



Reprinted
February 6, 2024

SENATE BILL No. 297

DIGEST OF SB 297 (Updated February 5, 2024 4:38 pm - DI 107)

Citations Affected: IC 4-22.

Synopsis: Administrative rules. Requires an agency to conduct a regulatory analysis for certain proposed rules, including if the implementation and compliance costs are at least \$1,000,000. Requires the office of management and budget to notify the legislative council of certain proposed rules that have a fiscal impact of over \$1,000,000 over the course of two years. Provides that certain proposed rules shall not be effective until the general assembly passes a bill authorizing the rule.

Effective: July 1, 2024.

**Garten, Brown L, Koch, Holdman,
Freeman, Glick, Gaskill, Buck,
Niemeyer, Alexander, Baldwin, Raatz,
Charbonneau, Rogers, Bassler,
Buchanan, Walker K, Donato, Doriot,
Messmer, Zay, Crane, Tomes, Byrne,
Johnson T, Deery, Goode, Carrasco,
Maxwell, Randolph Lonnie M,
Leising**

January 16, 2024, read first time and referred to Committee on Judiciary.
January 18, 2024, reported favorably — Do Pass.
February 5, 2024, read second time, amended, ordered engrossed.

SB 297—LS 6965/DI 107



Reprinted
February 6, 2024

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

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

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

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

SENATE BILL No. 297

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

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

1 SECTION 1. IC 4-22-2-3, AS AMENDED BY P.L.249-2023,
2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2024]: Sec. 3. (a) "Agency" means any officer, board,
4 commission, department, division, bureau, committee, or other
5 governmental entity exercising any of the executive (including the
6 administrative) powers of state government. The term does not include
7 the judicial or legislative departments of state government or a political
8 subdivision as defined in IC 36-1-2-13.
9 (b) "Rule" means the whole or any part of an agency statement of
10 general applicability that:
11 (1) has or is designed to have the effect of law; and
12 (2) implements, interprets, or prescribes:
13 (A) law or policy; or
14 (B) the organization, procedure, or practice requirements of an
15 agency.
16 The term includes a fee, a fine, a civil penalty, a financial benefit
17 limitation, or another payment amount set by an agency that otherwise

SB 297—LS 6965/DI 107



- 1 qualifies as a rule.
- 2 (c) "Rulemaking action" means the process of formulating or
3 adopting a rule. The term does not include an agency action.
- 4 (d) "Agency action" has the meaning set forth in IC 4-21.5-1-4.
- 5 (e) "Person" means an individual, corporation, limited liability
6 company, partnership, unincorporated association, or governmental
7 entity.
- 8 (f) "Publisher" refers to the publisher of the Indiana Register and
9 Indiana Administrative Code, which is the legislative council, or the
10 legislative services agency operating under the direction of the council.
- 11 **(g) "Unit" means a county, city, town, township, local health
12 department, or school corporation.**
- 13 ~~(g)~~ **(h)** The definitions in this section apply throughout this article.
- 14 SECTION 2. IC 4-22-2-22.7, AS ADDED BY P.L.249-2023,
15 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2024]: Sec. 22.7. (a) Before complying with section 22.8,
17 **37.1, or 37.2** of this chapter, an agency shall conduct a regulatory
18 analysis for the proposed rule that complies with the requirements of
19 this section.
- 20 (b) The office of management and budget shall set standards for the
21 criteria, analytical method, treatment technology, economic, fiscal, and
22 other background data to be used by an agency in the regulatory
23 analysis. The regulatory analysis must be submitted in a form that can
24 be easily loaded into commonly used business analysis software and
25 published in the Indiana Register using the format jointly developed by
26 the publisher, the office of management and budget, and the budget
27 agency. The office of management and budget may provide more
28 stringent requirements for rules with fiscal impacts and costs above a
29 threshold amount determined by the office of management and budget.
- 30 (c) At a minimum, the regulatory analysis must include findings and
31 any supporting data, studies, or analyses prepared for a rule that
32 demonstrate compliance with the following:
- 33 (1) The cost benefit requirements in IC 4-3-22-13.
- 34 (2) Each of the standards in section 19.5 of this chapter.
- 35 (3) If applicable, the requirements for fees, fines, and civil
36 penalties in section 19.6 of this chapter.
- 37 (4) The annual economic impact on small businesses statement
38 required under IC 4-22-2.1-5.
- 39 (5) If applicable, the information required under IC 13-14-9-4.
- 40 **(6) A determination whether the combined implementation
41 and compliance costs of a proposed rule are at least one
42 million dollars (\$1,000,000) for businesses, units, and**



1 **individuals over any two (2) year period.**

2 ~~(6)~~ (7) Any requirement under any other law to conduct an
3 analysis of the cost, benefits, economic impact, or fiscal impact
4 of a rule, if applicable.

5 (d) The regulatory analysis must include a statement justifying any
6 requirement or cost that is:

7 (1) imposed on a regulated entity under the rule; and

8 (2) not expressly required by:

9 (A) the statute authorizing the agency to adopt the rule; or

10 (B) any other state or federal law.

11 The statement required under this subsection must include a reference
12 to any data, studies, or analyses relied upon by the agency in
13 determining that the imposition of the requirement or cost is necessary.

14 **(e) Except as provided in subsection (f), if the implementation
15 and compliance costs of a proposed rule are expected to exceed the
16 threshold set forth in subsection (c)(6), the office of management
17 and budget shall submit the rule to the legislative council, in an
18 electronic format under IC 5-14-6, forty-five (45) days prior to the
19 next regular legislative session. The legislative council shall inform
20 members of the general assembly of a rule submitted under this
21 subsection. A proposed rule described in this subsection shall not
22 take effect until both the house of representatives and the senate
23 have passed a bill authorizing the rule.**

24 (f) Subsection (e) does not apply to a proposed rule if the
25 proposed rule is:

26 (1) a provisional rule that was issued as the result of the
27 governor declaring an emergency under IC 10-14-3 and is
28 only valid during the emergency;

29 (2) a provisional or interim rule that complies only with the
30 requirements of a:

31 (A) federal law;

32 (B) federal regulation; or

33 (C) federal grant or loan program; or

34 (3) an interim rule that incorporates a new or updated:

35 (A) building;

36 (B) equipment;

37 (C) firefighting;

38 (D) safety; or

39 (E) professional;

40 code.

41 ~~(e)~~ (g) If an agency has made a good faith effort to comply with this
42 section, a rule is not invalid solely because the regulatory analysis for



1 the proposed rule is insufficient or inaccurate.

2 SECTION 3. IC 4-22-2-37.1, AS AMENDED BY P.L.249-2023,
3 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2024]: Sec. 37.1. (a) The following do not apply to a rule
5 adopted under this section:

6 (1) Sections 23 through 27 of this chapter or IC 13-14-9 (as
7 applicable).

8 (2) Sections 28 through 36 of this chapter.

9 The amendments to this section made in the 2023 regular session of the
10 general assembly apply to provisional rules that are accepted for filing
11 by the publisher of the Indiana Register after June 30, 2023, regardless
12 of whether the adopting agency initiated official action to adopt the rule
13 by the name of emergency rule or provisional rule before July 1, 2023.
14 An action taken before July 1, 2023, in conformity with this section (as
15 effective after June 30, 2023) is validated to the same extent as if the
16 action was taken after June 30, 2023.

17 (b) An agency may adopt a rule on a subject for which the agency
18 has rulemaking authority using the procedures in this section if the
19 governor finds that the agency proposing to adopt the rule has
20 demonstrated to the satisfaction of the governor that use of provisional
21 rulemaking procedures under this section is necessary to avoid:

22 (1) an imminent and a substantial peril to public health, safety, or
23 welfare;

24 (2) an imminent and a material loss of federal funds for an agency
25 program;

26 (3) an imminent and a material deficit;

27 (4) an imminent and a substantial violation of a state or federal
28 law or the terms of a federal agreement or program;

29 (5) injury to the business or interests of the people or any public
30 utility of Indiana as determined under IC 8-1-2-113;

31 (6) an imminent and a substantial peril to:

32 (A) wildlife; or

33 (B) domestic animal;

34 health, safety, or welfare; or

35 (7) the spread of invasive species, pests, or diseases affecting
36 plants.

37 To obtain a determination from the governor, an agency must submit
38 to the governor the text of the proposed provisional rule, **the**
39 **regulatory analysis required under section 22.7 of this chapter**, a
40 statement justifying the need for provisional rulemaking procedures,
41 and any additional information required by the governor in the form
42 and in the manner required by the governor. The governor may not



1 approve provisional rulemaking for any part of a proposed provisional
 2 rule that adds or amends language to increase or expand application of
 3 a fee, fine, or civil penalty or a schedule of fees, fines, or civil penalties
 4 before submitting the proposal to the budget committee for review. A
 5 notice of determination by the governor shall include findings that
 6 explain the basis for the determination. The notice of determination
 7 shall be provided to the agency in an electronic format. Approval of a
 8 request shall be treated as a determination that the rule meets the
 9 criteria in this subsection.

10 (c) After the governor approves provisional rulemaking procedures
 11 for a rule but before the agency adopts the provisional rule, the agency
 12 shall obtain a document control number from the publisher. The
 13 publisher shall determine the documents and the format of the
 14 documents that must be submitted to the publisher to obtain a
 15 document control number. The agency must submit at least the
 16 following:

17 (1) The full text of the proposed provisional rule in the form
 18 required by section 20 of this chapter.

19 **(2) The regulatory analysis submitted to the governor under**
 20 **subsection (b).**

21 ~~(2)~~ (3) A statement justifying the need for provisional rulemaking.

22 ~~(3)~~ (4) The approval of the governor to use provisional
 23 rulemaking procedures required by law.

24 ~~(4)~~ (5) The documents required by section 21 of this chapter.

25 An agency may not adopt a proposed provisional rule until after the
 26 publisher notifies the agency that the publisher has complied with
 27 subsection (d). At least ten (10) regular business days must elapse after
 28 the publisher has complied with subsection (d) before the department
 29 of natural resources, the natural resources commission, the department
 30 of environmental management, or a board that has rulemaking authority
 31 under IC 13 adopts a provisional rule.

32 (d) Upon receipt of documents described in subsection (c), the
 33 publisher shall distribute the full text of the proposed provisional rule
 34 to legislators and legislative committees in the manner and the form
 35 specified by the legislative council or the personnel subcommittee of
 36 the legislative council acting for the legislative council. After
 37 distribution has occurred, the publisher shall notify the agency of the
 38 date that distribution under this subsection has occurred.

39 (e) After the document control number has been assigned and the
 40 agency adopts the provisional rule, the agency shall submit the
 41 following to the publisher for filing:

42 (1) The text of the adopted provisional rule. The agency shall



- 1 submit the provisional rule in the form required by section 20 of
 2 this chapter.
- 3 (2) A signature page that indicates that the agency has adopted the
 4 provisional rule in conformity with all procedures required by
 5 law.
- 6 (3) If the provisional rule adds or amends language to increase or
 7 expand application of a fee, fine, or civil penalty or a schedule of
 8 fees, fines, or civil penalties, the agenda of the budget committee
 9 meeting at which the rule was scheduled for review.
- 10 (4) The documents required by section 21 of this chapter.
- 11 The publisher shall determine the format of the provisional rule and
 12 other documents to be submitted under this subsection. The substantive
 13 text of the adopted provisional rule must be substantially similar to the
 14 text of the proposed provisional rule submitted to the governor. A
 15 provisional rule may suspend but not repeal a rule approved by the
 16 governor under section 34 of this chapter.
- 17 (f) Subject to subsections (c) and (e) and section 39 of this chapter,
 18 the publisher shall:
- 19 (1) accept the provisional rule for filing;
- 20 (2) electronically record the date and time that the provisional
 21 rule is accepted; and
- 22 (3) publish the text of the:
- 23 (A) adopted provisional rule;
- 24 (B) **regulatory analysis (excluding appendices containing**
 25 **data, studies, or analysis referenced in the regulatory**
 26 **analysis); and the**
- 27 (C) governor's approval in the Indiana Register.
- 28 (g) A provisional rule adopted by an agency under this section takes
 29 effect on the latest of the following dates:
- 30 (1) The effective date of the statute delegating authority to the
 31 agency to adopt the provisional rule.
- 32 (2) The date and time that the provisional rule is accepted for
 33 filing under subsection (f).
- 34 (3) The effective date stated by the adopting agency in the
 35 provisional rule.
- 36 (4) The date of compliance with every requirement established by
 37 law as a prerequisite to the adoption or effectiveness of the
 38 provisional rule.
- 39 (5) The statutory effective date for a provisional rule set forth in
 40 law.
- 41 (h) An agency may amend a provisional rule with another
 42 provisional rule by following the procedures in this section for the



1 amended provisional rule. However, unless otherwise provided by
 2 IC 4-22-2.3, a provisional rule and all amendments of a provisional rule
 3 by another provisional rule expire not later than one hundred eighty
 4 (180) days after the initial provisional rule is accepted for filing under
 5 subsection (f). The subject of the provisional rule, including all
 6 amendments to the provisional rule, may not be subsequently extended
 7 under this section or section 37.2 of this chapter. If the governor
 8 determines that the circumstance that is the basis for using the
 9 procedures under this section ceases to exist, the governor may
 10 terminate the provisional rule before the lapse of one hundred eighty
 11 (180) days. The termination is effective when filed with the publisher.
 12 The publisher shall publish the termination notice in the Indiana
 13 Register.

14 (i) Subject to subsection (j), the attorney general or the governor
 15 may file an objection to a provisional rule that is adopted under this
 16 section not later than forty-five (45) days after the date that a
 17 provisional rule or amendment to a provisional rule is accepted for
 18 filing under subsection (f). The objection must cite the document
 19 control number for the affected provisional rule and state the basis for
 20 the objection. When filed with the publisher, the objection has the
 21 effect of invalidating the provisional rule or amendment to a
 22 provisional rule. The publisher shall publish the objection in the
 23 Indiana Register.

24 (j) The attorney general may file a written objection to a provisional
 25 rule under subsection (i) only if the attorney general determines that the
 26 provisional rule has been adopted:

- 27 (1) without statutory authority; or
- 28 (2) without complying with this section.

29 A notice of objection to a provisional rule by the attorney general must
 30 include findings that explain the basis for the determination. The notice
 31 of objection shall be provided to the agency in an electronic format.

32 SECTION 4. IC 4-22-2-37.2, AS ADDED BY P.L.249-2023,
 33 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2024]: Sec. 37.2. (a) The following do not apply to a rule
 35 adopted under this section:

- 36 (1) Sections 23 through 27 of this chapter or IC 13-14-9 (as
 37 applicable).
- 38 (2) Sections 28 through 36 of this chapter.

39 This section as added by the 2023 regular session of the general
 40 assembly applies to interim rules that are accepted for filing by the
 41 publisher of the Indiana Register after June 30, 2023, regardless of
 42 whether the adopting agency initiated official action to adopt the



1 interim rule before July 1, 2023. An action taken before July 1, 2023,
 2 in conformity with this section (as effective after June 30, 2023) is
 3 validated to the same extent as if the action was taken after June 30,
 4 2023.

5 (b) An agency may only adopt a rule on a subject for which the
 6 agency has rulemaking authority using the procedures in this section if
 7 the governor finds that the agency proposing to adopt the rule has
 8 demonstrated to the satisfaction of the governor that use of interim
 9 rulemaking procedures under this section is necessary to implement:

10 (1) a new state or federal law or program, rule of another state
 11 agency, federal regulation, or federal grant or loan agreement, or
 12 (if used by the agency to carry out the agency's responsibilities)
 13 a building, an equipment, a firefighting, a safety, or a professional
 14 code adopted by a nationally recognized organization;

15 (2) a change in a state or federal law or program, rule of another
 16 state agency, federal regulation, federal grant or loan agreement,
 17 or (if used by the agency to carry out the agency's responsibilities)
 18 a building, an equipment, a firefighting, a safety, or a professional
 19 code adopted by a nationally recognized organization; or

20 (3) a category of rule authorized under IC 4-22-2.3 to be adopted
 21 as an interim rule;

22 before the time that a final rule approved by the governor under section
 23 34 of this chapter could reasonably take effect.

24 (c) To obtain a determination from the governor, an agency must
 25 submit to the governor the text of the proposed interim rule, **the**
 26 **regulatory analysis required under section 22.7 of this chapter**, a
 27 statement justifying the need for interim rulemaking procedures, and
 28 any additional information required by the governor in the form and in
 29 the manner required by the governor. The governor may not approve
 30 interim rulemaking for any part of a proposed interim rule that adds or
 31 amends language to increase or expand application of a fee, fine, or
 32 civil penalty or a schedule of fees, fines, or civil penalties before
 33 submitting the proposal to the budget committee for review. A notice
 34 of determination by the governor shall include findings that explain the
 35 basis for the determination. The notice of determination shall be
 36 provided to the agency in an electronic format. Approval of a request
 37 shall be treated as a determination that the rule meets the criteria in this
 38 subsection.

39 (d) To publish a notice of interim rulemaking in the Indiana
 40 Register, the agency must submit the following to the publisher:

41 (1) The full text of the agency's proposed interim rule in the form
 42 required by section 20 of this chapter.



- 1 **(2) The regulatory analysis submitted to the governor under**
 2 **subsection (c).**
 3 ~~(2)~~ **(3)** The approval of the governor to use interim rulemaking
 4 procedures for the rule.
 5 ~~(3)~~ **(4)** If the interim rule adds or amends language to increase or
 6 expand application of a fee, fine, or civil penalty or a schedule of
 7 fees, fines, or civil penalties, the agenda of the budget committee
 8 meeting at which the rule was scheduled for review.
 9 ~~(4)~~ **(5)** The documents required by section 21 of this chapter.
 10 The publisher shall review materials submitted under this section and
 11 determine the date that the publisher intends to include the material in
 12 the Indiana Register. After establishing the intended publication date,
 13 the publisher shall provide a written or an electronic mail authorization
 14 to proceed to the agency.
 15 (e) The agency shall include the following in the notice of the public
 16 comment period:
 17 (1) A general description of the subject matter of the proposed
 18 interim rule, including the document control number.
 19 (2) The full text of the agency's proposed interim rule in the form
 20 required by section 20 of this chapter (excluding the text of a
 21 matter incorporated by reference under section 21 of this chapter).
 22 **(3) The regulatory analysis submitted to the governor under**
 23 **subsection (c) (excluding appendices containing data, studies,**
 24 **or analyses referenced in the regulatory analysis).**
 25 ~~(4)~~ **(4)** A statement justifying any requirement or cost that is:
 26 (A) imposed on a regulated entity under the interim rule; and
 27 (B) not expressly required by the statute authorizing the
 28 agency to adopt rules or any other state or federal law.
 29 The statement required under this subdivision must include a
 30 reference to any data, studies, or analyses relied upon by the
 31 agency in determining that the imposition of the requirement or
 32 cost is necessary.
 33 ~~(5)~~ **(5)** Information concerning where, when, and how a person
 34 may inspect and copy any data, studies, or analyses referenced
 35 under subdivision ~~(3)~~: **(4)**.
 36 ~~(5)~~ **(6)** Information concerning where, when, and how a person
 37 may inspect any documents incorporated by reference into the
 38 proposed interim rule under section 21 of this chapter.
 39 ~~(6)~~ **(7)** A date that is thirty (30) days after the notice is published
 40 in the Indiana Register by which written comments are due and a
 41 statement explaining that any person may submit written
 42 comments concerning the proposed interim rule during the public



- 1 comment period and instructions on when, where, and how the
 2 person may submit written comments.
- 3 However, inadequacy or insufficiency of the subject matter description
 4 under subdivision (1) or a statement of justification under subdivision
 5 ~~(3)~~ (4) in a notice does not invalidate a rulemaking action. An agency
 6 may continue the public comment period by publishing a subsequent
 7 notice in the Indiana Register extending the public comment period.
- 8 (f) Before adopting the interim rule, the agency shall prepare a
 9 written response to comments received by the agency, including the
 10 reasons for rejecting any recommendations made in the comments.
- 11 (g) After an agency has completed the public comment period and
 12 complied with subsection (f), the agency may:
- 13 (1) adopt a rule that is identical to a proposed interim rule
 14 published in the Indiana Register under this section; or
 15 (2) adopt a revised version of a proposed interim rule published
 16 under this section and include provisions that did not appear in
 17 the initially published proposed version.
- 18 An agency may not adopt an interim rule that substantially differs from
 19 the version of the proposed interim rule published in the Indiana
 20 Register under this section, unless it is a logical outgrowth of any
 21 proposed interim rule as supported by any written comments submitted
 22 during the public comment period.
- 23 (h) After the agency adopts the interim rule, the agency shall submit
 24 the following to the publisher for filing:
- 25 (1) The text of the adopted interim rule. The agency shall submit
 26 the full text of the interim rule in the form required by section 20
 27 of this chapter.
- 28 (2) A summary of the comments received by the agency during
 29 the public comment period and the agency's response to the
 30 comments.
- 31 (3) A signature page that indicates that the agency has adopted the
 32 interim rule in conformity with all procedures required by law.
- 33 (4) The documents required by section 21 of this chapter.
- 34 The publisher shall determine the format of the interim rule and other
 35 documents to be submitted under this subsection. An interim rule may
 36 suspend but not repeal a rule approved by the governor under section
 37 34 of this chapter.
- 38 (i) Subject to subsection (h) and section 39 of this chapter, the
 39 publisher shall:
- 40 (1) accept the interim rule for filing;
 41 (2) electronically record the date and time that the interim rule is
 42 accepted; and



- 1 (3) publish the text of the:
 2 (A) adopted interim rule;
 3 (B) **regulatory analysis (excluding appendices containing**
 4 **data, studies, or analysis referenced in the regulatory**
 5 **analysis); and the**
 6 (C) governor's approval in the Indiana Register.
- 7 (j) An interim rule adopted by an agency under this section takes
 8 effect on the latest of the following dates:
 9 (1) The effective date of the statute delegating authority to the
 10 agency to adopt the interim rule.
 11 (2) The date and time that the interim rule is accepted for filing
 12 under subsection (i).
 13 (3) The effective date stated by the adopting agency in the interim
 14 rule.
 15 (4) The date of compliance with every requirement established by
 16 law as a prerequisite to the adoption or effectiveness of the
 17 interim rule.
 18 (5) The statutory effective date for an interim rule set forth in law.
- 19 (k) An agency may amend an interim rule with another interim rule
 20 by following the procedures in this section for adoption of an interim
 21 rule. Except as provided in IC 4-22-2.3, an interim rule and all
 22 subsequent rules on the same subject adopted under section 37.1 of this
 23 chapter or this section expire not later than four hundred twenty-five
 24 (425) days after the initial interim rule is accepted for filing under
 25 subsection (i).
- 26 (l) Subject to subsection (m), the attorney general or the governor
 27 may file an objection to an interim rule that is adopted under this
 28 section not later than forty-five (45) days after the date that an interim
 29 rule or amendment to an interim rule is accepted for filing under
 30 subsection (i). The objection must cite the document control number
 31 for the affected interim rule and state the basis for the objection. When
 32 filed with the publisher, the objection has the effect of invalidating the
 33 interim rule or amendment to an interim rule. The publisher shall
 34 publish the objection in the Indiana Register.
- 35 (m) The attorney general may file a written objection to an interim
 36 rule under subsection (l) only if the attorney general determines that the
 37 interim rule has been adopted:
 38 (1) without statutory authority; or
 39 (2) without complying with this section.
- 40 A notice of objection to an interim rule by the attorney general must
 41 include findings that explain the basis for the determination. The notice
 42 of objection shall be provided to the agency in an electronic format.



COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 297, 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 297 as introduced.)

BROWN L, Chairperson

Committee Vote: Yeas 9, Nays 2

SENATE MOTION

Madam President: I move that Senate Bill 297 be amended to read as follows:

Page 3, line 24, delete "if:" and insert "**if the proposed rule is:**

(1) a provisional rule that was issued as the result of the governor declaring an emergency under IC 10-14-3 and is only valid during the emergency;

(2) a provisional or interim rule that complies only with the requirements of a:

(A) federal law;

(B) federal regulation; or

(C) federal grant or loan program; or

(3) an interim rule that incorporates a new or updated:

(A) building;

(B) equipment;

(C) firefighting;

(D) safety; or

(E) professional;

code."

Page 3, delete lines 25 through 42.

Page 4, delete lines 1 through 7.

(Reference is to SB 297 Digest Correction as printed January 19, 2024.)

GARTEN

