing body  
 9 considers necessary for school purposes.
- 10 (B) Fix and pay the salaries and compensation of persons and  
 11 services described in this subdivision that are consistent with  
 12 ~~IC 20-28-9-1~~. IC 20-28-9-1.5.
- 13 (C) Classify persons or services described in this subdivision  
 14 and to adopt schedules of salaries or compensation that are  
 15 consistent with ~~IC 20-28-9-1~~. IC 20-28-9-1.5.
- 16 (D) Determine the number of the persons or the amount of the  
 17 services employed or contracted for as provided in this  
 18 subdivision.
- 19 (E) Determine the nature and extent of the duties of the  
 20 persons described in this subdivision.
- 21 The compensation, terms of employment, and discharge of  
 22 teachers are, however, subject to and governed by the laws  
 23 relating to employment, contracting, compensation, and discharge  
 24 of teachers. The compensation, terms of employment, and  
 25 discharge of bus drivers are subject to and governed by laws  
 26 relating to employment, contracting, compensation, and discharge  
 27 of bus drivers. The forms and procedures relating to the use of  
 28 computer and data processing equipment in handling the financial  
 29 affairs of the school corporation must be submitted to the state  
 30 board of accounts for approval so that the services are used by the  
 31 school corporation when the governing body determines that it is  
 32 in the best interest of the school corporation while at the same  
 33 time providing reasonable accountability for the funds expended.
- 34 (9) Notwithstanding the appropriation limitation in subdivision  
 35 (3), when the governing body by resolution considers a trip by an  
 36 employee of the school corporation or by a member of the  
 37 governing body to be in the interest of the school corporation,  
 38 including attending meetings, conferences, or examining  
 39 equipment, buildings, and installation in other areas, to permit the  
 40 employee to be absent in connection with the trip without any loss  
 41 in pay and to reimburse the employee or the member the  
 42 employee's or member's reasonable lodging and meal expenses



- 1 and necessary transportation expenses. To pay teaching personnel  
 2 for time spent in sponsoring and working with school related trips  
 3 or activities.
- 4 (10) Subject to IC 20-27-13, to transport children to and from  
 5 school, when in the opinion of the governing body the  
 6 transportation is necessary, including considerations for the safety  
 7 of the children and without regard to the distance the children live  
 8 from the school. The transportation must be otherwise in  
 9 accordance with applicable law.
- 10 (11) To provide a lunch program for a part or all of the students  
 11 attending the schools of the school corporation, including the  
 12 establishment of kitchens, kitchen facilities, kitchen equipment,  
 13 lunch rooms, the hiring of the necessary personnel to operate the  
 14 lunch program, and the purchase of material and supplies for the  
 15 lunch program, charging students for the operational costs of the  
 16 lunch program, fixing the price per meal or per food item. To  
 17 operate the lunch program as an extracurricular activity, subject  
 18 to the supervision of the governing body. To participate in a  
 19 surplus commodity or lunch aid program.
- 20 (12) To purchase ~~textbooks~~, *curricular materials*, to furnish  
 21 ~~textbooks~~ *curricular materials* without cost or to rent ~~textbooks~~  
 22 *curricular materials* to students, to participate in a ~~textbook~~  
 23 *curricular materials* aid program, all in accordance with  
 24 applicable law.
- 25 (13) To accept students transferred from other school corporations  
 26 and to transfer students to other school corporations in accordance  
 27 with applicable law.
- 28 (14) To make budgets, to appropriate funds, and to disburse the  
 29 money of the school corporation in accordance with applicable  
 30 law. To borrow money against current tax collections and  
 31 otherwise to borrow money, in accordance with IC 20-48-1.
- 32 (15) To purchase insurance or to establish and maintain a  
 33 program of self-insurance relating to the liability of the school  
 34 corporation or the school corporation's employees in connection  
 35 with motor vehicles or property and for additional coverage to the  
 36 extent permitted and in accordance with IC 34-13-3-20. To  
 37 purchase additional insurance or to establish and maintain a  
 38 program of self-insurance protecting the school corporation and  
 39 members of the governing body, employees, contractors, or agents  
 40 of the school corporation from liability, risk, accident, or loss  
 41 related to school property, school contract, school or school  
 42 related activity, including the purchase of insurance or the





1 establishment and maintenance of a self-insurance program  
 2 protecting persons described in this subdivision against false  
 3 imprisonment, false arrest, libel, or slander for acts committed in  
 4 the course of the persons' employment, protecting the school  
 5 corporation for fire and extended coverage and other casualty  
 6 risks to the extent of replacement cost, loss of use, and other  
 7 insurable risks relating to property owned, leased, or held by the  
 8 school corporation. In accordance with IC 20-26-17, to:

9 (A) participate in a state employee health plan under  
 10 IC 5-10-8-6.6 or IC 5-10-8-6.7;

11 (B) purchase insurance; or

12 (C) establish and maintain a program of self-insurance;  
 13 to benefit school corporation employees, including accident,  
 14 sickness, health, or dental coverage, provided that a plan of  
 15 self-insurance must include an aggregate stop-loss provision.

16 (16) To make all applications, to enter into all contracts, and to  
 17 sign all documents necessary for the receipt of aid, money, or  
 18 property from the state, the federal government, or from any other  
 19 source.

20 (17) To defend a member of the governing body or any employee  
 21 of the school corporation in any suit arising out of the  
 22 performance of the member's or employee's duties for or  
 23 employment with, the school corporation, if the governing body  
 24 by resolution determined that the action was taken in good faith.  
 25 To save any member or employee harmless from any liability,  
 26 cost, or damage in connection with the performance, including the  
 27 payment of legal fees, except where the liability, cost, or damage  
 28 is predicated on or arises out of the bad faith of the member or  
 29 employee, or is a claim or judgment based on the member's or  
 30 employee's malfeasance in office or employment.

31 (18) To prepare, make, enforce, amend, or repeal rules,  
 32 regulations, and procedures:

33 (A) for the government and management of the schools,  
 34 property, facilities, and activities of the school corporation, the  
 35 school corporation's agents, employees, and pupils and for the  
 36 operation of the governing body; and

37 (B) that may be designated by an appropriate title such as  
 38 "policy handbook", "bylaws", or "rules and regulations".

39 (19) To ratify and approve any action taken by a member of the  
 40 governing body, an officer of the governing body, or an employee  
 41 of the school corporation after the action is taken, if the action  
 42 could have been approved in advance, and in connection with the



1 action to pay the expense or compensation permitted under  
 2 IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and  
 3 IC 20-48-1 or any other law.

4 (20) To exercise any other power and make any expenditure in  
 5 carrying out the governing body's general powers and purposes  
 6 provided in this chapter or in carrying out the powers delineated  
 7 in this section which is reasonable from a business or educational  
 8 standpoint in carrying out school purposes of the school  
 9 corporation, including the acquisition of property or the  
 10 employment or contracting for services, even though the power or  
 11 expenditure is not specifically set out in this chapter. The specific  
 12 powers set out in this section do not limit the general grant of  
 13 powers provided in this chapter except where a limitation is set  
 14 out in IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12,  
 15 and IC 20-48-1 by specific language or by reference to other law.

16 *(b) A superintendent hired under subsection (a)(8):*

17 *(1) is not required to hold a teacher's license under IC 20-28-5;*  
 18 *and*

19 *(2) is required to have obtained at least a master's degree from*  
 20 *an accredited postsecondary educational institution.*

21 SECTION 84. IC 20-26-11-22, AS AMENDED BY P.L.205-2013,  
 22 SECTION 243, AND AS AMENDED BY P.L.286-2013, SECTION  
 23 59, IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 24 [EFFECTIVE UPON PASSAGE]: Sec. 22. (a) The transferee  
 25 corporation is entitled to receive from the transferor corporation  
 26 transfer tuition for each transferred student for each school year  
 27 calculated in two (2) parts **as follows:**

28 (1) Operating cost. ~~and~~

29 (2) Capital cost.

30 These costs must be allocated on a per student basis separately for each  
 31 class of school.

32 (b) The operating cost for each class of school must be based on the  
 33 total expenditures of the transferee corporation for the class from its  
 34 general fund expenditures as set out on the classified budget forms  
 35 prescribed by the state board of accounts, excluding from the  
 36 calculation capital outlay, debt service, costs of transportation, salaries  
 37 of board members, contracted service for legal expenses, and any  
 38 expenditure that is made out of the general fund from extracurricular  
 39 account receipts, for the school year.

40 (c) The capital cost for each class of school must consist of the  
 41 lesser of the following alternatives:

42 (1) The capital cost must be based on an amount equal to five



1 percent (5%) of the cost of transferee corporation's physical plant,  
 2 equipment, and all items connected to the physical plant or  
 3 equipment, including:

4 (A) buildings, additions, and remodeling to the buildings,  
 5 excluding ordinary maintenance; and

6 (B) on-site and off-site improvements such as walks, sewers,  
 7 waterlines, drives, and playgrounds;

8 that have been paid or are obligated to be paid in the future out of  
 9 the general fund, capital projects fund, or debt service fund,  
 10 including principal and interest, lease rental payments, and funds  
 11 that were legal predecessors to these funds. If an item of the  
 12 physical plant, equipment, appurtenances, or part of the item is  
 13 more than twenty (20) years old at the beginning of the school  
 14 year, the capital cost of the item shall be disregarded in making  
 15 the capital cost computation.

16 (2) The capital cost must be based on the amount budgeted from  
 17 the general fund for capital outlay for physical plant, equipment,  
 18 and appurtenances and the amounts levied for the debt service  
 19 fund and the capital projects fund for the calendar year in which  
 20 the school year ends.

21 (d) If an item of expense or cost cannot be allocated to a class of  
 22 school, the item shall be prorated to all classes of schools on the basis  
 23 of the ADM of each class in the transferee corporation, *as determined*  
 24 *in the fall count of ADM in the school year*, compared to the total  
 25 *current ADM* therein, *as determined in the fall count of ADM in the*  
 26 *school year*.

27 (e) The transfer tuition for each student transferred for each school  
 28 year shall be calculated by dividing the transferee school corporation's  
 29 total operating costs and the total capital costs for the class of school  
 30 in which the student is enrolled by the ADM of students therein, *as*  
 31 *determined in the fall count of ADM in the school year*. If a transferred  
 32 student is enrolled in a transferee corporation for less than the full  
 33 school year, the transfer tuition shall be calculated by the proportion of  
 34 such school year for which the transferred student is enrolled. A school  
 35 year for this purpose consists of the number of days school is in session  
 36 for student attendance. A student shall be enrolled in a transferee  
 37 school, whether or not the student is in attendance, unless the:

38 (1) student's residence is outside the area of students transferred  
 39 to the transferee corporation;

40 (2) student has been excluded or expelled from school; or

41 (3) student has been confirmed as a school dropout.

42 The transferor and transferee corporations may enter into written



1 agreements concerning the amount of transfer tuition. If an agreement  
 2 cannot be reached, the amount shall be determined by the state  
 3 superintendent, with costs to be established, where in dispute, by the  
 4 state board of accounts.

5 (f) The transferor corporation shall pay the transferee corporation,  
 6 when billed, the amount of ~~book~~ *curricular material* rental due from  
 7 transferred students who are unable to pay the ~~book~~ *curricular material*  
 8 rental amount. The transferor corporation is entitled to collect the  
 9 amount of the ~~book~~ *curricular material* rental from the appropriate  
 10 township trustee, from its own funds, or from any other source, in the  
 11 amounts and manner provided by law.

12 SECTION 85. IC 20-31-8-5, AS ADDED BY P.L.205-2013,  
 13 SECTION 256, IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec.  
 14 5. The state board shall establish an alternative accountability system  
 15 to assess the performance of a charter school that is sponsored by the  
 16 Indiana charter school board established by IC 20-24-2.1-1 and  
 17 designated as a recovery school or an accelerated learning center.

18 SECTION 86. IC 20-31-8-5, AS ADDED BY P.L.286-2013,  
 19 SECTION 105, IS REPEALED [EFFECTIVE UPON PASSAGE]. Sec.  
 20 5. (a) Not later than November 15, 2013, the state board shall establish  
 21 new categories or designations of school performance under the  
 22 requirements of this chapter to replace 511 IAC 6.2-6. The new  
 23 standards of assessing school performance:

24 (1) must be based on a measurement of individual student  
 25 academic performance and growth to proficiency; and

26 (2) may not be based on a measurement of student performance  
 27 or growth compared with peers.

28 511 IAC 6.2-6 is void on the effective date of the emergency or final  
 29 rules adopted under this section.

30 (b) After July 1, 2013, the state board:

31 (1) shall adopt rules under IC 4-22-2; and

32 (2) may adopt emergency rules in the manner provided in  
 33 IC 4-22-2-37.1;

34 to implement this chapter.

35 (c) An emergency rule adopted under subsection (b) expires on the  
 36 earlier of:

37 (1) November 15, 2014; or

38 (2) the effective date of a rule that establishes categories or  
 39 designations of school improvement described in this section and  
 40 supersedes the emergency rule.

41 (d) Before beginning the rulemaking process to establish new  
 42 categories or designations of school improvement, the state board shall



1 report to the general assembly the proposed new categories or  
2 designations in an electronic format under IC 5-14-6.

3 SECTION 87. IC 20-31-8-5.2 IS ADDED TO THE INDIANA  
4 CODE AS A NEW SECTION TO READ AS FOLLOWS  
5 [EFFECTIVE UPON PASSAGE]: **Sec. 5.2. The state board shall**  
6 **establish an alternative accountability system to assess the**  
7 **performance of a charter school that is sponsored by the Indiana**  
8 **charter school board established by IC 20-24-2.1-1 and designated**  
9 **as a recovery school or an accelerated learning center.**

10 SECTION 88. IC 20-31-8-5.4 IS ADDED TO THE INDIANA  
11 CODE AS A NEW SECTION TO READ AS FOLLOWS  
12 [EFFECTIVE UPON PASSAGE]: **Sec. 5.4. (a) Not later than**  
13 **November 15, 2013, the state board shall establish new categories**  
14 **or designations of school performance under the requirements of**  
15 **this chapter to replace 511 IAC 6.2-6. The new standards of**  
16 **assessing school performance:**

17 (1) **must be based on a measurement of individual student**  
18 **academic performance and growth to proficiency; and**

19 (2) **may not be based on a measurement of student**  
20 **performance or growth compared with peers.**

21 **511 IAC 6.2-6 is void on the effective date of the emergency or final**  
22 **rules adopted under this section.**

23 (b) **After July 1, 2013, the state board:**

24 (1) **shall adopt rules under IC 4-22-2; and**

25 (2) **may adopt emergency rules in the manner provided in**  
26 **IC 4-22-2-37.1;**

27 **to implement this chapter.**

28 (c) **An emergency rule adopted under subsection (b) expires on**  
29 **the earlier of:**

30 (1) **November 15, 2014; or**

31 (2) **the effective date of a rule that establishes categories or**  
32 **designations of school improvement described in this section**  
33 **and supersedes the emergency rule.**

34 (d) **Before beginning the rulemaking process to establish new**  
35 **categories or designations of school improvement, the state board**  
36 **shall report to the general assembly the proposed new categories**  
37 **or designations in an electronic format under IC 5-14-6.**

38 SECTION 89. IC 20-33-3-6, AS AMENDED BY P.L.41-2013,  
39 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
40 UPON PASSAGE]: **Sec. 6. (a) An employment certificate is not**  
41 **required for a child who is at least fourteen (14) years of age but less**  
42 **than eighteen (18) years of age to:**



- 1 (1) perform:
- 2 (A) farm labor; or
- 3 (B) domestic service; or
- 4 (2) act as a:
- 5 (A) caddie for a person playing golf; or
- 6 (B) newspaper carrier.
- 7 (b) An employment certificate is not required for a child who is:
- 8 (1) at least twelve (12) years of age but less than eighteen (18)
- 9 years of age; and
- 10 (2) employed **or works** as a youth athletic program referee,
- 11 umpire, or official under section 31.5 of this chapter.
- 12 (c) An exemption under subsection (a) or (b) applies only when a
- 13 child is engaged in an occupation listed in this section during the hours
- 14 when the child is not required to be in school.
- 15 (d) An employment certificate is not required for a child less than
- 16 eighteen (18) years of age who:
- 17 (1) works as an actor or performer if the provisions of section 32
- 18 of this chapter are met; or
- 19 (2) has graduated from high school.
- 20 SECTION 90. IC 20-33-3-31, AS AMENDED BY P.L.41-2013,
- 21 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 22 UPON PASSAGE]: Sec. 31. (a) This subsection does not apply to a
- 23 child who is employed **or works** as a youth athletic program referee,
- 24 umpire, or official under section 31.5 of this chapter. A child less than:
- 25 (1) fourteen (14) years of age may not be employed or allowed to
- 26 work in any gainful occupation except as a farm laborer, domestic
- 27 service worker, caddie for persons playing the game of golf, or
- 28 newspaper carrier; and
- 29 (2) twelve (12) years of age may not be permitted to work at farm
- 30 labor except on a farm operated by the child's parent.
- 31 (b) Except as provided in section 32 of this chapter, a person, firm,
- 32 limited liability company, or corporation may not employ or permit any
- 33 child less than eighteen (18) years of age to work in any occupation
- 34 after 7:30 a.m. and before 3:30 p.m. on a school day unless the child
- 35 presents to the employer a written exception issued by the school that
- 36 the child attends.
- 37 SECTION 91. IC 21-12-1.7-3, AS ADDED BY P.L.281-2013,
- 38 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 39 UPON PASSAGE]: Sec. 3. (a) This section applies to an academic year
- 40 beginning after August 31, 2014. The commission shall publish
- 41 annually a schedule of award amounts for the higher education award
- 42 and freedom of choice grant issued under this article. The schedule



1 must provide award amounts on the basis of the recipient's expected  
 2 family contribution. The expected family contribution shall be derived  
 3 from information submitted on the recipient's financial aid application  
 4 form. The commission shall determine award amounts separately for:

- 5 (1) recipients attending approved public state educational  
 6 institutions (except Ivy Tech Community College);
- 7 (2) Ivy Tech Community College;
- 8 (3) recipients attending a nonprofit college or university listed in  
 9 ~~IC 21-7-13-6(c)~~; **IC 21-7-13-6(a)(1)(C)**; and
- 10 (4) recipients attending approved postsecondary credit bearing  
 11 proprietary institutions.

12 (b) The schedule of award amounts published under subsection (a)  
 13 shall offer a larger award to a recipient who, as of the student's most  
 14 recently concluded academic year, has successfully completed:

- 15 (1) at least thirty (30) credit hours or the equivalent by the end of  
 16 the student's first academic year;
- 17 (2) at least sixty (60) credit hours or the equivalent by the end of  
 18 the student's second academic year; or
- 19 (3) at least ninety (90) credit hours or the equivalent by the end of  
 20 the student's third academic year.

21 A student's academic years used to determine if the student meets the  
 22 requirements of this subdivision are not required to be successive  
 23 calendar years.

24 (c) The schedule of award amounts shall set forth an amount for  
 25 recipients described in subsection (a)(1) that is equal to fifty percent  
 26 (50%) of the amount for recipients described in subsection (a)(3).

27 (d) This subsection expires September 1, 2016. A student that  
 28 initially enrolls in an eligible institution for an academic year beginning  
 29 before September 1, 2013, is eligible for the larger award determined  
 30 under subsection (b) regardless of the student's credit completion.

31 SECTION 92. IC 21-12-13-2, AS AMENDED BY P.L.205-2013,  
 32 SECTION 314, AND AS AMENDED BY P.L.281-2013, SECTION  
 33 28, IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 34 [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) This section applies to the  
 35 following scholarship, *stipend*, and fee remission statutes:

- 36 (1) IC 21-12-3.
- 37 (2) IC 21-12-4.
- 38 (3) IC 21-12-6.
- 39 (4) IC 21-12-8.
- 40 (5) IC 21-12-9.
- 41 (6) IC 21-13-2.
- 42 ~~(7) IC 21-13-3.~~



- 1           (7) IC 21-13-7.  
 2           (8) IC 21-13-8.  
 3           ~~(8)~~ (9) IC 21-13-4.  
 4           ~~(9)~~ (10) IC 21-14-5.  
 5           ~~(10)~~ (11) IC 21-14-6-2.
- 6           (b) Except as provided in ~~sections~~ *section 3 and 4* of this chapter,  
 7 a grant or reduction in tuition or fees, including all renewals and  
 8 extensions, under any of the laws listed in subsection (a) may not  
 9 exceed ~~eight (8) the number of terms that constitutes four (4) full-time~~  
 10 undergraduate ~~semesters academic years, or its equivalent,~~ as  
 11 determined by the commission, and must be used within eight (8) years  
 12 after the date the individual first applies and becomes eligible for  
 13 benefits under the applicable law.
- 14           SECTION 93. IC 21-13-2-6, AS AMENDED BY P.L.205-2013,  
 15 SECTION 320, AND AS AMENDED BY P.L.281-2013, SECTION  
 16 31, IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 17 [EFFECTIVE UPON PASSAGE]: Sec. 6. Subject to section 12 of this  
 18 chapter, a scholarship may be renewed under this chapter for a total  
 19 scholarship award that does not exceed the number of *academic* terms  
 20 that constitutes four (4) *undergraduate* academic years. However, an  
 21 eligible institution may not grant a scholarship renewal to a student for  
 22 an academic year that ends later than six (6) years after the date the  
 23 student received the initial scholarship under this chapter.
- 24           SECTION 94. IC 21-13-9-7, AS ADDED BY P.L.205-2013,  
 25 SECTION 219, IS AMENDED TO READ AS FOLLOWS  
 26 [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) To receive a distribution  
 27 under this chapter, the Marian University College of Osteopathic  
 28 Medicine shall make a written request for the distribution to the  
 29 commission ~~on~~ **for** higher education specifying the amount of the  
 30 distribution requested. The commission ~~on~~ **for** higher education shall  
 31 review the request and determine the amount of the request that should  
 32 be approved for distribution.
- 33           (b) The budget agency may not allot money appropriated for  
 34 scholarship distributions under this chapter until after the distribution  
 35 request by the Marian University College of Osteopathic Medicine is  
 36 approved by the commission ~~on~~ **for** higher education, after review by  
 37 the budget committee.
- 38           SECTION 95. IC 21-18-9-10, AS ADDED BY P.L.177-2013,  
 39 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 UPON PASSAGE]: Sec. 10. (a) Before November 1, 2014, the  
 41 commission, in consultation with the office of management and budget  
 42 and each state educational institution, shall prepare and submit a report





1 to the general assembly in an electronic format under IC 5-14-6 that  
 2 analyzes each state educational institution's expenses for the state fiscal  
 3 years beginning in 2012 and 2013 and determine the percentage or  
 4 amount of the state educational institution's total expenditures for a  
 5 particular state fiscal year that were:

- 6 (1) overhead and operational expenditures;  
 7 (2) instructional expenses; and  
 8 (3) capital or other expenses.

9 (b) The commission may establish criteria for categorizing a state  
 10 educational institution's expenses.

11 (c) A state educational institution shall submit to the commission  
 12 any information ~~necessary~~ **needed** by the commission to ~~prepare for~~  
 13 **the preparation of** the report required in subsection (a).

14 (d) This section expires January 1, 2015.

15 SECTION 96. IC 21-41-9, AS ADDED BY P.L.27-2013, SECTION  
 16 1, IS REPEALED [EFFECTIVE UPON PASSAGE]. (Combat to  
 17 College Program).

18 SECTION 97. IC 21-41-9, AS ADDED BY P.L.253-2013,  
 19 SECTION 3, IS REPEALED [EFFECTIVE UPON PASSAGE].  
 20 (Indiana State University; Principal Institute).

21 SECTION 98. IC 21-41-10 IS ADDED TO THE INDIANA CODE  
 22 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 23 UPON PASSAGE]:

24 **Chapter 10. Combat to College Program**

25 **Sec. 1. This chapter applies to a state educational institution**  
 26 **only if at least two hundred (200) veteran students are enrolled in**  
 27 **the state educational institution.**

28 **Sec. 2. As used in this chapter, "armed forces" has the meaning**  
 29 **set forth in IC 10-17-12-2.**

30 **Sec. 3. As used in this chapter, "coordinator" refers to a**  
 31 **program coordinator designated under section 10 of this chapter.**

32 **Sec. 4. As used in this chapter, "national guard" means a state's:**

- 33 (1) army national guard; or  
 34 (2) air national guard.

35 **Sec. 5. As used in this chapter, "postsecondary credit" means**  
 36 **credit toward:**

- 37 (1) an associate degree;  
 38 (2) a baccalaureate degree; or  
 39 (3) a career and technical education certification;

40 **granted by a state educational institution.**

41 **Sec. 6. As used in this chapter, "program" refers to the combat**  
 42 **to college program established under section 8 of this chapter.**



1           **Sec. 7. As used in this chapter, "veteran student" refers to a**  
 2 **student of a state educational institution who has been or is**  
 3 **currently serving as a member of the:**

4           **(1) armed forces; or**

5           **(2) national guard.**

6           **Sec. 8. Each state educational institution shall establish a**  
 7 **combat to college program to create a positive educational**  
 8 **environment for veteran students to successfully graduate from**  
 9 **academic and vocational degree programs while recognizing the**  
 10 **skills, training, and experiences associated with military service.**

11           **Sec. 9. Each state educational institution shall do the following:**

12           **(1) Provide on its application for admission a question asking**  
 13 **whether the applicant is currently or has ever been a member**  
 14 **of the armed forces and an instruction directing the applicant,**  
 15 **if the applicant has been a member of the armed forces, to**  
 16 **indicate on the application whether the applicant received an**  
 17 **honorable discharge.**

18           **(2) To the extent possible exercising financial prudence,**  
 19 **provide a centralized location for admissions, registration for**  
 20 **classes, and financial administration services for veteran**  
 21 **students.**

22           **(3) Provide reasonable accommodations, in compliance with**  
 23 **the federal Americans with Disabilities Act (42 U.S.C. 12101**  
 24 **et seq.), at a state educational institution's fitness facility for**  
 25 **veteran students who are disabled.**

26           **(4) Develop programs to provide academic and career**  
 27 **counseling specifically designed for veteran students.**

28           **(5) Develop programs to provide reasonable access to**  
 29 **specialized counseling services or resources for veteran**  
 30 **students who are disabled or veteran students suffering from**  
 31 **posttraumatic stress disorder.**

32           **(6) Develop job search assistance programs designed for**  
 33 **veteran students during the veteran student's enrollment at**  
 34 **the state educational institution.**

35           **Sec. 10. (a) Each state educational institution shall designate a**  
 36 **program coordinator.**

37           **(b) The duties of the coordinator include the following:**

38           **(1) Develop programs to create a positive educational**  
 39 **environment for veteran students while the veteran student is**  
 40 **enrolled at the state educational institution.**

41           **(2) Develop training programs for the state educational**  
 42 **institution's personnel relating to:**



- 1 (A) issues associated with identifying and assisting veteran
- 2 students with posttraumatic stress disorder;
- 3 (B) veteran benefits; and
- 4 (C) any issue that the coordinator determines will educate
- 5 a state educational institution's faculty or staff of the
- 6 special needs of veteran students.
- 7 (3) Make recommendations to the commission for higher
- 8 education established under IC 21-18-2 concerning ways to
- 9 improve the education of veteran students.
- 10 (4) Coordinate access to stress management, counseling
- 11 programs, and other resources available to a veteran student
- 12 at the state educational institution.
- 13 (5) Coordinate with the Indiana department of veterans'
- 14 affairs established by IC 10-17-1-2 to educate veteran students
- 15 about state benefits available to Indiana veterans.
- 16 (6) Coordinate with the United States Department of Veterans
- 17 Affairs to educate veteran students about federal benefits
- 18 available to veterans.
- 19 (7) Coordinate with the adjutant general or the adjutant
- 20 general's designee to educate veteran students about benefits
- 21 and programs available to veteran students who served or are
- 22 currently serving in the national guard.
- 23 (8) Coordinate activities, seminars, and programs for veteran
- 24 students presented by a veterans organization listed in
- 25 IC 10-18-8-1.
- 26 (9) Coordinate campus activities and social events designed
- 27 for veteran students.
- 28 (10) Develop programs to assist a veteran student to locate
- 29 employment.
- 30 (11) Develop internship programs designed specifically for
- 31 veteran students.
- 32 (12) Develop an Internet web site to provide veteran students
- 33 access to veteran resources.

34 SECTION 99. IC 21-41-11 IS ADDED TO THE INDIANA CODE  
 35 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 36 UPON PASSAGE]:

37 **Chapter 11. Indiana State University; Principal Institute**

38 **Sec. 1.** As used in this chapter, "advisory board" refers to the  
 39 advisory board for the principal institute established by this  
 40 chapter.

41 **Sec. 2.** As used in this chapter, "institute" refers to the principal  
 42 institute established by section 4 of this chapter.



1           **Sec. 3.** As used in this chapter, "university" refers to Indiana  
2 State University.

3           **Sec. 4.** The principal institute is established within the university  
4 to achieve excellence in teacher and student performance by  
5 strengthening leadership and management skills of practicing  
6 Indiana public school principals.

7           **Sec. 5. (a)** The university shall:

- 8           (1) appoint a full-time director to administer the institute;
- 9           (2) employ staff necessary to implement this chapter;
- 10          (3) appoint members of the advisory board; and
- 11          (4) submit to the general assembly an annual report before  
12 July 1 of each year.

13          **(b)** The annual report of the institute must be in an electronic  
14 format under IC 5-14-6 and must include the following:

- 15          (1) A summary of the activities of the institute.
- 16          (2) Data on the number of individuals trained.
- 17          (3) An analysis of the extent to which the purposes of the  
18 institute have been accomplished.
- 19          (4) A proposal for a program and budget for the two (2) years  
20 following the year that is the subject of the report.

21          **Sec. 6. (a)** There is established an advisory board for the  
22 institute to advise and assist the director appointed under section  
23 5 of this chapter.

24          **(b)** The advisory board consists of eight (8) members appointed  
25 by the president of the university, and one (1) member appointed  
26 by the state superintendent of public instruction. Each of the  
27 following groups must be represented by at least one (1) member  
28 of the advisory board:

- 29          (1) Practicing public school principals.
- 30          (2) Members of the general assembly.
- 31          (3) Experts in administration, supervision, curriculum  
32 development, or evaluation who are members of the faculty of  
33 a state supported university.
- 34          (4) Practicing school superintendents.
- 35          (5) Practicing public school teachers.
- 36          (6) Members of the business or industry community.
- 37          (7) Parents of public school age children.

38          **(c)** The advisory board shall:

- 39          (1) annually elect a chairperson;
- 40          (2) advise the director about the curriculum of the institute;
- 41          (3) review the plan developed by the director under section 7  
42 of this chapter;



- 1           **(4) approve an evaluation plan for the institute;**
- 2           **(5) review the director's plan for continuing education;**
- 3           **(6) review the institute budget and make recommendations to**
- 4           **the director;**
- 5           **(7) set criteria for the selection of institute participants;**
- 6           **(8) review the operation of the institute and make**
- 7           **recommendations to the director;**
- 8           **(9) assist the director in compiling the annual report for**
- 9           **submission to the general assembly;**
- 10          **(10) consider coordinating the programs and curriculum**
- 11          **offered at the institute with the programs and curriculum**
- 12          **required in principal certification programs offered at**
- 13          **postsecondary educational institutions in Indiana; and**
- 14          **(11) complete other tasks requested of the advisory board by**
- 15          **the president of the university or the director.**

16           **(d) Each member of the advisory board serves a four (4) year**  
 17           **term beginning on May 1 in the year the member is appointed.**

18           **(e) The president of the university shall fill a vacancy on the**  
 19           **advisory board:**

- 20           **(1) for the unexpired part of the term; and**
- 21           **(2) in a manner that preserves the composition of the advisory**
- 22           **board under subsection (b).**

23           **Sec. 7. (a) The director of the institute shall, with staff support,**  
 24           **develop a plan to accomplish the goals of the institute. The plan**  
 25           **must be approved by the advisory board and must include**  
 26           **procedures to teach principals the following:**

- 27           **(1) How to develop the leadership skills and management**
- 28           **techniques necessary for providing quality education in**
- 29           **Indiana schools.**
- 30           **(2) How to improve teacher and student performance,**
- 31           **including how to conduct meaningful and relevant staff**
- 32           **evaluations.**
- 33           **(3) How to strengthen communication and leadership skills**
- 34           **required for the establishment of a broad based support for**
- 35           **public education.**
- 36           **(4) Management skills for use in improving curriculum and**
- 37           **instruction.**
- 38           **(5) How to improve the school environment.**

39           **(b) The director of the institute shall, with staff support, and**  
 40           **subject to approval by the advisory board, develop a plan for**  
 41           **continuing education by the institute of public school principals**  
 42           **who have completed initial training at the institute.**



1           **Sec. 8. To be eligible for admission to the institute, a participant**  
 2 **must be a practicing public school principal for a public school**  
 3 **located in Indiana. Admission preference must be given to those**  
 4 **school principals who have at least three (3) years of**  
 5 **administrative experience in Indiana public schools and intend to**  
 6 **continue as public school principals.**

7           SECTION 100. IC 22-3-7-17.2, AS AMENDED BY P.L.275-2013,  
 8 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 UPON PASSAGE]: Sec. 17.2. (a) A billing review service shall adhere  
 10 to the following requirements to determine the pecuniary liability of an  
 11 employer or an employer's insurance carrier for a specific service or  
 12 product covered under this chapter provided before July 1, 2014, by all  
 13 medical service providers, and after June 30, 2014, by a medical  
 14 service provider that is not a medical service facility:

15           (1) The formation of a billing review standard, and any  
 16 subsequent analysis or revision of the standard, must use data that  
 17 is based on the medical service provider billing charges as  
 18 submitted to the employer and the employer's insurance carrier  
 19 from the same community. This subdivision does not apply when  
 20 a unique or specialized service or product does not have sufficient  
 21 comparative data to allow for a reasonable comparison.

22           (2) Data used to determine pecuniary liability must be compiled  
 23 on or before June 30 and December 31 of each year.

24           (3) Billing review standards must be revised for prospective  
 25 future payments of medical service provider bills to provide for  
 26 payment of the charges at a rate not more than the charges made  
 27 by eighty percent (80%) of the medical service providers during  
 28 the prior six (6) months within the same community. The data  
 29 used to perform the analysis and revision of the billing review  
 30 standards may not be more than two (2) years old and must be  
 31 periodically updated by a representative inflationary or  
 32 deflationary factor. Reimbursement for these charges may not  
 33 exceed the actual charge invoiced by the medical service  
 34 provider.

35           (b) This subsection applies after June 30, 2014, to a medical service  
 36 facility. The pecuniary liability of an employer or an employer's  
 37 insurance carrier for a specific service or product covered under  
 38 ~~worker's compensation~~ **this chapter** and provided by a medical service  
 39 facility is equal to a reasonable amount, which is established by  
 40 payment of one (1) of the following:

41           (1) The amount negotiated at any time between the medical  
 42 service facility and any of the following:



- 1 (A) The employer.
- 2 (B) The employer's insurance carrier.
- 3 (C) A billing review service on behalf of a person described in
- 4 clause (A) or (B).
- 5 (D) A direct provider network that has contracted with a
- 6 person described in clause (A) or (B).
- 7 (2) Two hundred percent (200%) of the amount that would be
- 8 paid to the medical service facility on the same date for the same
- 9 service or product under the medical service facility's Medicare
- 10 reimbursement rate, if an amount has not been negotiated as
- 11 described in subdivision (1).
- 12 (c) The payment to a medical service provider for an implant
- 13 furnished to an employee under this chapter may not exceed the invoice
- 14 amount plus twenty-five percent (25%).
- 15 (d) A medical service provider may request an explanation from a
- 16 billing review service if the medical service provider's bill has been
- 17 reduced as a result of application of the eightieth percentile or of a
- 18 Current Procedural Terminology (CPT) or Medicare coding change.
- 19 The request must be made not later than sixty (60) days after receipt of
- 20 the notice of the reduction. If a request is made, the billing review
- 21 service must provide:
- 22 (1) the name of the billing review service used to make the
- 23 reduction;
- 24 (2) the dollar amount of the reduction;
- 25 (3) the dollar amount of the medical service at the eightieth
- 26 percentile; and
- 27 (4) in the case of a CPT or Medicare coding change, the basis
- 28 upon which the change was made;
- 29 not later than thirty (30) days after the date of the request.
- 30 (e) If, after a hearing, the worker's compensation board finds that a
- 31 billing review service used a billing review standard that did not
- 32 comply with subsection (a)(1) through (a)(3), as applicable, in
- 33 determining the pecuniary liability of an employer or an employer's
- 34 insurance carrier for a medical service provider's charge for services or
- 35 products covered under occupational disease compensation, the
- 36 worker's compensation board may assess a civil penalty against the
- 37 billing review service in an amount not less than one hundred dollars
- 38 (\$100) and not more than one thousand dollars (\$1,000).
- 39 SECTION 101. IC 22-4.5-9-4, AS ADDED BY P.L.60-2013,
- 40 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 41 UPON PASSAGE]: Sec. 4. (a) The council shall do all of the
- 42 following:



- 1 (1) Provide coordination to align the various participants in the  
 2 state's education, job skills development, and career training  
 3 system.
- 4 (2) Match the education and skills training provided by the state's  
 5 education, job skills development, and career training system with  
 6 the currently existing and future needs of the state's job market.
- 7 (3) Provide administrative oversight of the system.
- 8 (4) In addition to the department's annual report provided under  
 9 IC 22-4-18-7, submit, not later than August 1, 2013, and not later  
 10 than August 1 each year thereafter, to the legislative council in an  
 11 electronic format under IC 5-14-6 an inventory of current job and  
 12 career training activities conducted by:
- 13 (A) state and local agencies; and  
 14 (B) whenever the information is readily available, private  
 15 groups, associations, and other participants in the state's  
 16 education, job skills development, and career training system.
- 17 The inventory must provide at least the information listed in  
 18 IC 22-4-18-7(a)(1) through IC 22-4-18-7(a)(5) for each activity in  
 19 the inventory.
- 20 (5) Submit, not later than July 1, 2014, to the legislative council  
 21 in an electronic format under IC 5-14-6 a strategic plan to  
 22 improve the state's education, job skills development, and career  
 23 training system. The council shall submit, not later than  
 24 December 1, 2013, to the legislative council in an electronic  
 25 format under IC 5-14-6 a progress report concerning the  
 26 development of the strategic plan. The strategic plan developed  
 27 under this subdivision must include at least the following:
- 28 (A) Proposed changes, including recommended legislation and  
 29 rules, to increase coordination, data sharing, and  
 30 communication among the state, local, and private agencies,  
 31 groups, and associations that are involved in education, job  
 32 skills development, and career training.
- 33 (B) Proposed changes to make Indiana a leader in employment  
 34 opportunities related to the fields of science, technology,  
 35 engineering, and mathematics (commonly known as STEM).
- 36 (C) Proposed changes to address both:
- 37 (i) the shortage of qualified workers for current employment  
 38 opportunities; and  
 39 (ii) the shortage of employment opportunities for individuals  
 40 with a baccalaureate or more advanced degree.
- 41 (6) Coordinate the performance of its duties under this chapter  
 42 with:





- 1 (A) the education roundtable established by IC 20-19-4-2; and  
 2 (B) the Indiana works councils established ~~under SEA~~  
 3 ~~465-2013~~ **by IC 20-19-6-4.**
- 4 (b) In performing its duties, the council shall obtain input from the  
 5 following:
- 6 (1) Indiana employers and employer organizations.
  - 7 (2) Public and private institutions of higher education.
  - 8 (3) Regional and local economic development organizations.
  - 9 (4) Indiana labor organizations.
  - 10 (5) Individuals with expertise in career and technical education.
  - 11 (6) Military and veterans organizations.
  - 12 (7) Organizations representing women, African-Americans,  
 13 Latinos, and other significant minority populations and having an  
 14 interest in issues of particular concern to these populations.
  - 15 (8) Individuals and organizations with expertise in the logistics  
 16 industry.
  - 17 (9) Any other person or organization that a majority of the voting  
 18 members of the council ~~determine~~ **determines** has information  
 19 that is important for the council to consider.
- 20 SECTION 102. IC 22-4.5-10.5-3, AS ADDED BY P.L.273-2013,  
 21 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 22 UPON PASSAGE]: Sec. 3. (a) The department, in consultation with the  
 23 commission for higher education, the department of education, the  
 24 office of the secretary of family and social services, and any other  
 25 agency the department determines is necessary, shall include in the  
 26 Indiana workforce intelligence system established by IC 22-4.5-10-3 ~~as~~  
 27 ~~added by HB 1002-2013~~, ~~SECTION 2~~; information regarding the  
 28 middle skill credentials awarded in Indiana for the immediately  
 29 preceding state fiscal year.
- 30 (b) The information required under subsection (a) must include:
- 31 (1) the aggregate number of enrollees in programs leading to  
 32 middle skill credentials from:
    - 33 (A) public institutions of higher education;
    - 34 (B) private institutions of higher education;
    - 35 (C) postsecondary proprietary educational institutions;
    - 36 (D) community colleges;
    - 37 (E) area vocational schools;
    - 38 (F) high school vocational programs;
    - 39 (G) apprenticeship programs; and
    - 40 (H) other public or private workforce training programs; and
  - 41 (2) aggregate data of industry based certifications awarded as the  
 42 result of the completion of education and employment training



- 1 programs.
- 2 (c) The department shall publish the information described in  
3 subsection (b) in the department's annual report.
- 4 SECTION 103. IC 23-19-6-1, AS AMENDED BY P.L.92-2013,  
5 SECTION 80, AND AS AMENDED BY P.L.205-2013, SECTION  
6 338, IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
7 [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) This article shall be  
8 administered by a division of the office of the secretary of state. The  
9 secretary of state shall appoint a securities commissioner who shall be  
10 responsible for the direction and supervision of the division and the  
11 administration of this article under the direction and control of the  
12 secretary of state. The salary of the securities commissioner shall be  
13 paid out of the funds appropriated for the administration of this article.  
14 The commissioner shall serve at the will of the secretary of state.
- 15 (b) The secretary of state:
- 16 (1) shall employ a chief deputy, attorneys, a senior investigator,  
17 a senior accountant, and other deputies, investigators,  
18 accountants, clerks, stenographers, and other employees necessary  
19 for the administration of this article; and
- 20 (2) shall fix their compensation with the approval of the budget  
21 agency.
- 22 (c) It is unlawful for the commissioner or an officer, employee, or  
23 designee of the commissioner to use for personal benefit or the benefit  
24 of others records or other information obtained by or filed with the  
25 commissioner that ~~are~~ **is** not public under section 7(b) of this chapter.  
26 This article does not authorize the commissioner or an officer,  
27 employee, or designee of the commissioner to disclose the record or  
28 information, except in accordance with section 2, 7(c), or 8 of this  
29 chapter.
- 30 (d) This article does not create or diminish a privilege or exemption  
31 that exists at common law, by statute or rule, or otherwise.
- 32 (e) Subject to IC 4-2-6-15, the commissioner may develop and  
33 implement investor education initiatives to inform the public about  
34 investing in securities, with particular emphasis on the prevention and  
35 detection of securities fraud. In developing and implementing these  
36 initiatives, the commissioner may collaborate with public and nonprofit  
37 organizations with an interest in investor education. The commissioner  
38 may accept a grant or donation from a person that is not affiliated with  
39 the securities industry or from a nonprofit organization, regardless of  
40 whether the organization is affiliated with the securities industry, to  
41 develop and implement investor education initiatives. This subsection  
42 does not authorize the commissioner to require participation or



1 monetary contributions of a registrant in an investor education  
2 program.

3 (f) *The securities division enforcement account is established. Fees*  
4 *and funds of whatever character accruing from the administration of*  
5 *this article shall be accounted for by the secretary of state and shall be*  
6 *deposited with the treasurer of state to be deposited by the treasurer of*  
7 *the state in either the state general fund or the securities division*  
8 *enforcement account. ~~referenced below.~~ Subject to IC 4-2-6-15,*  
9 *expenses incurred in the administration of this article shall be paid*  
10 *from the state general fund upon appropriation being made for the*  
11 *expenses in the manner provided by law for the making of those*  
12 *appropriations. ~~However, grants and donations received under~~*  
13 *subsection (e); ~~costs of investigations recovered under section 4(e) of~~*  
14 *this chapter; and ~~civil penalties recovered under sections 3(b) and 4(d)~~*  
15 *of this chapter. The following shall be deposited by the treasurer of state*  
16 *in a separate account to be known as the securities division*  
17 *enforcement account:*

18 (1) *Grants and donations received under subsection (e).*

19 (2) *Costs of investigations recovered under section 4(e) of this*  
20 *chapter.*

21 (3) *Fifty percent (50%) of the first two million dollars*  
22 *(\$2,000,000):*

23 (A) *of a civil penalty recovered under section 3(b) or 4(d) of*  
24 *this chapter;*

25 (B) *recovered in a settlement of an action initiated to enforce*  
26 *this article; or*

27 (C) *awarded as a judgment in an action to enforce this article.*

28 (g) *The following shall be deposited by the treasurer of state in the*  
29 *state general fund:*

30 (1) *Fifty percent (50%) of the first two million dollars*  
31 *(\$2,000,000):*

32 (A) *of a civil penalty recovered under section 3(b) or 4(d) of*  
33 *this chapter;*

34 (B) *recovered in a settlement of an action initiated to enforce*  
35 *this article; or*

36 (C) *awarded as a judgment in an action to enforce this article.*

37 (2) *Any amount exceeding two million dollars (\$2,000,000):*

38 (A) *of a civil penalty recovered under section 3(b) or 4(d) of*  
39 *this chapter;*

40 (B) *recovered in a settlement of an action initiated to enforce*  
41 *this article; or*

42 (C) *awarded as a judgment in an action to enforce this article.*



1           (3) *Other fees and revenues that are not designated for deposit in*  
 2           *the securities division enforcement account or the securities*  
 3           *restitution fund.*

4           (h) Notwithstanding ~~IC 9-23-6-4~~, IC 23-2-2.5-34, IC 23-2-2.5-43,  
 5           IC 23-2-5-7, IC 23-19-4-12, IC 25-11-1-15, and this chapter, five  
 6           percent (5%) of funds received ~~after June 30, 2010~~, for deposit in the  
 7           *securities division* enforcement account shall instead be deposited in  
 8           the securities restitution fund established by IC 23-20-1-25. Subject to  
 9           IC 4-2-6-15, the funds deposited in the enforcement account shall be  
 10          available, with the approval of the budget agency:

11          (1) to augment and supplement the funds appropriated for the  
 12          administration of this article; and

13          (2) for grants and awards to nonprofit entities for programs and  
 14          activities that will further investor education and financial literacy  
 15          in the state.

16          The funds in the enforcement account do not revert to the state general  
 17          fund at the end of any state fiscal year.

18          ~~(g)~~ (i) In connection with the administration and enforcement of this  
 19          article, the attorney general shall render all necessary assistance to the  
 20          commissioner upon the commissioner's request, and to that end, the  
 21          attorney general shall employ legal and other professional services as  
 22          are necessary to adequately and fully perform the service under the  
 23          direction of the commissioner as the demands of the securities division  
 24          shall require. Expenses incurred by the attorney general for the  
 25          purposes stated in this subsection shall be chargeable against and paid  
 26          out of funds appropriated to the attorney general for the administration  
 27          of the attorney general's office. The attorney general may authorize the  
 28          commissioner and the commissioner's designee to represent the  
 29          commissioner and the securities division in any proceeding involving  
 30          enforcement or defense of this article.

31          ~~(h)~~ (j) Neither the secretary of state, the commissioner, nor an  
 32          employee of the securities division shall be liable in their individual  
 33          capacity, except to the state, for an act done or omitted in connection  
 34          with the performance of their respective duties under this article.

35          ~~(i)~~ (k) The commissioner shall take, prescribe, and file the oath of  
 36          office prescribed by law. The commissioner, chief deputy  
 37          commissioner, and each attorney or investigator designated by the  
 38          commissioner are police officers of the state and shall have all the  
 39          powers and duties of police officers in making arrests for violations of  
 40          this article, or in serving any process, notice, or order connected with  
 41          the enforcement of this article by whatever officer, authority, or court  
 42          issued and shall comprise the enforcement department of the division



1 and are considered a criminal justice agency for purposes of IC 5-2-4  
2 and IC 10-13-3.

3 ~~f)~~ (l) The provisions of this article delegating and granting power  
4 to the secretary of state, the securities division, and the commissioner  
5 shall be liberally construed to the end that:

6 (1) the practice or commission of fraud may be prohibited and  
7 prevented;

8 (2) disclosure of sufficient and reliable information in order to  
9 afford reasonable opportunity for the exercise of independent  
10 judgment of the persons involved may be assured; and

11 (3) the qualifications may be prescribed to assure availability of  
12 reliable broker-dealers, investment advisers, and agents engaged  
13 in and in connection with the issuance, barter, sale, purchase,  
14 transfer, or disposition of securities in this state.

15 It is the intent and purpose of this article to delegate and grant to and  
16 vest in the secretary of state, the securities division, and the  
17 commissioner full and complete power to carry into effect and  
18 accomplish the purpose of this article and to charge them with full and  
19 complete responsibility for its effective administration.

20 ~~f)~~ (m) Copies of any statement and documents filed in the office of  
21 the secretary of state and of any records of the secretary of state  
22 certified by the commissioner shall be admissible in any prosecution,  
23 action, suit, or proceeding based upon, arising out of, or under this  
24 article to the same effect as the original of such statement, document,  
25 or record would be if actually produced.

26 ~~f)~~ (n) IC 4-21.5 is not applicable to any of the proceedings under  
27 this article.

28 SECTION 104. IC 25-8-3-28, AS AMENDED BY P.L.170-2013,  
29 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
30 UPON PASSAGE]: Sec. 28. (a) A member of the board or any  
31 inspector or investigator may inspect:

- 32 (1) a ~~cosmetology~~ **beauty culture** salon;
- 33 (2) a beauty culture school; or
- 34 (3) a mobile salon;

35 during its regular business hours.

36 (b) A member of the board or any inspector or investigator may  
37 inspect:

- 38 (1) a beauty culture salon;
- 39 (2) a beauty culture school; or
- 40 (3) a mobile salon;

41 before an initial license is issued.

42 SECTION 105. IC 25-8-4-4, AS AMENDED BY P.L.170-2013,



1 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 2 UPON PASSAGE]: Sec. 4. A license issued under this article may not  
 3 be transferred unless:  
 4 (1) the license is a beauty culture salon license; and  
 5 (2) the person holding the license was required to change the  
 6 location of the ~~cosmetology~~ **beauty culture** salon or ~~barber shop~~  
 7 by circumstances that the board determines were beyond the  
 8 control of that person.  
 9 SECTION 106. IC 25-21.5-1-7, AS AMENDED BY P.L.57-2013,  
 10 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 UPON PASSAGE]: Sec. 7. (a) "Practice of surveying" means  
 12 providing, or offering to provide, professional services involving:  
 13 (1) the making of geometric measurements of, and gathering  
 14 related information pertaining to, the physical or legal features of  
 15 the earth, improvements on the earth, the space above the earth,  
 16 or any part of the earth; and  
 17 (2) the use and development of the measurements and information  
 18 gathered under subdivision (1) into survey products, including  
 19 graphics, digital data, maps, plats, plans, reports, and descriptions  
 20 and projects.  
 21 (b) Professional services provided under the practice of surveying  
 22 include consultation, investigation, testimony evaluation, expert  
 23 technical testimony, planning, mapping, assembling, and interpreting  
 24 gathered measurements and information related to any of the following:  
 25 (1) Determining the configuration or contour of the earth's surface  
 26 or the position of fixed objects thereon by measuring lines and  
 27 angles and applying the principles of mathematics or  
 28 photogrammetry.  
 29 (2) Determining the size and shape of the earth, or any point on  
 30 the earth, by performing geodetic surveys using angular and linear  
 31 measurements through spatially oriented spherical geometry.  
 32 (3) Determining, by the use of principles of surveying, the  
 33 position for any nonboundary related survey control monument or  
 34 reference point, or setting, resetting, or replacing any  
 35 nonboundary related monument or reference point.  
 36 (4) Locating, relocating, establishing, reestablishing, laying out,  
 37 retracing, or marking any property or boundary line or corner of  
 38 any tract of land or of any right-of-way or easement.  
 39 (5) Making any survey or preparing any plat for the subdivision  
 40 of any tract of land.  
 41 (6) Determining, by the use of principles of surveying, the  
 42 position for any boundary related survey monument or reference



- 1 point, or setting, resetting, or replacing any monument or
- 2 reference point.
- 3 (7) Preparing a description for any parcel or boundary of land, or
- 4 for any right-of-way or easement, except when prepared by an
- 5 attorney who is licensed to practice law in Indiana.
- 6 (8) Determining the amount of acreage contained in any parcel of
- 7 land, except when determined by an attorney who is licensed to
- 8 practice law in Indiana.
- 9 (9) Performing construction staking or layout of the control for
- 10 any elements of an engineering, building, or construction project,
- 11 if the position of an element is:
- 12 (A) dependent on;
- 13 (B) in specific relation to; or
- 14 (C) in close proximity to; ~~a boundary or property line or~~
- 15 ~~corner, including easements and rights-of-way.~~
- 16 **a boundary, property line, or corner, including easements and**
- 17 **rights-of-way.**
- 18 (10) For and within subdivisions being designed by a professional
- 19 surveyor, the preparation and furnishing of plats, plans, and
- 20 profiles for roads, storm drainage, sanitary sewer extensions, and
- 21 the location of residences or dwellings where the work involves
- 22 the use and application of standards prescribed by local, state, or
- 23 federal authorities.
- 24 (11) All work incidental to cleaning out, reconstructing, or
- 25 maintaining existing open and tile drains.
- 26 (12) Creating, preparing, or modifying electronic or computerized
- 27 data relative to the performance of the activities described in this
- 28 subsection.
- 29 (c) Activities included within the practice of surveying that must be
- 30 accomplished under the responsible charge of a professional surveyor,
- 31 unless specifically exempted under subsection (d), include the
- 32 following:
- 33 (1) The creation of maps and geo-referenced data bases
- 34 representing authoritative locations for boundaries, fixed works,
- 35 or topography, either by terrestrial surveying methods or by
- 36 photogrammetric or GNSS locations. This includes maps and
- 37 geo-referenced data bases prepared by any person, firm, or
- 38 government agency if that data is provided to the public as a
- 39 survey product.
- 40 (2) Original data acquisition, or the resolution of conflicts
- 41 between multiple data sources, when used for the authoritative
- 42 location of features within the following data themes:



- 1 (A) Geodetic control.  
 2 (B) Orthoimagery.  
 3 (C) Elevation and bathymetry.  
 4 (D) Fixed works.  
 5 (E) Government boundaries.  
 6 (F) Cadastral information.  
 7 (3) Certification of positional accuracy of maps or measured  
 8 survey data.  
 9 (4) Measurement, adjustment, and authoritative interpretation of  
 10 raw survey data.  
 11 (5) GIS-based parcel or cadastral mapping used for authoritative  
 12 boundary definition purposes wherein land title or development  
 13 rights for individual parcels are, or may be, affected.  
 14 (6) Interpretation of maps, deeds, or other land title documents to  
 15 resolve conflicting data elements within cadastral documents of  
 16 record.  
 17 (7) Acquisition of field data required to authoritatively position  
 18 fixed works or cadastral data to geodetic control.  
 19 (8) Adjustment or transformation of cadastral data to improve the  
 20 positional accuracy of the parcel layer or layers with respect to the  
 21 geodetic control layer within a GIS for purposes of affirming  
 22 positional accuracy.  
 23 (d) A distinction is made in this subsection, in the use of electronic  
 24 systems, between making or documenting original measurements in the  
 25 creation of survey products and the copying, interpretation, or  
 26 representation of those measurements in systems. Further, a distinction  
 27 is made according to the intent, use, or purpose of measurement  
 28 products in electronic systems, between the determination of  
 29 authoritative locations and the use of those products as a locational  
 30 reference for planning, infrastructure management, and general  
 31 information. The following items are not included as activities within  
 32 the definition of the practice of surveying:  
 33 (1) The creation of general maps:  
 34 (A) prepared by private firms or government agencies for use  
 35 as guides to motorists, boaters, aviators, or pedestrians;  
 36 (B) prepared for publication in a gazetteer or atlas as an  
 37 educational tool or reference publication;  
 38 (C) prepared for or by educational institutions for use in the  
 39 curriculum of any course of study;  
 40 (D) produced by any electronic or print media firm as an  
 41 illustrative guide to the geographic location of any event; or  
 42 (E) prepared by lay persons for conversational or illustrative





- 1 purposes, including advertising material and users' guides.
- 2 (2) The transcription of previously geo-referenced data into a  
3 geographic information system by manual or electronic means,  
4 and the maintenance thereof, if the data are clearly not intended  
5 to indicate the authoritative location of property boundaries, the  
6 precise definition of the shape or contour of the earth, and the  
7 precise location of fixed works of humans.
- 8 (3) The transcription of public record data, without modification  
9 except for graphical purposes, into geographic information  
10 systems-based cadastres, including tax maps, zoning maps, and  
11 associated records by manual or electronic means, and the  
12 maintenance of that cadastre, if the data are clearly not intended  
13 to authoritatively represent property boundaries.
- 14 (4) The preparation of any document by any agency of the federal  
15 government that does not define real property boundaries,  
16 including civilian and military versions of quadrangle topographic  
17 maps, military maps, satellite imagery, and other similar  
18 documents.
- 19 (5) The incorporation or use of documents or data bases prepared  
20 by any federal agency into a geographic information system,  
21 including federal census and demographic data, quadrangle  
22 topographic maps, and military maps.
- 23 (6) Inventory maps and data bases created by any organization, in  
24 either hard copy or electronic form, of physical features, facilities,  
25 or infrastructure that are wholly contained within properties to  
26 which the organization has rights or for which the organization  
27 has management responsibility. The distribution of these maps  
28 and data bases outside the organization must contain appropriate  
29 metadata describing, at a minimum, the accuracy, method of  
30 compilation, data source or sources, and date or dates, and  
31 disclaimers of use clearly indicating that the data are not intended  
32 to be used as a survey product.
- 33 (7) Maps, cross-sections, graphics, and data bases depicting the  
34 distribution of natural resources or phenomena prepared by  
35 foresters, geologists, soil scientists, geophysicists, biologists,  
36 archeologists, historians, or other persons qualified to document  
37 and interpret the data in the context of their respective practices.
- 38 (8) Maps and geo-referenced data bases depicting physical  
39 features and events prepared by any government agency if the  
40 access to that data is restricted by statute, including  
41 geo-referenced data generated by law enforcement agencies  
42 involving crime statistics and criminal activities.



1 (e) The use of photogrammetric methods or similar remote sensing  
 2 technology to perform any part of the practice of surveying as defined  
 3 in this section may be performed only under the direct control and  
 4 supervision of a professional surveyor or professional  
 5 photogrammetrists who maintain a current title of "Certified  
 6 Photogrammetrist" from a national scientific organization having a  
 7 process for certifying photogrammetrists.

8 (f) The practice of surveying encompasses a number of disciplines,  
 9 including geodetic surveying, hydrographic surveying, cadastral  
 10 surveying, construction staking, route surveying, photogrammetric  
 11 surveying, and topographic surveying. A professional surveyor may  
 12 practice only within the surveyor's area of expertise.

13 SECTION 107. IC 25-23.4-5-1, AS ADDED BY P.L.232-2013,  
 14 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 UPON PASSAGE]: Sec. 1. (a) A certified direct entry midwife must  
 16 have a collaborating agreement with a physician licensed under  
 17 IC 25-22.5. Collaboration under this chapter does not require the  
 18 physical presence of the physician at the time and the place at which  
 19 the certified direct entry midwife renders services.

20 (b) Subject to rules adopted under ~~IC 25-23.4-2-6(b)(6);~~  
 21 **IC 25-23.4-2-6(b)(5)**, a collaborating physician shall review the patient  
 22 encounters that the certified direct entry midwife has with a patient  
 23 who is the client of the certified direct entry midwife:

- 24 (1) at any time when requested by the physician; and  
 25 (2) at the time of the client's visit with the physician during the  
 26 first and third trimesters, at least the following percentages of the  
 27 patient charts:
- 28 (A) For the first year that the individual is a certified direct  
 29 entry midwife, one hundred percent (100%).
  - 30 (B) For the second year that the individual is a certified direct  
 31 entry midwife, fifty percent (50%).
  - 32 (C) For the third year that the individual is a certified direct  
 33 entry midwife, twenty-five percent (25%).

34 SECTION 108. IC 25-23.4-6-1, AS ADDED BY P.L.232-2013,  
 35 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 UPON PASSAGE]: Sec. 1. (a) Subject to rules adopted under  
 37 ~~IC 25-23.4-2-6(b)(6);~~ **IC 25-23.4-2-6(b)**, a certified direct entry  
 38 midwife must provide an initial screening of a client that includes an  
 39 assessment of health conditions that require a referral to a physician  
 40 under subsection (c).

41 (b) Subject to rules adopted under ~~IC 25-23.4-2-6(b)(8);~~  
 42 **IC 25-23.4-2-6(b)**, a certified direct entry midwife shall refer a client



1 to a physician in the client's first and third trimester of pregnancy.  
 2 (c) If a client has a health condition that makes the client at risk, the  
 3 certified direct entry midwife shall, subject to rules adopted under  
 4 ~~IC 28-23.4-2-6(b)(9)~~: **IC 25-23.4-2-6(b)**:  
 5 (1) refer the client to a licensed physician; and  
 6 (2) consult with the physician concerning the client's care.  
 7 SECTION 109. IC 25-31-1-5 IS AMENDED TO READ AS  
 8 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The board  
 9 shall hold in the city of Indianapolis at least two (2) regular meetings  
 10 each year and special meetings as the board considers necessary.  
 11 Regular and special meetings must be held at times and places as the  
 12 rules of the board may provide. Notice of all meetings must be given  
 13 according to IC 5-14-1.5.  
 14 (b) The board shall elect, annually, from its own members, a  
 15 chairman and a vice chairman.  
 16 (c) A quorum of the board consists of four (4) members and no  
 17 official action of any meeting may be taken without at least four (4)  
 18 votes being in accord.  
 19 (d) Suitable office quarters shall be provided by the state for the use  
 20 of the board in the city of Indianapolis. This office may be shared with  
 21 the state board of registration for ~~land~~ **professional** surveyors.  
 22 SECTION 110. IC 25-31-1-6 IS AMENDED TO READ AS  
 23 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) The licensing  
 24 agency shall provide the board with a competent individual to serve as  
 25 secretary of the board. The secretary may not be a member of the  
 26 board. The secretary, through the licensing agency, shall keep a true  
 27 and complete record of all proceedings of the board and perform any  
 28 other duties, prescribed in this chapter, as may be assigned by the  
 29 board.  
 30 (b) The board shall be provided by the licensing agency whatever  
 31 clerical or other assistants, including investigators, as may be necessary  
 32 for the proper performance of its duties.  
 33 (c) The licensing agency may assign joint personnel to work for both  
 34 the board and the state board of registration for ~~land~~ **professional**  
 35 surveyors.  
 36 SECTION 111. IC 25-34.1-4.5-5.5, AS ADDED BY P.L.200-2013,  
 37 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 UPON PASSAGE]: Sec. 5.5. (a) Notwithstanding IC 25-34.1-3-4.1(g),  
 39 a license issued to a broker under this article that would have expired  
 40 on June 30, 2013, will instead expire on June 30, 2014. The 2014  
 41 renewals will be for a three (3) year term.  
 42 (b) The continuing education requirements for the 2014 broker



- 1 renewal shall be the:
- 2 (1) sixteen (16) hours required by IC 25-34.1-9-11 (**as in effect**)
- 3 before its ~~repeat~~ on July 1, 2014), which may have been obtained
- 4 any time between July 1, 2011, and June 30, 2014; and
- 5 (2) eight (8) hours required by ~~IC 25-34-9-11.~~ **IC 25-34.1-9-11.1**
- 6 (before its expiration on July 1, 2014) to be obtained between July
- 7 1, 2013, and June 30, 2014.
- 8 SECTION 112. IC 25-34.1-5-13, AS ADDED BY P.L.200-2013,
- 9 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 10 UPON PASSAGE]: Sec. 13. (a) Each instructor of a prelicensing
- 11 education course under this chapter must have a permit issued by the
- 12 commission.
- 13 (b) An instructor permit under subsection (a) must:
- 14 (1) be issued for a term of three (3) years, **and expires ending on**
- 15 a date set by the licensing agency; and
- 16 (2) expire if not renewed by the end of the permit period.
- 17 (c) An instructor issued a permit under subsection (a) must meet the
- 18 following requirements:
- 19 (1) Be a licensed real estate broker or attorney licensed in Indiana,
- 20 or an expert in the field working in conjunction with a licensed
- 21 real estate broker or licensed attorney.
- 22 (2) Each year, complete four (4) hours of continuing education
- 23 approved by the licensing agency and specific to providing real
- 24 estate instruction. Hours earned under this subdivision may be
- 25 used toward the completion of the continuing education
- 26 requirement for a broker under IC 25-34.1-9-11.
- 27 (3) Pay applicable fees established under rules adopted by the
- 28 commission under IC 4-22-2.
- 29 (4) Meet any additional requirements established by the
- 30 commission under rules adopted under IC 4-22-2.
- 31 (d) If a permit expires under subsection (b)(2), to return the permit
- 32 to active status, the instructor must:
- 33 (1) successfully complete continuing education requirements
- 34 required by the commission;
- 35 (2) file a renewal application;
- 36 (3) pay a renewal fee under rules adopted by the commission
- 37 under IC 4-22-2;
- 38 (4) pay any applicable late fees established under rules adopted
- 39 by the commission under IC 4-22-2; and
- 40 (5) meet any additional requirements established by the
- 41 commission.
- 42 (e) Instructors approved by the commission before July 1, 2013,



- 1 shall be exempted from the requirement under subsection (c)(1).  
 2 SECTION 113. IC 25-34.1-5-15, AS ADDED BY P.L.200-2013,  
 3 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 4 UPON PASSAGE]: Sec. 15. (a) Each real estate school must have a  
 5 permit issued by the commission.  
 6 (b) A real estate school **issued a** permit under subsection (a) must  
 7 meet the following requirements:  
 8 (1) For online courses, an instructor that has been issued a permit  
 9 under this chapter must be available during normal business  
 10 hours.  
 11 (2) Course rosters must be provided to the commission each  
 12 month.  
 13 (3) ~~A~~ **The** school must pay the permit fees established by the  
 14 commission under subsection (d).  
 15 (c) The commission shall establish a permit period for real estate  
 16 schools. A permit issued under this section must be renewed at the end  
 17 of the period established by the commission.  
 18 (d) The commission shall establish, by rule adopted under  
 19 IC 4-22-2, fees for permits under this section.  
 20 (e) A school must annually file with the commission a list of courses  
 21 offered by the school.  
 22 SECTION 114. IC 27-1-15.6-4, AS AMENDED BY P.L.81-2013,  
 23 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 UPON PASSAGE]: Sec. 4. (a) As used in this section, "insurer" does  
 25 not include an officer, director, employee, subsidiary, or affiliate of an  
 26 insurer.  
 27 (b) This chapter does not require an insurer to obtain an insurance  
 28 producer license.  
 29 (c) The following are not required to be licensed as an insurance  
 30 producer:  
 31 (1) An officer, director, or employee of an insurer or of an  
 32 insurance producer, if the officer, director, or employee does not  
 33 receive any commission on policies written or sold to insure risks  
 34 that reside, are located, or are to be performed in Indiana, and if:  
 35 (A) the officer, director, or employee's activities are executive,  
 36 administrative, managerial, clerical, or a combination of these,  
 37 and are only indirectly related to the sale, solicitation, or  
 38 negotiation of insurance;  
 39 (B) the officer, director, or employee's function relates to  
 40 underwriting, loss control, inspection, or the processing,  
 41 adjusting, investigating, or settling of a claim on a contract of  
 42 insurance; or



- 1 (C) the officer, director, or employee is acting in the capacity  
 2 of a special agent or agency supervisor assisting insurance  
 3 producers and the officer, director, or employee's activities are  
 4 limited to providing technical advice and assistance to  
 5 licensed insurance producers and do not include the sale,  
 6 solicitation, or negotiation of insurance.
- 7 (2) A person who secures and furnishes information for the  
 8 purpose of:
- 9 (A) group life insurance, group property and casualty  
 10 insurance, group annuities, or group or blanket accident and  
 11 sickness insurance;
- 12 (B) enrolling individuals under plans;
- 13 (C) issuing certificates under plans or otherwise assisting in  
 14 administering plans; or
- 15 (D) performing administrative services related to mass  
 16 marketed property and casualty insurance;
- 17 where no commission is paid to the person for the service.
- 18 (3) A person identified in clauses (A) through (C) who is not in  
 19 any manner compensated, directly or indirectly, by a company  
 20 issuing a contract, to the extent that the person is engaged in the  
 21 administration or operation of a program of employee benefits for  
 22 the employer's or association's employees, or for the employees of  
 23 a subsidiary or affiliate of the employer or association, that  
 24 involves the use of insurance issued by an insurer:
- 25 (A) An employer or association.
- 26 (B) An officer, director, or employee of an employer or  
 27 association.
- 28 (C) The trustees of an employee trust plan.
- 29 (4) An:
- 30 (A) employee of an insurer; or
- 31 (B) organization employed by insurers;
- 32 that is engaged in the inspection, rating, or classification of risks,  
 33 or in the supervision of the training of insurance producers, and  
 34 that is not individually engaged in the sale, solicitation, or  
 35 negotiation of insurance.
- 36 (5) A person whose activities in Indiana are limited to advertising,  
 37 without the intent to solicit insurance in Indiana, through  
 38 communications in printed publications or other forms of  
 39 electronic mass media whose distribution is not limited to  
 40 residents of Indiana, provided that the person does not sell, solicit,  
 41 or negotiate insurance that would insure risks residing, located, or  
 42 to be performed in Indiana.



- 1 (6) A person who is not a resident of Indiana and who sells,
- 2 solicits, or negotiates a contract of insurance for commercial
- 3 property and casualty risks to an insured with risks located in
- 4 more than one (1) state insured under that contract, provided that:
- 5 (A) the person is otherwise licensed as an insurance producer
- 6 to sell, solicit, or negotiate the insurance in the state where the
- 7 insured maintains its principal place of business; and
- 8 (B) the contract of insurance insures risks located in that state.
- 9 (7) A salaried full-time employee who counsels or advises the
- 10 employee's employer about the insurance interests of the
- 11 employer or of the subsidiaries or business affiliates of the
- 12 employer, provided that the employee does not sell or solicit
- 13 insurance or receive a commission.
- 14 (8) An officer, employee, or representative of a rental company
- 15 (as defined in IC 24-4-9-7) who negotiates or solicits insurance
- 16 incidental to and in connection with the rental of a motor vehicle.
- 17 (9) An individual who:
- 18 (A) furnishes only title insurance rate information at the
- 19 request of a consumer; and
- 20 (B) does not discuss the terms or conditions of a title insurance
- 21 policy.
- 22 (10) An employee or authorized representative of a vendor that is
- 23 licensed as a limited lines producer under this chapter to sell,
- 24 solicit, or negotiate portable electronics insurance incidental to
- 25 and in connection with portable electronics transactions as
- 26 described in IC 27-1-15.9.
- 27 (11) An employee or authorized representative of a self-storage
- 28 facility that is licensed as a limited lines producer under this
- 29 chapter to sell, solicit, or negotiate self-storage insurance
- 30 incidental to and in connection with self-storage ~~facility~~ rental
- 31 agreements as described in IC 27-1-16.1.

32 SECTION 115. IC 31-9-2-44.8, AS AMENDED BY P.L.146-2008,  
 33 SECTION 544, IS AMENDED TO READ AS FOLLOWS  
 34 [EFFECTIVE UPON PASSAGE]: Sec. 44.8. "Family preservation  
 35 services", for purposes of **IC 31-26-5 and** IC 31-26-6, means short  
 36 term, highly intensive services designed to protect, treat, and support  
 37 the following:

- 38 (1) A family with a child at risk of placement by enabling the
- 39 family to remain intact and care for the child at home.
- 40 (2) A family that adopts or plans to adopt an abused or neglected
- 41 child who is at risk of placement or adoption disruption by
- 42 assisting the family to achieve or maintain a stable, successful



1 adoption of the child.  
 2 SECTION 116. IC 32-33-4-1, AS AMENDED BY P.L.173-2013,  
 3 SECTION 1, AND AS AMENDED BY P.L.205-2013, SECTION 340,  
 4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON  
 5 PASSAGE]: Sec. 1. Subject to sections 3(c), 3(d), and 3.5 of this  
 6 chapter, a person, a firm, a partnership, an association, a limited  
 7 liability company, or a corporation maintaining a hospital in Indiana or  
 8 a hospital owned, maintained, or operated by the state or a political  
 9 subdivision of the state is entitled to hold a lien for the reasonable  
 10 value of its services or expenses (including any amount designated as  
 11 a copayment or deductible) on any judgment for personal injuries  
 12 rendered in favor of any person, except:

- 13 (1) a person covered by the provisions of IC 22-3, the state  
 14 worker's compensation laws;
- 15 (2) a person covered by the provisions of 5 U.S.C. 8101 et seq.,  
 16 the federal worker's compensation laws;
- 17 (3) a person covered by the provisions of 45 U.S.C. 51 et seq., the  
 18 Federal **Employers** Liability Act;
- 19 (4) an eligible person (as defined in IC 34-13-8-1) with respect to  
 20 a distribution paid from the supplemental state fair relief fund for  
 21 an occurrence (as defined in IC 34-13-8-2); and
- 22 (5) a person covered by the provisions of 42 U.S.C. 1395 et seq.,  
 23 the federal Medicare program;

24 who is admitted to the hospital and receives treatment, care, and  
 25 maintenance on account of personal injuries received as a result of the  
 26 negligence of any person or corporation. In order to claim the lien, the  
 27 hospital must satisfy the conditions for perfecting the lien as set forth  
 28 in section 4 of this chapter and, not later than the date on which the  
 29 judgment is rendered, enter, in writing, upon the judgment docket  
 30 where the judgment is recorded, the hospital's intention to hold a lien  
 31 upon the judgment, together with the amount claimed.

32 SECTION 117. IC 34-30-27-1, AS ADDED BY P.L.96-2013,  
 33 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 UPON PASSAGE]: Sec. 1. An architect registered under IC 25-4-1, a  
 35 ~~land~~ **professional** surveyor registered under IC 25-21.5, or a  
 36 professional engineer registered under IC 25-31-1 who, after May 31,  
 37 2013, voluntarily, without compensation (other than expense  
 38 reimbursement), provides architectural, structural, electrical,  
 39 mechanical, or professional services:

- 40 (1) related to a declared national, state, or local emergency caused  
 41 by an earthquake, hurricane, tornado, fire, explosion, gale, severe  
 42 storm, flood, or collapse; and





1 (2) at the request of or with the approval of a federal or state  
 2 official with executive responsibility in the jurisdiction to  
 3 coordinate:  
 4 (A) law enforcement;  
 5 (B) public safety; or  
 6 (C) building inspection;  
 7 believed by the registered architect, ~~land~~ **professional** surveyor,  
 8 or professional engineer to be acting in an official capacity;  
 9 is not liable for any personal injury, wrongful death, property damage,  
 10 or other loss of any nature related to the registered architect's, ~~land~~  
 11 **professional** surveyor's, or professional engineer's acts, errors, or  
 12 omissions in the performance of the services.

13 SECTION 118. IC 36-3-4-3, AS AMENDED BY P.L.266-2013,  
 14 SECTION 8, AND AS AMENDED BY P.L.271-2013, SECTION 48,  
 15 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 16 [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The city-county  
 17 legislative body shall, by ordinance, divide the whole county into  
 18 twenty-five (25) districts that:

- 19 (1) are compact, subject only to natural boundary lines (such as
- 20 railroads, major highways, rivers, creeks, parks, and major
- 21 industrial complexes);
- 22 (2) contain, as nearly as is possible, equal population; and
- 23 (3) do not cross precinct boundary lines.

24 *Except as provided by subsection (f), this division shall be made during*  
 25 *before the end of the second year after a year in which a federal*  
 26 *decennial census is conducted and may also be made at any other time,*  
 27 *subject to IC 3-11-1.5-32.*

28 (b) The legislative body is composed of *the following:*

- 29 (1) *Before January 1, 2016, twenty-five (25) members elected*
- 30 *from the districts established under subsection (a) and four (4)*
- 31 *members elected from an at-large district containing the whole*
- 32 *county.*
- 33 (2) *After December 31, 2015, twenty-five (25) members elected*
- 34 *from the districts established under subsection (a).*

35 (c) Each voter of the county may vote for ~~four (4) candidates for~~  
 36 ~~at-large membership and~~ one (1) candidate from the district in which  
 37 the voter resides. ~~The four (4) at-large candidates receiving the most~~  
 38 ~~votes from the whole county and the district candidates receiving the~~  
 39 ~~most votes from their respective districts are elected to the legislative~~  
 40 ~~body.~~

41 (d) If the legislative body fails to make the division before the date  
 42 prescribed by subsection (a) or the division is alleged to violate



1 subsection (a) or other law, a taxpayer or registered voter of the county  
 2 may petition the superior court of the county to hear and determine the  
 3 matter. The court shall hear and determine the matter as a five (5)  
 4 member panel of judges from the superior court. The clerk of the court  
 5 shall select the judges electronically and randomly. *The clerk shall*  
 6 *maintain a record of the method and process used to select the judges*  
 7 *and shall make the record available for public inspection and copying.*  
 8 Not more than three (3) members of the five (5) member panel of  
 9 judges may be of the same political party. The first judge selected shall  
 10 maintain the case file and preside over the proceedings. There may not  
 11 be a change of venue from the court or from the county. The court may  
 12 appoint a master to assist in its determination and may draw proper  
 13 district boundaries if necessary. An appeal from the court's judgment  
 14 must be taken within thirty (30) days, directly to the supreme court, in  
 15 the same manner as appeals from other actions.

16 (e) An election of the legislative body held under the ordinance or  
 17 court judgment determining districts that is in effect on the date of the  
 18 election is valid, regardless of whether the ordinance or judgment is  
 19 later determined to be invalid.

20 (f) *This subsection applies during the second year after a year in*  
 21 *which a federal decennial census is conducted. If the legislative body*  
 22 *determines that a division under subsection (a) is not required, the*  
 23 *legislative body shall adopt an ordinance recertifying that the districts*  
 24 *as drawn comply with this section.*

25 (g) *Each time there is a division under subsection (a) or a*  
 26 *recertification under subsection (f), the legislative body shall file with*  
 27 *the circuit court clerk of the county, not later than thirty (30) days after*  
 28 *the division or recertification occurs, a map of the district boundaries:*

29 (1) *adopted under subsection (a); or*

30 (2) *recertified under subsection (f).*

31 (h) *The limitations set forth in this section are part of the ordinance,*  
 32 *but do not have to be specifically set forth in the ordinance. The*  
 33 *ordinance must be construed, if possible, to comply with this chapter.*  
 34 *If a provision of the ordinance or an application of the ordinance*  
 35 *violates this chapter, the invalidity does not affect the other provisions*  
 36 *or applications of the ordinance that can be given effect without the*  
 37 *invalid provision or application. The provisions of the ordinance are*  
 38 *severable.*

39 (i) *If a conflict exists between:*

40 (1) *a map showing the boundaries of a district; and*

41 (2) *a description of the boundaries of that district set forth in the*  
 42 *ordinance;*



1 *the district boundaries are the description of the boundaries set forth*  
 2 *in the ordinance, not the boundaries shown on the map, to the extent*  
 3 *there is a conflict between the description and the map.*

4 SECTION 119. IC 36-4-1.5-2, AS AMENDED BY P.L.202-2013,  
 5 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 UPON PASSAGE]: Sec. 2. A town may be changed into a city through  
 7 the following:

8 (1) The town legislative body must adopt a resolution submitting  
 9 to the town's voters the question of whether the town should be  
 10 changed into a city. The town legislative body shall adopt a  
 11 resolution described in this subdivision if at least the number of  
 12 registered voters of the town equal to ten percent (10%) of the  
 13 total votes cast in the town at the last election for secretary of  
 14 state sign a petition requesting the town legislative body to adopt  
 15 such a resolution. In determining the number of signatures  
 16 required under this subdivision, any fraction that exceeds a whole  
 17 number shall be disregarded.

18 (2) The town legislative body must adopt the resolution under  
 19 subdivision (1) not later than thirty (30) days after the date on  
 20 which a petition having a sufficient number of signatures is filed.  
 21 A resolution adopted under subdivision (1) must fix the date for  
 22 an election on the question of whether the town should be  
 23 changed into a city as follows:

24 (A) If the election is to be on the same date as a general  
 25 election or municipal election:

26 (i) the resolution must state that fact and be certified in  
 27 accordance with IC 3-10-9-3; and

28 (ii) the election must be held on the date of the next general  
 29 election or municipal election, whichever is earlier, at which  
 30 the question can be placed on the ballot under ~~IC 3-10-9-3~~.  
 31 **IC 3-10-9.**

32 (B) If the election is to be a special election, the date must be:

33 (i) not less than thirty (30) and not more than sixty (60) days  
 34 after the notice of the election; and

35 (ii) not later than the next general election or municipal  
 36 election, whichever is earlier, at which the question can be  
 37 placed on the ballot under ~~IC 3-10-9-3~~. **IC 3-10-9.**

38 (3) The town legislative body shall file a copy of the resolution  
 39 adopted under subdivision (1) with the circuit court clerk of each  
 40 county in which the town is located. The circuit court clerk shall  
 41 immediately certify the resolution to the county election board.

42 (4) The county election board shall give notice of the election in



1 the manner prescribed by IC 3-8-2-19. IC 3-10-6 applies to the  
 2 election.  
 3 (5) The question described in subdivision (1) shall be placed on  
 4 the ballot in the form prescribed by IC 3-10-9-4. The text of the  
 5 question shall be: "Shall the town of \_\_\_\_\_ change into a  
 6 city?".  
 7 (6) If a majority of the voters voting on the question described in  
 8 subdivision (1) vote "yes", the town is changed into a city as  
 9 provided in this chapter. If a majority of the voters voting on the  
 10 question vote "no", the town remains a town.  
 11 SECTION 120. IC 36-7-14-50, AS ADDED BY P.L.7-2013,  
 12 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 UPON PASSAGE]: Sec. 50. (a) Except as provided in subsection (b),  
 14 all the rights, powers, privileges, and immunities that may be exercised  
 15 by a commission in blighted, deteriorated, or deteriorating areas may  
 16 be exercised by a commission in implementing its program for  
 17 age-restricted housing, including the following:  
 18 (1) The special tax levied in accordance with section 27 of this  
 19 chapter may be used to accomplish the purposes of the  
 20 age-restricted housing program.  
 21 (2) Bonds may be issued under this chapter to accomplish the  
 22 purposes of the age-restricted housing program, but only one (1)  
 23 issue of bonds may be issued and payable from increments in any  
 24 allocation area established under section ~~51~~ 49 of this chapter,  
 25 except for refunding bonds or bonds issued in an amount  
 26 necessary to complete an age-restricted housing program for  
 27 which bonds were previously issued.  
 28 (3) Leases may be entered into under this chapter to accomplish  
 29 the purposes of the age-restricted housing program.  
 30 (4) The tax exemptions set forth in section 37 of this chapter are  
 31 applicable.  
 32 (5) Property taxes may be allocated under section 39 of this  
 33 chapter.  
 34 (b) A commission may not exercise the power of eminent domain  
 35 in implementing its age-restricted housing program.  
 36 SECTION 121. IC 36-7-15.1-60, AS ADDED BY P.L.7-2013,  
 37 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 UPON PASSAGE]: Sec. 60. (a) Except as provided in subsection (b),  
 39 all the rights, powers, privileges, and immunities that may be exercised  
 40 by a commission in blighted, deteriorated, or deteriorating areas may  
 41 be exercised by a commission in implementing its program for  
 42 age-restricted housing, including the following:



- 1 (1) The special tax levied in accordance with section 19 of this
- 2 chapter may be used to accomplish the purposes of the
- 3 age-restricted housing program.
- 4 (2) Bonds may be issued under this chapter to accomplish the
- 5 purposes of the age-restricted housing program, but only one (1)
- 6 issue of bonds may be issued and payable from increments in any
- 7 allocation area established under section ~~64~~ 59 of this chapter,
- 8 except for refunding bonds or bonds issued in an amount
- 9 necessary to complete an age-restricted housing program for
- 10 which bonds were previously issued.
- 11 (3) Leases may be entered into under this chapter to accomplish
- 12 the purposes of the age-restricted housing program.
- 13 (4) The tax exemptions set forth in section 25 of this chapter are
- 14 applicable.
- 15 (5) Property taxes may be allocated under section 26 of this
- 16 chapter.
- 17 (b) A commission may not exercise the power of eminent domain
- 18 in implementing its age-restricted housing program.
- 19 **SECTION 122. An emergency is declared for this act.**



COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 24, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 24 as introduced.)

Committee Vote: Yeas 6, Nays 0

Senator Steele, Chairperson

