



January 13, 2016

SENATE BILL No. 146

DIGEST OF SB 146 (Updated January 11, 2016 2:21 pm - DI 106)

Citations Affected: IC 34-13.

Synopsis: Tort claims immunity. Provides that the tort claims act applies to a claim against certain approved postsecondary educational institutions if: (1) the institution has complied with certain data sharing requirements; and (2) the claim relates to a breach of this data.

Effective: July 1, 2016.

Charbonneau, Bray, Buck

January 5, 2016, read first time and referred to Committee on Civil Law.
January 12, 2016, amended, reported favorably — Do Pass.

SB 146—LS 6427/DI 106



January 13, 2016

Second Regular Session 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

SENATE BILL No. 146

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

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

- 1 SECTION 1. IC 34-13-3-2, AS AMENDED BY P.L.145-2011,
2 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2016]: Sec. 2. This chapter applies to a claim or suit in tort
4 against any of the following:
- 5 (1) A member of the bureau of motor vehicles commission
6 established under IC 9-15-1-1.
 - 7 (2) An employee of the bureau of motor vehicles commission who
8 is employed at a license branch under IC 9-16, except for an
9 employee employed at a license branch operated under a contract
10 with the commission under IC 9-16.
 - 11 (3) A member of the driver education advisory board established
12 by IC 9-27-6-5.
 - 13 **(4) An approved postsecondary educational institution (as**
14 **defined in IC 21-7-13-6(a)(1)) that:**
 - 15 **(A) shares data with the commission for higher education**
16 **under IC 21-12-12-1; and**
 - 17 **(B) is named as a defendant in a claim or suit in tort based**

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1 **on any breach of the confidentiality of the data that occurs**
2 **after the institution has transmitted the data in compliance**
3 **with IC 21-12-12-1.**



COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred Senate Bill No. 146, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 7.

Page 2, delete lines 3 through 4, begin a new line block indented and insert:

"(4) An approved postsecondary educational institution (as defined in IC 21-7-13-6(a)(1)) that:

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

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

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 146 as introduced.)

BRAY, Chairperson

Committee Vote: Yeas 8, Nays 0.

