

HB1004 VARIOUS STATE AND LOCAL GOVERNMENT STREAMLINING MATTERS (SIEGRIST S) Provides that the journals, the enrolled acts, the session laws, and the Indiana Code may be distributed in paper or electronic format. Requires that copies of the journals, the session laws, and the Indiana Code must be provided to public libraries located in Indiana that participate in the federal depository library program. Permits the clerk of the house of representatives and the secretary of the senate (with respect to the journals) and the legislative council (with respect to the session laws and the Indiana Code) to specify a list of other public officials who automatically receive copies of the journals, the session laws, and the Indiana Code. Permits the publication and circulation to circuit court clerks of the enrolled acts, as required by the state constitution, to be performed electronically, and permits circuit court clerks to electronically acknowledge receipt of the enrolled acts directly to the legislative services agency. Permits the implementation of a system that would allow county clerks to send the acknowledgment electronically. Requires a meeting for receiving quotes must be open to the public. Provides that certain quotes shall be reported to the board during the public meeting at which the contract is considered. Specifies that an employee drug testing program must have been effective and applied at the time of the solicitation for bids for a public works project. Allows the board to keep on file a copy of the contractor's policy submitted in the current calendar year or previous two calendar years to satisfy the requirement for submitting a policy unless the policy has been revised. Specifies that the fire and building safety commission (commission) shall include citations to specific provisions of state law regarding the fire safety laws and the building laws that are the basis for a denial of an ordinance or other regulation of a political subdivision that is submitted for approval by the commission. Provides that a person may electronically file any document that is required to be filed as part of a lis pendens record. Repeals a provision requiring a circuit court clerk to provide to a court the names of all attorneys having business in that court. Makes changes concerning the role of a circuit court clerk regarding recovery of treatment and maintenance charges from the estate of a patient of a state institution or from a responsible party. Provides that: (1) the secretary and treasurer shall make a report of their trusts to the local board of the 1925 police pension fund (fund) before February 15; and (2) after the local board receives the report of the secretary and treasurer, the trustees of the local board shall be elected at the next meeting of the members of the police department. Removes a prohibition on political affiliation for members of a park board in a third class city. Urges the legislative council to assign to an appropriate interim study committee the subject of costs and benefits related to publication of certain reports.

Current Status: 3/6/2018 - House concurred in Senate amendments; Roll Call 322: yeas 91, nays 0

State Bill Page: [HB1004](#)

HB1005 TOWNSHIP GOVERNMENT CONSOLIDATION (ZIEMKE C) Requires all townships with a population of less than 1,200 (as determined by the 2010 federal decennial census) to merge with other townships, effective not later than January 1, 2023. Requires merging townships to adopt identical resolutions and a merger plan. Requires the department of local government finance (DLGF) to assist merging townships. Provides the following with regard to the required merger: (1) Requires merging townships to opt for a township legislative body in which: (A) members are elected at large; or (B) one member must reside within the geographic area of each of the former townships, and all voters of the new merged township vote for all legislative body members. (2) The new merged township government assumes the indebtedness of the former townships, but may levy property taxes to pay the indebtedness only within the geographic area of the former township that incurred the debt. (3) Provides that only the property owners, school corporations, and residents residing within the geographic area of a former township in which seminary lands are located may continue to receive the benefits from the seminary lands after the merger. (4) Provides that firefighting and emergency services equipment must remain housed and maintained within the geographic boundaries of a former township for not less than five years after the effective date of a township merger. Makes the following changes with regard to all townships: (1) Makes a stylistic change to a statute that allows a participating unit in a newly formed fire protection territory to phase in the unit's property tax levy. (2) Allows a township assistance applicant to appeal to the county commissioners if a township trustee refuses or fails to respond to a request for township assistance services. (3) Amends the information required in the township trustee's annual statistical report. (4) Caps a township board member's salary, for calendar year 2019 and every year thereafter, at not more than \$7,000 per year plus a per diem at a rate recommended by the trustee and approved by the township legislative body. (5) Requires a township to prepare a capital improvement plan for the ensuing three years if the balance in certain capital improvement funds in the preceding year exceeds 150% of the township's annual budget estimate. Prohibits the township from collecting property taxes for certain capital improvement funds in the ensuing year unless the township has adopted a capital improvement plan. Urges the legislative council to assign to the appropriate interim study committee the task of studying issues related to the funding of township firefighting services. Makes the following changes in the government reorganization statutes in IC 36-1.5 (government modernization statutes): (1) Removes obsolete references to dates for phasing in changes to procedures for reorganizing political subdivisions. (2) Removes provisions requiring political subdivisions to establish a voter threshold for approving a public question for certain reorganizations (county-municipality reorganizations and municipality-township reorganizations). (3) Requires the DLGF to provide guidance to political subdivisions regarding government reorganization, including posting written information on the DLGF Internet web site and providing education and training upon request. (4) Updates the

government modernization statutes to recognize the school corporation operations fund and the elimination of the transportation, school bus replacement, and capital projects funds. (5) Provides that a plan of reorganization must specify any adjustments (instead of decreases) that the DLGF will make to levies, rates, and budgets of the reorganizing political subdivisions. (6) Requires the legislative bodies of political subdivisions that adopt substantially identical resolutions to reorganize to prepare and vote on a plan of reorganization. (7) Provides that if the voters of two or more political subdivisions petition to mutually reorganize, and at least one of the political subdivisions declines to participate, a public question must be conducted on the reorganization if a petition is filed by 5% of the voters of each of the political subdivisions who voted for secretary of state at the most recent general election. (8) Requires that, if a legislative body of a political subdivision does not adopt a final plan of reorganization, 5% (instead of 10%) of voters of the political subdivision who voted for secretary of state at the most recent general election, must sign a petition to have the reorganization plan approved or rejected by voters in a public question. (9) Removes a provision requiring reorganizing political subdivisions to pay the cost of the DLGF's review of a fiscal impact analysis of the reorganization. (10) Removes the requirement that a political subdivision follow the procedure for reorganization in order to enter into a cooperative agreement with another political subdivision, and specifies that the requirements for an interlocal agreement must be followed. (11) Provides that if a cooperative agreement provides for abolishing an elected office, the voters of the political subdivision whose elected office is to be abolished may file a remonstrance petition objecting to the abolition of the elected office with the circuit court clerk of each county in which the political subdivision is located.

Current Status: 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)

State Bill Page: [HB1005](#)

HB1015 UNLAWFUL INDEMNITY AGREEMENTS (TORR J) Provides that the law concerning indemnity agreements in construction or design contracts applies to certain design-build contracts. Specifies that "sole negligence" for purposes of liability under a construction or design contract does not include: (1) vicarious liability; (2) imputed negligence; or (3) assumption of a nondelegable duty. Urges the legislative council to assign to the appropriate study committee the issue of whether a provision in a professional services contract that requires indemnification or defense of a promisee for certain liability is against public policy.

Current Status: 3/8/2018 - added as coauthor Representative Steuerwald

State Bill Page: [HB1015](#)

HB1023 ANNEXATION REMONSTRANCE WAIVERS (BACON R) Permits a municipal works board to waive the requirement in a sewage works contract that a property owner releases the property owner's right to remonstrate against pending or future annexations by the municipality of the area served by the sewage works.

Current Status: 3/8/2018 - SIGNED BY GOVERNOR

State Bill Page: [HB1023](#)

HB1035 SHORT TERM RENTALS (LEHMAN M) Provides the following with regard to short term rentals that are rented through a short term rental platform: (1) Provides that a short term rental of an owner's primary residence is a permitted residential use under any applicable ordinance and may not be disallowed. (2) Provides that, in the case of residential property that is not the person's primary residence, a local unit of government (local unit): (A) may require a special exception, special use, or zoning variance for the short term rental of the property; and (B) may not interpret and enforce zoning regulations for a special exception, special use, or zoning variance in a manner that is intended or has the effect of prohibiting or unreasonably restricting all short term rentals of the property. (3) Allows a local unit to regulate short term rental of residential property only for specified purposes. (4) Allows a local unit to require an owner to obtain one permit for each property of an owner, regardless of the number of dwelling units or detached accessory structures on the property that the owner offers as a short term rental. (5) Allows a local unit to charge an fee of not more than \$150 for an initial permit and for a permit issued after the revocation of a permit, but prohibits a unit from charging a fee for a permit renewal. (6) Allows a local unit to limit or prohibit short term rentals located within a conservancy district. Exempts ordinances adopted before January 1, 2018. Excludes property owners associations from the provisions of the bill.

Current Status: 3/6/2018 - House concurred in Senate amendments; Roll Call 325: yeas 73, nays 19

State Bill Page: [HB1035](#)

HB1050 SMALL CELL WIRELESS STRUCTURES (OBER D) Specifies that the statute concerning permits for wireless facilities and wireless support structures applies to permits issued by a permit authority to a communications service provider. Provides that a resolution, ordinance, or other regulation: (1) adopted by a permit authority after April 14, 2017, and before May 2, 2017; and (2) that designates an area within the jurisdiction of the permit authority as strictly for underground or buried utilities; applies only to communications service providers and those geographic areas that are zoned residential and where all existing utility infrastructure is already buried. Provides that, with respect to the construction, placement, or use of small cell facilities and associated supporting structures, a permit authority may prohibit the placement of a utility pole or a new wireless structure in a right-of-way within an area that is designated

strictly for underground or buried utilities if, among other requirements, the area was zoned for residential use before May 1, 2017.

Current Status: 3/8/2018 - SIGNED BY GOVERNOR

State Bill Page: [HB1050](#)

HB1054 COUNTY HIGHWAY ENGINEER'S SALARY (AYLESWORTH M) Increases the state subsidy for a county highway engineer's annual salary. Requires the county to certify to the auditor of state the amount of the county's contribution to the county highway engineer's annual salary. Provides that a county may not receive such a subsidy unless the county's contribution to the engineer's annual salary is at least equal to the county's contribution to the engineer's annual salary from the preceding year. Makes an appropriation.

Current Status: 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)

State Bill Page: [HB1054](#)

HB1104 TAX MATTERS (LEONARD D) Excludes political subdivisions that do not have the power to impose ad valorem property taxes from the requirement to upload a digital copy of certain contracts on the Indiana transparency Internet web site. Provides that if a political subdivision publishes or submits to the department of local government finance's (DLGF) computer gateway a notice that contains an error or omission that inaccurately reflects the tax rate, tax levy, or budget actually proposed or fixed by the political subdivision by an amount that is less than 0.25%, the notice is a valid notice and the DLGF shall correct the error or omission. Specifies the deadlines for county auditors to submit property tax settlement and distribution information to the DLGF. Repeals the electronic digital signature act. Amends the definition of "owner" (for purposes of the property tax statutes) to delete the provision specifying that an owner of tangible property includes the holder of a tenancy for a term of years. Deletes obsolete language in the statutes exempting certain business personal property with an acquisition cost of less than \$20,000. Specifies that a taxpayer eligible for such an exemption must include on the taxpayer's personal property tax return: (1) information concerning whether the taxpayer's business personal property within the county is in one location or multiple locations; and (2) an address for the location of the property. Provides that if a local service fee is imposed on a taxpayer claiming such an exemption, the county shall include the local service fee on a property tax bill associated with the tax district in which the majority value of the taxpayer's business personal property within the county is located. Provides that a taxpayer may be charged only one local service fee per county. Specifies that if a penalty is imposed on a taxpayer for failing to declare on the taxpayer's tax return that the taxpayer is entitled to the exemption for business personal property with an acquisition cost of less than \$20,000, the county shall include the penalty on a property tax bill associated with the tax district in which the majority value of the taxpayer's business personal property within the county is located. Eliminates (effective retroactive to July 1, 2017) several property tax deduction and credit reapplication requirements that were added by HEA 1450-2017 concerning unmarried taxpayers who married, married taxpayers who divorced, and taxpayers who came to own their property jointly or as tenants in common with another individual. Provides that the appropriate county officer designated by the county executive (rather than the assessor, under current law) is responsible for: (1) maintaining data files of the geographic information system characteristics of each parcel in the county as of each assessment date; and (2) submitting those files to the geographic information office of the office of technology. Provides that if an assessing official determines that the owner of a parcel of property is unable to use the property to the owner's full and complete benefit because: (1) the parcel is completely surrounded by parcels owned by other owners; and (2) the owner does not possess and cannot obtain an easement granting ingress or egress into the property or the owner is otherwise incapable of having sufficient ingress or egress; the assessing official shall apply an influence factor for limited access. Requires that the budget notice that political subdivisions must publish on the DLGF's computer gateway must also include information concerning the percentage change between the current and proposed tax levies of each fund. Provides that a person seeking a property tax exemption for property used for a charitable purpose may file an exemption application up to 30 days following the statutory deadline for the exemption application if the person pays a late filing fee. Requires county auditors to submit data on deductions applicable to the current tax year to the homestead property data base on or before March 15 of each year, in a manner prescribed by the DLGF. Repeals the statute providing for a county board of tax adjustment. Repeals provisions related to the county board of tax adjustment and the local budgeting process. Specifies that a political subdivision shall file the budget adopted by the political subdivision with the DLGF not later than five business days after the budget is adopted. Authorizes the DLGF to adopt rules for procedures related to local government budgeting. Specifies that the adoption, amendment, or repeal of such a rule by the DLGF may not take effect before March 1 or after July 31 of a particular year. Specifies: (1) that rules adopted by the DLGF for the appraisal of real property may not apply to any appraisal contemporaneously being conducted under a county's reassessment plan; and (2) that rules adopted by the DLGF may first apply to the reassessment phase beginning in the following calendar year under a county's reassessment plan. Specifies that for purposes of attributing the amount of a property tax deduction or exemption to the gross assessed value of a property: (1) a deduction or exemption that is specific to an improvement shall be applied only to the assessed value allocation pertaining to that improvement; and (2) to the extent that a deduction or exemption is not specific to an improvement; the deduction or exemption shall be applied in the order that will maximize the benefit of the deduction or exemption to the taxpayer. Allows Green Township in Hancock County to increase its maximum levy for the township's general fund to offset the reduction in the maximum levy that occurred beginning in 2003 that was based

on the township's actual levy (levy banked amount). Provides that the DLGF shall make a one time, temporary increase in the Goshen Public Library's maximum levy for 2019 if the governing body of the library petitions for the increase. Authorizes a county fiscal body to establish a salary schedule that includes greater compensation for the presiding officer or secretary of the county fiscal body or county executive if certain conditions are satisfied. Specifies that the base assessed value for tax increment financing purposes includes the net residential assessed value within the allocation area, as finally determined for the current assessment date. Provides that a redevelopment commission may issue bonds or enter into leases with a term of up to 35 years to finance a project that includes, as part of the project, the use and repurposing of two or more buildings and structures that are: (1) at least 75 years old; and (2) located at a site at which manufacturing previously occurred over a period of at least 75 years. Specifies that in the case of an allocation area for such a project, the expiration date of the allocation provision may not be more than 35 years after the date on which the allocation provision is established. Provides that in case of such a project, a pass through entity may allocate an industrial recovery tax credit among its shareholders, partners, beneficiaries, or members of the pass through entity as provided by written agreement. Provides for an alternative distribution of the certified share part of local income tax revenue in certain counties based on revenue and population of municipalities and townships in the county. Voids an annexation remonstrance waiver (waiver) executed on or before July 1, 2003. Void

Current Status: 3/8/2018 - Advisor Added Senator Delph

State Bill Page: [HB1104](#)

HB1107 PUBLICATION OF LOCAL GOVERNMENT NOTICES (GUTWEIN D) Requires a political subdivision, which includes an agency of a political subdivision, to publish legal notices on a legal notice web site instead of in a newspaper. Establishes requirements regarding availability and accessibility of a legal notice web site. Requires the political subdivision to designate an official responsible for the electronic publication of legal notices. Provides that if a political subdivision does not have an official web site, legal notices shall be published on an official web site of the county government. Establishes requirements for the duration of the posting of a legal notice and proof of posting.

Current Status: 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)

State Bill Page: [HB1107](#)

HB1129 UNIFORM TAX AND ANNEXATION WAIVERS (LEONARD D) Authorizes a municipal legislative body to impose by ordinance a municipal food and beverage tax. Provides that the tax may not exceed 1% of the gross retail income received from retail food and beverage transactions. Provides that the tax does not apply to a transaction that is exempt from the sales tax. Provides that the tax does not apply to a consolidated city, a municipality that has imposed a food and beverage tax under current law, or a municipality that is receiving county food and beverage tax revenue. Provides the following with regard to a waiver of remonstrance of annexation executed before, on, or after June 30, 2018: (1) The waiver is void if the waiver is recorded more than 90 business days after the date the waiver was executed. (2) The waiver expires not later than 15 years after the date the waiver was executed. (3) A void or expired waiver does not invalidate an annexation that was effective on or before July 1, 2018.

Current Status: 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)

State Bill Page: [HB1129](#)

HB1132 GOLF CART, OFF-ROAD VEHICLE, AND RECOVERY VEHICLE REGULATION (DAVISSON S) Provides that local ordinances concerning the operation of golf carts and off-road vehicles may require the operator to have a driver's license or be at least 16 years and 180 days of age and hold an identification card. (Current law requires local ordinances to impose these requirements.) Defines "recovery vehicle" as a truck that is specifically designed for towing a disabled vehicle or a combination of vehicles. Requires a person who is in the business of operating a recovery vehicle to: (1) employ a certified safety officer; and (2) develop safety procedures to promote safe recovery vehicle operations and public safety. Requires the state police department to approve training programs to certify individuals as safety officers to teach safe recovery vehicle operations and public safety.

Current Status: 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)

State Bill Page: [HB1132](#)

HB1139 BUILDING CODES (ELLINGTON J) Prohibits a city, town, or county from adopting an ordinance that includes more stringent or detailed requirements that conflict with the fire prevention and building safety commission's rules. Prohibits a state agency from enforcing rules that conflict with the fire prevention and building safety commission's rules. Prohibits a political subdivision from enforcing ordinances or other regulations that conflict with the fire prevention and building safety commission's rules or have not been approved by the fire prevention and building safety commission. Requires a political subdivision to revise an ordinance or other regulation if the fire prevention and building safety commission sends a notice that the ordinance or other regulation duplicates, conflicts with, or overlaps with the rules of the fire prevention and building safety commission.

Current Status: 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)

State Bill Page: [HB1139](#)

- HB1141 COMMUNITY MENTAL HEALTH CENTER FUNDING (SCHAIBLEY D) Specifies the funding amounts that must be provided by counties to community mental health centers. Provides that a county's maximum funding amount for a year is equal to the maximum funding amount for the previous year multiplied by the percentage change in the county's general fund property tax levy, after subtracting circuit breaker credits (but provides that the maximum funding amount will not be less than the preceding year's maximum funding amount). Phases-in this change in the case of Marion County. Requires the department of local government finance (DLGF) to verify the maximum appropriation calculation as part of the DLGF's certification of the county's budget. Specifies that the funding provided by a county to community mental health centers shall be used solely for: (1) the operations of community mental health centers serving the county; or (2) contributing to the nonfederal share of medical assistance payments to community mental health centers serving the county. Provides that unless otherwise agreed to by the county and the community mental health center, the county payment to the community mental health center shall be paid by the county treasurer to the treasurer of the community mental health center's board of directors at least as frequently as semiannually (in July and in December). Provides that a county's funding for community mental health centers shall be apportioned according to the proportion of: (1) the county's population residing in the primary service area of each center that is certified by the division of mental health and addiction; to (2) the total population of the county. Deletes provisions requiring the county to pay the appropriated amounts to the division of mental health and addiction (the division). Deletes the provisions specifying how the payments to the division must be made. Repeals a provision allowing the appropriation of an additional amount under certain circumstances. Provides that the governing board of a community mental health center must include a member of a county fiscal body or a member of a board of county commissioners, appointed by the board of county commissioners of the county where the community mental health center maintains its corporate mailing address. Requires the annual report by a community mental health center to be made to the division of mental health and addiction (division) and to the fiscal body and the board of county commissioners of each county located in the community mental health center's primary service area. (Under current law the report is made only to the county fiscal body.) Specifies certain information that must be included in the annual reports provided by community mental health centers. Requires the division to specify the format of the annual reports that must be provided by community mental health centers. Requires the division to provide an annual report containing certain information to the county fiscal body and board of county commissioners of each county.
- Current Status:* 3/6/2018 - House concurred in Senate amendments; Roll Call 330: yeas 92, nays 2
State Bill Page: [HB1141](#)
- HB1144 LOCAL REGULATION OF FIREWORKS (SCHAIBLEY D) Changes: (1) the dates on which a county or municipal ordinance may limit the use of fireworks in the county or municipality; and (2) the types of fireworks to which such an ordinance may apply.
- Current Status:* 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)
State Bill Page: [HB1144](#)
- HB1155 SUBDIVISION DRAIN REPAIR PILOT PROGRAM (BURTON W) Creates a pilot program for Indianapolis (excluding Lawrence, Speedway, Beech Grove, and Southport) and Johnson County (not including incorporated areas) regarding subdivision drain repairs. Authorizes the executive of a county or a consolidated city (unit) to enter into a contract with a subdivision homeowners association providing: (1) for the unit to repair subdivision drains located in the subdivision; and (2) for owners of property in the subdivision to pay assessments to fund the repairs; if a majority of the members of the homeowners association approve the contract. Provides that a contract between the unit and the homeowners association must be executed not later than June 30, 2021. Requires notice to or written consent of the owner of the property before an employee of the unit or contractor, or the county surveyor, may enter onto the property to perform repair work. Provides for the creation of a subdivision drain repair fund with a separate account for each participating subdivision into which the assessments paid by the owners of property in the subdivision are deposited. Requires the assessments imposed on a subdivision's homeowners to be set by the executive at an amount not greater than reasonably necessary to meet the cost of repairing the subdivision's drains and that the charge for a homeowner's assessment may appear on the homeowner's semiannual property tax statement. Provides that unpaid assessments may be collected in the manner in which other unpaid special assessments are collected.
- Current Status:* 3/8/2018 - House concurred in Senate amendments; Roll Call 354: yeas 68, nays 0
State Bill Page: [HB1155](#)
- HB1221 ZONING VARIANCE PROCEDURES (EBERHART S) Eliminates a requirement that a board of zoning appeals (board) must provide notice by publication before a hearing on an administrative appeal, exception, use, or variance. Prohibits a board from requiring a party by rule or ordinance to: (1) provide notice by publication; or (2) assume the cost of notice by publication and due notice to interested parties.
- Current Status:* 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)
State Bill Page: [HB1221](#)
- HB1223 ELECTRONIC REPORTING OF VALUABLE METAL PURCHASES (GUTWEIN D) Transfers the authority of the state

police department with respect to valuable metal dealers to the state department of homeland security (DHS). Requires a metals business (an automobile scrapyards, automotive salvage recycler, core buyer, recycling facility, or valuable metal dealer) to electronically submit daily reports to the DHS concerning its valuable metal purchases. Requires the DHS to maintain ownership and control of the computer software system used for the electronic reporting and to retain the information for at least two years. Declares that the information submitted electronically is confidential but requires that the information must be made available to law enforcement agencies. Makes a metals business immune from civil liability arising from the disclosure of information concerning valuable metal purchases if the information is disclosed through a computer system breach and if the breach is caused by a person other than, and without the knowledge or consent of, the metals business. Makes it a Class A misdemeanor for a metals business to knowingly or intentionally fail to comply with record keeping or reporting requirements. Makes it a Class A misdemeanor for a person to recklessly sell or attempt to sell stolen valuable metal to a metals business. Requires the executive director of the DHS to adopt rules concerning the electronic reporting of valuable metal purchases. Precludes a unit of local government from adopting an ordinance to regulate metals businesses regarding the holding of or record keeping or reporting regarding scrap metal, ferrous metal, or nonferrous metal. Includes a statement by which the general assembly covenants not to repeal or amend the law on valuable metal purchases, except for technical corrections or increases in penalties for violations, before July 1, 2028.

Current Status: 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)

State Bill Page: [HB1223](#)

HB1225

WIND POWER DEVICES (SAUNDERS T) Provides that a county official or a relative of a county official who has entered into an agreement for a lease, an easement, or another agreement with a developer (a person that seeks to obtain a right to locate a wind power device on real property or a person that seeks to locate a wind power device on real property in which the person owns an interest) concerning a wind power device shall recuse himself or herself from any matter that involves the ownership, operation, construction, or location of a wind power device in the county. Prohibits a county official or a relative of a county official who is subject to this recusal requirement from participating in a meeting in another county where a proposed wind power device is the subject of discussion. Establishes criteria that a developer must meet to record a lease, an easement, or another agreement for a wind power device. Requires the county recorder to: (1) publish and mail to each owner whose real property is located within two miles of the real property that is the proposed location of a proposed wind power device, notice that includes: (A) a copy of the county's wind energy conversion system ordinance, if applicable; (B) a copy of the developer's registration statement, if any; and (C) the name and contact information of a county official to contact with questions about the proposed wind farm development; and (2) send an invoice to the developer of the county recorder's costs to comply with the notification requirements. Provides that a developer shall reimburse the county recorder for the county recorder's costs to comply with the notification requirements. Requires a developer to file with the circuit court clerk a registration statement that provides: (1) contact information for the developer; (2) contact information for any agent, representative, or employee that is working or will work for the developer; (3) the identity of each county official the developer has contacted or plans to contact; and (4) a list of proceedings held by the county at which the developer has participated or plans to participate. Imposes a penalty on a developer if the developer fails to file a registration statement with the clerk.

Current Status: 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)

State Bill Page: [HB1225](#)

HB1245

OCCUPATIONAL LICENSING (DEVON D) Provides that the state and a local governmental unit (unit) shall explicitly list the crimes that will disqualify an individual from receiving an occupational license. Provides that the use of an individual's conviction of a crime as a disqualifying criminal conviction is limited to a crime that specifically and directly relates to the duties and responsibilities of the occupation for which the individual is applying for or holds a license. Provides that the period of disqualification may not exceed five years unless the individual: (1) was convicted of a crime of violence or an offense relating to a criminal sexual act; or (2) is convicted of a second or subsequent crime during the disqualification period. Provides that an individual having a criminal conviction may at any time petition the board or unit requiring a license for a determination as to whether the individual's criminal conviction will disqualify the individual from receiving that license. Requires the professional licensing agency to consult with the small business ombudsman, OMB, and representatives of local units to develop and submit by November 1, 2018, a report to the legislative council concerning proposed policies and parameters for the licensing of occupations and professions by local units in order to reduce or eliminate redundant licensing by the state and multiple local units. Provides that a unit does not have the power to license, register, or certify a person to practice the person's profession or occupation within the unit if the occupation or profession is subject to licensure, registration, or certification under the Indiana Code. Provides that this prohibition does not apply to: (1) registration for particular projects for the alteration, construction, demolition, or repair of a building or other work on real property required under an ordinance or rule adopted under local government law; or (2) the ability to revoke, suspend, or impose additional conditions on a permit or registration previously given if the person holding the permit or registered has performed substandard work or has otherwise violated any condition of the permit or registration. Makes a technical correction.

Current Status: 3/12/2018 - , (Bill Scheduled for Hearing)

- HB1246 AUTOMATED TRAFFIC CONTROL IN CONSTRUCTION ZONES (MOSELEY C) Authorizes the state police department to establish an automated traffic control system to enforce highway work zone speed limits.
Current Status: 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)
State Bill Page: [HB1246](#)
- HB1252 PETITION AND REMONSTRANCE PROCESS (RICHARDSON K) Provides that the local public question that is used in a referendum to issue debt for a political subdivision's controlled project may not exceed 200 words.
Current Status: 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)
State Bill Page: [HB1252](#)
- HB1254 ANNEXATION OF NONCONTIGUOUS TERRITORY (SMITH M) Allows a municipality that meets certain requirements to annex noncontiguous property and annex a public highway that connects the municipality and the territory.
Current Status: 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)
State Bill Page: [HB1254](#)
- HB1258 PUBLIC MEETINGS AND PUBLIC RECORDS (KARICKHOFF M) Amends the law exempting a county executive or a town legislative body from giving notice of a meeting if the meeting concerns routine administrative functions. Provides that if a public record is in an electronic format, a state or local government agency (excluding the office of the county recorder) shall provide an electronic copy or a paper copy of the public record, at the option of the person making the request for the public record. Prohibits, with certain exceptions, a state or local government agency from charging a fee for providing a public record by electronic mail.
Current Status: 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)
State Bill Page: [HB1258](#)
- HB1262 PUBLIC FUNDS AND TAX REFUND INTERCEPTS (KARICKHOFF M) Provides that certain restrictions requiring deposits of public funds to be made within the territorial limits of a political subdivision apply to funds invested in: (1) transaction accounts; and (2) certificates of deposit in a depository designated by the state board of finance but not by the local board of finance. Provides that an ordinance or resolution authorizing funds to be invested in such certificates of deposit expires not later than one year (rather than two years, under current law) after the ordinance or resolution is adopted. Revises the procedures involved when a political subdivision seeks a set off of a tax refund from the department of state revenue for debts owed to the political subdivision by a debtor. Repeals a provision pertaining to hearings with debtors on disputed debts that are owed to political subdivisions that use the tax refund set off process.
Current Status: 3/6/2018 - House concurred in Senate amendments; Roll Call 335: yeas 90, nays 6
State Bill Page: [HB1262](#)
- HB1263 COUNTY JAIL ISSUES (BROWN T) Authorizes the county council of Jennings County to impose a local income tax special purpose rate for the following purposes: (1) To finance, construct, acquire, improve, renovate, and equip the county jail and related buildings and parking facilities, including costs related to the demolition of existing buildings, the acquisition of land, and any other reasonably related costs. (2) To repay bonds issued or leases entered into for those purposes. (3) To operate and maintain those facilities. Provides that the tax rate may not exceed 0.65%. Provides that the local income tax special rate imposed in Randolph County may be used by the county to finance, construct, acquire, improve, renovate, equip, and operate the county jail, public safety improvements, and other county facilities. (Under current law, the special rate may be used only for the Randolph County courthouse, for financing and renovating the former county hospital, and for a volunteer fire department.) Provides that the Tipton County local income tax special purpose rate for: (1) the construction, acquisition, and equipping of the county jail (and related buildings and parking facilities); and (2) the improvement, renovation, remodeling, repair, and equipping of the courthouse; may also be used to operate and maintain those facilities. Provides that the local income tax special purpose rate imposed in Union County may be used by the county to finance, construct, acquire, improve, renovate, equip, or operate the county jail or other county criminal justice facilities. (Under current law, the special rate may be used only for the Union County courthouse.) Provides that a county may not begin the construction or reconstruction of a county jail or submit final plans and specifications for the construction or reconstruction of a county jail to the department of correction, unless the county executive first: (1) prepares a feasibility study of possible alternatives to the construction or reconstruction of the county jail; and (2) holds a public hearing on the feasibility study. Specifies certain items that must be included in the feasibility study. Provides that the feasibility study and public hearing are not required for the construction or reconstruction of a county jail in the case of a county in which the county executive before July 1, 2018, has voted on or otherwise approved a proposal or contract concerning the construction or reconstruction of the county jail. Specifies that the executive of a county may enter into an interlocal agreement with one or more other local or state entities for the construction, maintenance, or

operation of a regional jail. Provides that in the case of a county, the county executive may not enter into a regional jail agreement unless the regional jail agreement is first approved by both the county fiscal body and the county sheriff. Specifies certain terms that must be included in the regional agreement (in addition to those terms required under all interlocal agreements). Provides that per diem and medical expense reimbursements received by a county for the cost of incarcerating persons convicted of felonies: (1) shall be deposited in the county general fund; and (2) upon appropriation by the county fiscal body, shall be used by the county sheriff only for the purposes of paying the costs of incarcerating persons convicted of felonies. Requires the county auditor to semiannually provide to the county fiscal body and the county sheriff an itemized record of such per diem and medical expense reimbursements received by the county.

Current Status: 3/9/2018 - , (Bill Scheduled for Hearing)

State Bill Page: [HB1263](#)

HB1269 BALLOT SECURITY (DVORAK R) Provides that after June 30, 2018, a county may not purchase new electronic voting systems, except for the purpose of enabling voters with disabilities to vote. Provides that after December 31, 2022, an electronic voting system may not be used in Indiana, except for the purpose of enabling voters with disabilities to vote. Provides for the January 1, 2023, expiration of certain statutes relating to electronic voting systems. Directs the elections interim study committee to prepare legislation to make any amendments to the Indiana Code the committee considers necessary to assist in the implementation of the phase out of electronic voting systems. Requires each county election board to conduct an audit after each general election in five randomly selected precincts in the county in which the election was held to determine whether the number of votes marked on ballots in the precinct matches the number of votes declared for the precinct. Requires the county election board to report the results of the audit for each precinct to the election division not later than January 1 after the election.

Current Status: 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)

State Bill Page: [HB1269](#)

HB1271 PIPING MATERIALS FOR PUBLIC WORKS PROJECTS (MILLER D) Defines "acceptable piping material" as piping material that: (1) meets certain recognized standards; and (2) meets the performance specifications for the public works contract. Provides, for purposes of the law on public works projects of state agencies and political subdivisions, including design-build public works projects, that the specifications or design criteria package must allow bidding in open competition for acquisition of acceptable piping materials for use in the public works project. Provides, however, that a public works project's engineer is not limited in selecting any acceptable piping materials that meet the requirements of the public works project.

Current Status: 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)

State Bill Page: [HB1271](#)

HB1278 ECONOMIC IMPROVEMENT DISTRICTS (EBERHART S) Provides that a petition to establish an economic improvement district (district) may be filed with the clerk (in the case of a municipality) or the county auditor (in the case of the county). Requires a person that intends to file a petition for the establishment of a district to first provide the clerk or county auditor with written notice of the person's intent before initiating the petition process. Provides that a petition for the establishment of a district may be filed with the clerk or county auditor not later than 120 days after the date on which the person filed the notice of intent. Requires the clerk or county auditor to retain the paper copy of a petition for not less than 90 days from the date the petition is filed. Provides that the clerk or county auditor shall publish notice of a hearing on the proposed district, mail a copy of the notice to each owner of real property within the district, and include the hearing date in the notice. Provides that the date of the hearing may not be more than 60 days after the date on which the notice is mailed. Increases the required percentage number of signatures needed on a petition from owners of real property within a proposed district. Specifies that the signature of a person whose property is: (1) owned by this state, or a state agency, or leased to a state agency and is exempt from property taxation; or (2) owned by a political subdivision of this state and is exempt from property taxation; may not be considered in determining whether the required number of signatures needed on a petition are met. Provides that the assessed valuation of property that is: (1) owned by this state, or a state agency, or leased to a state agency and is exempt from property taxation; or (2) owned by a political subdivision of this state and is exempt from property taxation; may not be considered in determining the total assessed valuation in the proposed district. Repeals the provision that allows the proposals contained in the petition to be amended or modified in the ordinance adopted to establish the district. Eliminates the provision that allows the board of a district (board) to increase a special assessment following a hearing on an owner's protest of the special assessment. Requires the board to either confirm or decrease the special assessment in its determination of the owner's protest. Provides that the legislative body of a unit (legislative body) may not pass an amending ordinance to increase the boundaries of a district. Requires the district (or the person that files the petition, if the proposed district is rejected) to, at the request of the unit, reimburse the unit for the reasonable expenses incurred by the unit to comply with the statutory requirements for the district. Provides that the legislative body may choose not to collect all or part of the reasonable expenses.

Current Status: 3/8/2018 - House concurred in Senate amendments; Roll Call 355: yeas 56, nays

HB1284 TAX INCREMENT FINANCING ISSUES (CLERE E) Requires the department of local government finance (DLGF) to annually prepare a report for each taxing unit that includes a calculation of the following: (1) The total property tax levy from the assessed value in the taxing unit and the amount of loss due to the circuit breaker credits. (2) The total property tax proceeds from the assessed value that exceeds the base assessed value in all allocation areas established within the taxing unit. (3) The effect, if any, on the amount of the tax levy or proceeds and the credit for excessive property taxes under IC 6-1.1-20.6 for the taxing unit and for the allocation areas if the allocation and distribution of tax proceeds in the allocation areas were: (A) eliminated; (B) reduced by 10%; (C) reduced by 20%; or (D) reduced by 30%. Requires the DLGF to: (1) post the report on the DLGF web site; and (2) file the report with the governor and the general assembly. Provides that the county council of a county in which a redevelopment authority is located may require redistribution to taxing units of up to 20% of the assessed value that is allocated to allocation areas if, when considering a reduction in the allocation in allocation areas from 10% to 20%, the amount of the reduction in losses due to the circuit breaker credits is exceeded by more than 50%. Provides, however, that the county council may not make a redistribution to taxing units if: (1) the redistribution would affect debt service; or (2) there is no loss that meets the criteria for a distribution that is to a unit other than the municipality in which the allocation area is located, or a special service district that is wholly located within the boundaries of the municipality that established the allocation area. Provides that allocated property tax proceeds may be expended for projects located outside a redevelopment district only if the commission adopts a declaratory resolution that finds that the expenditures: (1) will directly benefit the redevelopment district; and (2) will result in the creation of jobs in the private sector. Requires the legislative body of a unit and the redevelopment commission established by the unit to hold a joint public hearing before December 1 of each year for the purpose of reviewing the commission's proposed expenditures in the upcoming calendar year.

Current Status: 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)

State Bill Page: [HB1284](#)

HB1289 LOCAL REGULATION OF NATURAL RESOURCE DEVELOPMENT (ELLINGTON J) Changes the definition of "urban area" for purposes of a land use statute in the area planning law to include any lands or lots used for residential purposes where there are at least 20 residences (instead of eight residences) within any quarter mile square area. Specifies that the statute does not authorize an ordinance or action of a plan commission or a board of zoning appeals prohibited by the remainder of the bill. Provides that the prohibition applies when exercising jurisdiction within the geographic area of a plan commission or board of zoning appeals, including within a flood plain. Restricts the power of a unit (a county, city, town, or township) to regulate the development of natural resources on private property. Defines "development of natural resources" as the extraction of mineral resources or the sale or removal of merchantable timber. Allows the enforcement of ordinances concerning the use of a road or damage to a road. Provides that if an ordinance or resolution of a unit requires a person to obtain a permit for a road cut or other access to a road located in the unit, the unit shall issue a permit to a person upon receipt of the person's completed application. Prohibits a unit from charging a person who sells or removes merchantable timber from private property a fee or requiring a bond for a road cut or other access to a highway that exceeds a fee or bond that the unit requires for new commercial construction.

Current Status: 3/6/2018 - DEAD BILL; Fails to advance by Senate 3rd reading deadline for House bills (Rule 79(b))

State Bill Page: [HB1289](#)

HB1290 TRANSPORTATION FINANCE (SOLIDAY E) Repeals the motor carrier surcharge tax and increases the special fuel tax by \$0.21 per gallon. Distributes part of the special fuel tax revenue to the motor carrier regulation fund. Specifies how netted International Fuel Tax Agreement Clearinghouse refunds and receipts are deposited or credited. Specifies that the commercial vehicle excise tax rate calculation that must be done on or before October 1 of each year is effective on January 1 of the following year. Excludes the transportation infrastructure improvement fee and the supplemental fees for registering electric and hybrid vehicles from the calculation of the commercial vehicle excise tax. Changes various distribution percentages of revenue distributed from the motor vehicle highway account and highway, road and street fund. Specifies that heating oil is not included in the sales tax exemption for special fuel. Provides that for funds distributed to counties, cities, and towns from the motor vehicle highway account, each county, city, or town must use at least 50% of the money for the construction, reconstruction, and preservation of the unit's highways. (Under current law, at least 50% must be used for construction, reconstruction, and maintenance.) Makes various changes to the accounting system for local roads and streets. Establishes the New Harmony and Wabash River bridge authority (bridge authority). Specifies the composition and terms of bridge authority membership. Describes the purpose and duties of the bridge authority. Authorizes the bridge authority to charge and collect a toll for transit across the White County bridge (bridge). Requires the bridge authority to equip, improve, maintain, operate, reconstruct, rehabilitate, and restore the bridge for use by motor vehicles, pedestrians, and other forms of transportation. Allows the bridge authority to issue bonds and notes for certain purposes. Provides that all registration fees collected under the International Registration Plan (IRP) or through an Indiana based IRP account (rather than only certain specified fees collected under the IRP or an Indiana based IRP account under current law)

are covered by the statute providing for the first \$125,000 of such revenue each state fiscal year to be distributed to the state police building account and any remaining amounts to be distributed to the motor vehicle highway account. Specifies that the transportation infrastructure improvement fee shall be apportioned under the IRP. Specifies conditions under which a vehicle platoon may be operated in Indiana. Defines certain terms. Makes conforming changes.

Current Status: 3/8/2018 - House concurred in Senate amendments; Roll Call 358: yeas 78, nays 0

State Bill Page: [HB1290](#)

- HB1309 SEXUAL HARASSMENT PREVENTION POLICIES (ENGLEMAN K) Requires sexual harassment prevention instruction to be provided annually to members of the general assembly. Requires the personnel subcommittee of the legislative council (subcommittee) to prepare and submit recommended sexual harassment prevention policies governing legislators to the legislative council. Requires the legislative council to approve sexual harassment policies not later than November 20, 2018. Provides that four additional members of the general assembly shall be appointed to serve on the subcommittee for the sole purpose of participating in the preparation of recommended sexual harassment prevention policies. Provides that the terms of the additional members expire on November 21, 2018.
- Current Status:* 3/7/2018 - House concurred in Senate amendments; Roll Call 350: yeas 94, nays 0
- State Bill Page:* [HB1309](#)
- HB1312 ANNEXATION MATTERS (ELLINGTON J) Provides that a waiver of remonstrance of annexation executed before, on, or after June 30, 2018, is void if the waiver is recorded more than 90 business days after the date the waiver was executed. Provides that an area located within certain fire protection districts (including any area added to the fire protection district after the district is established) remains within the fire protection district after the annexation. (Current law provides that the annexed area ceases to be a part of the fire protection district when the municipality begins to provide fire protection services to the area.)
- Current Status:* 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)
- State Bill Page:* [HB1312](#)
- HB1313 PUBLIC WORKS CONTRACTS (MILLER D) Provides that a public agency may not do any of the following: (1) Require a potential bidder on a public works project to provide any information that the potential bidder considers confidential or proprietary as a requirement for the public agency finding the bidder to be a responsive or responsible bidder. (2) By rule, ordinance, or any other action relating to contracts for public works projects for which competitive bids are required impose any requirement that directly or indirectly restricts potential bidders to any predetermined class of bidders defined by experience on similar projects, size of company, union membership, or any other criteria. (3) Take certain actions based on a bidder's, offeror's, or contractor's entering into, refusing to enter into, adhering to, or refusing to adhere to an agreement with a labor organization.
- Current Status:* 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)
- State Bill Page:* [HB1313](#)
- HB1320 DISPOSITION OF TAX SALE SURPLUS (SLAGER H) Amends the definition of "substantial property interest of public record" for purposes of the tax sale statutes to specify that: (1) the term means title to or interest in a tract that is within the tract's chain of record title and either recorded or properly indexed in the county in which the tract is located; and (2) chain of record title includes instruments executed by the owner within the five day period before the date the owner acquires title to the tract. Eliminates the requirement that a person that redeems property sold in a tax sale must pay an amount equal to the amount deposited in the tax surplus fund at the time of the tax sale. Continues current law requiring the redeeming party to 5% interest on that money. Requires that a conveyance recorded after June 30, 2007, must include a statement specifying the mailing address for tax statement purposes and the mailing address of the grantee. Requires that the mailing address of the grantee be a street address or a rural route address.
- Current Status:* 3/8/2018 - House Advisors appointed Smith M, Engleman and Harris
- State Bill Page:* [HB1320](#)
- HB1338 WIND FARM SITING AND CONFLICTS OF INTEREST (JUDY C) Establishes minimum setback requirements for the siting of wind power devices after June 30, 2018. Amends the statute that establishes the criminal offense of conflict of interest by a public servant to provide that a public servant who serves a unit in which a proposed wind farm development is being considered commits an offense under the statute if either of the following apply: (1) The public servant knowingly: (A) has or will have a pecuniary interest in; or (B) derives or will derive a profit from; a contract or purchase related to the proposed wind farm development. (2) The wind farm developer does, or offers to do, certain specified acts related to the proposed wind farm development and involving the public servant's role as a public official. Provides that a public servant does not commit an offense under the statute if the public servant makes a written disclosure that describes the nature of the conflict the public servant has with respect to the proposed wind farm development. Provides that after June 30, 2018, a unit may not authorize, or establish requirements for, the

installation or siting of wind power devices in the unit unless: (1) the voters of the unit have approved the installation or siting of wind power devices in the unit through a local public question; and (2) with respect to the siting of wind power devices in the unit, the unit requires at least the minimum setback requirement standards established in the bill. Provides that a regulation that: (1) is adopted or amended by a unit after June 30, 2018; and (2) authorizes, or establishes requirements for, the installation or siting of wind power devices in the unit; does not take effect unless these conditions are met. Sets forth procedures for conducting a local public question concerning the installation or siting of wind power devices in a unit. Requires a wind farm developer that seeks to install or locate one or more wind power devices in a unit to make certain disclosures regarding conflicts of interest involving elected or unelected officials with respect to the proposed project. Provides that a wind farm developer shall make the required disclosures as necessary throughout all phases of the proposed project and continuing for one year after the date on which all wind power devices included in the project are fully operational. Prescribes the form and manner in which the disclosures must be made. Confers authority upon the attorney general to investigate and adjudicate complaints alleging violations of the disclosure requirements. Provides that upon determining that a wind farm developer has violated the requirements, the attorney general may impose a civil penalty of not more than: (1) \$50,000 for the first violation; and (2) \$100,000 for any subsequent violation.

Current Status: 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)

State Bill Page: [HB1338](#)

HB1339 COMPENSATION OF COUNTY SHERIFF (MAHAN K) Specifies the statutory provisions for fixing the compensation of the county sheriff.

Current Status: 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)

State Bill Page: [HB1339](#)

HB1341 AUTONOMOUS VEHICLES (SOLIDAY E) Provides that a political subdivision may not enact a measure, ordinance, policy, regulation, rule, or other restriction that prohibits the authorized use of: (1) an automated driving system; (2) an automated vehicle; or (3) an on demand automated vehicle network. Provides that a person in possession of a valid driver's license may operate an automated vehicle at a Level 1, 2 or 3 on a public highway. Requires any person or entity who operates an automated vehicle to maintain proof of financial responsibility with the bureau of motor vehicles (bureau). Requires automated vehicles to comply with all applicable federal and state laws pertaining to the type of motor vehicle being operated. Prohibits the use of an automated driving system or an automated vehicle that does not comply with federal and state laws concerning the functions operated by the automated driving system unless the operating entity or individual possesses a permit that has been approved by the automated vehicle oversight taskgroup (taskgroup). Provides that it is a Class C infraction to operate an automated driving system or automated vehicle that does not comply with applicable federal and state laws. Provides that it is a Class C misdemeanor to recklessly, knowingly, or intentionally operate an automated driving system or automated vehicle that does not comply with applicable federal and state laws. Allows a law enforcement officer to impound an automated vehicle in certain instances. Requires all automated vehicles to be registered with the bureau. Specifies required equipment for automated vehicles. Requires a person or entity wishing to test an automated vehicle or platooning automated vehicles to have at least \$5,000,000 worth of financial responsibility per entity prior to commercial deployment. Provides that a person or entity wishing to operate an on demand automated network must maintain proof of coverage as required for a transportation network company. Establishes the taskgroup. Specifies that taskgroup membership consists of: (1) the bureau commissioner or bureau chief of staff; (2) the department of insurance commissioner or department of insurance chief of staff; (3) the INDOT commissioner or INDOT chief of staff; (4) the Indiana State Police (ISP) superintendent, ISP assistant superintendent, or ISP chief of staff; (5) the appropriate county commissioner or county executive in certain instances; and (6) the appropriate mayor or town executive in certain instances. Requires a person or entity making application to the taskgroup to: (1) register the vehicle with the bureau; (2) maintain proof of financial responsibility with the bureau; (3) submit an application to the taskgroup; (4) submit an operational protocol to the taskgroup; and (5) await receipt of written taskgroup approval before operating or platooning automated vehicles on a public highway. Allows the taskgroup to immediately prohibit: (1) the continued operation of a previously approved automated vehicle or platoon; or (2) previously approved testing; if the continued operation, platooning, or testing of an automated vehicle presents a risk to public safety or fails to comply with certain requirements. Provides the taskgroup with emergency rulemaking authority. Provides that use of: (1) an automated driving system; or (2) an automated vehicle; does not exempt a responsible occupant or remote operator from certain obligations following an accident involving an automated vehicle. Provides civil immunity to the original manufacturer of a motor vehicle that is subsequently converted into an automated vehicle in certain instances. Provides civil immunity to a motor vehicle mechanic or motor vehicle repair facility that performs repairs on an automated vehicle in certain instances. Defines certain terms. Makes conforming amendments.

Current Status: 3/12/2018 - , (Bill Scheduled for Hearing)

State Bill Page: [HB1341](#)

HB1353 TAX SALE REDEMPTIONS (ENGLEMAN K) Makes changes to the procedure that applies to real property that has been sold at a tax sale if the owner of the real property conveys the property during the redemption period. Changes

the redemption period that applies to real property for which a county executive acquires a certificate of sale after the real property failed to sell at a tax sale. Provides that if real property sold at a tax sale is redeemed, the interest rate on the following components of the redemption amount is increased from 5% per annum to the statutory rate for judgments on money (8% per annum under current law): (1) The amount by which the sales price exceeds the minimum bid. (2) The amount of the taxes and special assessments paid by the purchaser. Repeals most of the tax sale surplus disclosure statute, retaining only the provision prohibiting a county auditor from endorsing a document of conveyance for property sold during the tax sale redemption period unless the purchaser has redeemed the property.

Current Status: 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)

State Bill Page: [HB1353](#)

HB1355 PUBLIC DEFENSE REIMBURSEMENTS (MAHAN K) Provides that the public defense fund shall be administered by the public defender commission. Provides that a county auditor may request reimbursement of an amount equal to 40% of the county's expenditures for indigent defense services in noncapital cases, including misdemeanor cases. Provides that money from the state general fund may be used to reimburse certified claims made to the public defense fund. Makes an appropriation. Makes a technical correction.

Current Status: 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)

State Bill Page: [HB1355](#)

HB1366 ORDINANCE ENFORCEMENT COURTS (BORDERS B) Permits a city, town, or county (unit) to establish an ordinance violation court to adjudicate ordinance or code violations committed within the unit. Establishes the powers and duties of the court, and provides that the only court fee that may be collected by the ordinance violation court is an ordinance court fee, which may not exceed \$200. Specifies that the ordinance court fee must be deposited in the general fund of the unit.

Current Status: 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)

State Bill Page: [HB1366](#)

HB1418 REGULATION OF MORTGAGE FORECLOSURES (MOED J) Specifies that the statute concerning the state regulation of mortgage foreclosures does not affect or preempt a political subdivision's authority to: (1) regulate the maintenance, upkeep, or repair of real property within the jurisdiction of the political subdivision, including real property subject to a mortgage foreclosure action; or (2) act as authorized under the unsafe building law, or other applicable state law, with respect to real property within the jurisdiction of the political subdivision, including real property subject to a mortgage foreclosure action; in accordance with state law.

Current Status: 2/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.2)

State Bill Page: [HB1418](#)

SB22 INDEMNIFICATION FROM LEGAL MALPRACTICE CLAIMS (BROWN L) Provides that any provision in an agreement between an attorney and a client that purports to prospectively release the attorney from liability for malpractice is against public policy, void, and unenforceable.

Current Status: 2/6/2018 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

State Bill Page: [SB22](#)

SB45 VEHICLE BILL (LONG D) None

Current Status: 2/6/2018 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

State Bill Page: [SB45](#)

SB49 VEHICLE BILL (LONG D) None

Current Status: 2/6/2018 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

State Bill Page: [SB49](#)

SB71 EMPLOYMENT OF EMERGENCY MEDICAL SERVICE PROVIDERS (CRIDER M) Provides that if a governing body of a city, town, township, or county must reduce the number of its members of emergency medical services personnel by layoff for financial reasons, the last member appointed must be the first laid off, with other members laid off in reverse order of being hired. Provides that if the emergency medical services personnel are later increased in number, the members who have been laid off must be reinstated before any new member is appointed. Provides for notification of reinstatement to a member, and directs that a member in receipt of a notice must, within 20 calendar days after the notice is sent, advise the unit of government whether the member accepts reinstatement. Provides that the reinstatement rights of a member terminate upon the member's failure to accept reinstatement within the 20 day

period or five years after the date of the member's layoff.

Current Status: 2/6/2018 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

State Bill Page: [SB71](#)

SB76 VEHICLE BILL (LANANE T) None

Current Status: 2/6/2018 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

State Bill Page: [SB76](#)

SB99 CIVIL FORFEITURE (BRAY R) Requires the prosecuting attorney to file an affidavit of probable cause with a court not later than seven days after property is seized, and provides for the return of the property to the owner if the court does not find probable cause. Establishes a procedure for an owner of real property or of a vehicle (if the owner was not operating the vehicle at the time of the seizure) to obtain provisional custody of the seized property pending a final forfeiture determination. Makes the time limit for filing a forfeiture action: (1) 21 days, if the owner has filed a written demand for return of the property; or (2) 90 days, if the owner has not filed a written demand for return of the property. Provides that an owner whose property is returned is not liable for the costs of storage, transportation, or maintenance. Specifies how the proceeds of a forfeiture action are to be distributed. Requires a prosecuting attorney to report certain information concerning forfeitures to the prosecuting attorneys council. Imposes certain requirements on the use and compensation of outside counsel in forfeiture actions, and prohibits a prosecuting attorney or deputy prosecuting attorney from receiving a contingency fee for a forfeiture action. (The introduced version of this bill was prepared by the interim study committee on courts and the judiciary.)

Current Status: 2/27/2018 - Returned to the Senate without amendments

State Bill Page: [SB99](#)

SB101 PUBLIC RECORDS (DELPH M) Restates the law describing the information that a public agency is required to keep about a public employee or an applicant for public employment. Describes the procedure for release of information that must be disclosed by a public agency relating to the suspension, demotion, or discharge of a public employee or former public employee.

Current Status: 2/6/2018 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

State Bill Page: [SB101](#)

SB103 ENGLISH AS OFFICIAL LANGUAGE (DELPH M) Encourages Indiana residents to promote the use and mastery of the English language by all Indiana residents. Provides that the state's official language, English, must be used for each public record, each public meeting, and each official act of the state of Indiana, including those governmental documents, records, meetings, actions, or policies that are enforceable with the full weight and authority of the state of Indiana.

Current Status: 2/6/2018 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

State Bill Page: [SB103](#)

SB109 SATELLITE VOTING (TAYLOR G) Allows a county election board to adopt a resolution by the majority vote of the board's entire membership in order to establish satellite locations for early voting. (Currently, a resolution to establish satellite voting locations must be adopted unanimously by the board.)

Current Status: 2/6/2018 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

State Bill Page: [SB109](#)

SB122 REGIONAL JAILS (SANDLIN J) Specifies that the executive of a county may enter into an interlocal agreement with one or more other local or state entities for the construction, maintenance, or operation of a regional jail. Provides that in the case of a county, the county executive may not enter into a regional jail agreement unless the regional jail agreement is first approved by both the county fiscal body and the county sheriff. Specifies certain terms that must be included in the regional agreement (in addition to those terms required under all interlocal agreements).

Current Status: 2/6/2018 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

State Bill Page: [SB122](#)

SB125 REGISTRATION OF UNDERGROUND UTILITY EXCAVATION CONTRACTORS (MERRITT J) Provides that a contractor that will perform one or more excavations or demolitions in Indiana under a contract with: (1) a communications

service provider; or (2) a utility; must include in an entity filing filed with the secretary of state a statement that the contractor and its employees will comply with Indiana's 811 statute. Provides that a contractor that is a filing entity under the Uniform Business Organizations Code (Code) shall provide documentation of the contractor's compliance with the registration requirement to a communications service provider or a utility before entering into a contract with the communications service provider or the utility to perform excavations or demolitions in Indiana. Authorizes the utility regulatory commission (IURC) or its pipeline safety division to refer to the attorney general contractors that: (1) violate Indiana's 811 statute; and (2) are foreign entities not registered to do business in Indiana. Authorizes the attorney general to collect penalties of not more than \$10,000 for the registration violation, as provided for in the Code. Provides that at the request of the IURC or its pipeline safety division, and not more than once per year, unless for purposes of an investigation under Indiana's 811 statute, a communications service provider or utility shall provide a list of its contractors operating in Indiana. (The introduced version of this bill was prepared by the interim study committee on energy, utilities, and telecommunications.)

Current Status: 3/6/2018 - Returned to the Senate without amendments

State Bill Page: [SB125](#)

- SB139 INVESTIGATION OF OVERDOSE DEATHS (MERRITT J) Requires the county coroner to do the following if the county coroner reasonably suspects the cause of a person's death to be accidental or intentional overdose of a controlled substance: (1) Obtain any relevant information about the decedent maintained by the INSPECT program. (2) Extract and test certain bodily fluids of the decedent. (3) Report test results to the state department of health (department). (4) Provide the department notice of the decedent's death, including any information related to the controlled substances involved, if any. Authorizes the department to adopt rules. Makes conforming changes. Provides that the coroners training and continuing education fund shall be used for the costs incurred by a county coroner to perform investigations of overdose deaths for the 2018-2019 state fiscal year.
- Current Status:* 3/6/2018 - Senate concurred in House amendments; Roll Call 339: yeas 46, nays 3
- State Bill Page:* [SB139](#)
- SB152 SURVIVOR HEALTH COVERAGE (CRIDER M) Provides that, if the employer of a public safety officer who dies in the line of duty after June 30, 2018, offers health coverage for active employees, the employer shall offer to provide and pay for health coverage under the plan covering active employees for the surviving spouse and each natural child, stepchild, and adopted child of the public safety officer. Provides that health coverage for a surviving child continues: (1) until the child becomes 18 years of age; (2) until the child becomes 23 years of age, under certain circumstances; or (3) during the entire period of the child's physical or mental disability; whichever period is longest.
- Current Status:* 3/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate bills (Rule 148.2)
- State Bill Page:* [SB152](#)
- SB176 SERVICE OFFICER MATTERS (NIEZGODSKI D) Requires notification from the director of the department of veterans' affairs to county and city executives concerning noncompliance with: (1) designation of service officers; and (2) accreditation requirements. Provides that a vacancy may not occur in the office of a designated or employed service officer for more than 60 consecutive days. Requires, after one year of noncompliance, a part of local income taxes to be withheld from cities and counties that fail to enforce: (1) designation and employment requirements; and (2) accreditation and reaccreditation requirements for city and county service officers. Requires county executives to designate county service officers for five year terms. Allows for funding for training and accreditation of service officers to be paid from the military family relief fund.
- Current Status:* 2/6/2018 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))
- State Bill Page:* [SB176](#)
- SB182 COUNTY BUILDING AUTHORITIES (GROOMS R) Authorizes the municipal county seat of a county building authority to withdraw its membership from the building authority. Provides that in the case of a withdrawal, the county fiscal body appoints the trustee formerly appointed by the municipal fiscal body, and the county executive appoints the trustee formerly appointed by the municipal executive. Provides that if the building authority has any bonds or other obligations outstanding, a municipality may not withdraw from the building authority if the withdrawal will impair the ability of the building authority to pay the bonds or other obligations.
- Current Status:* 3/7/2018 - Signed by the Governor
- State Bill Page:* [SB182](#)
- SB197 VARIOUS PROPERTY ISSUES (DORIOT B) Amends the statute concerning the Indiana coordinate system for describing real property to provide that coordinates based on specified coordinate systems and used to define the position of a point on a land boundary may not be presented to be recorded unless the recording document also contains: (1) the method used to relate the coordinates to the National Spatial Reference System; and (2) the name

and zone of the coordinate system. Eliminates other reporting and certification requirements with respect to such recordings. Provides that if any coordinates (not specifically coordinates based on the Indiana coordinate system, as provided in current law) are used to describe a tract of land that is also described by a reference to the United States public land surveys: (1) the description by coordinates shall be construed as supplemental; and (2) in the event of a conflict, the description by reference to the United States public land surveys prevails over the description by coordinates. Provides that the statute does not require a purchaser or mortgagee of real estate to rely on a description, any part of which depends exclusively upon the Indiana coordinate system, unless the same description was previously used in a document conveying title to the real estate. Amends the statute concerning the statute of limitations for actions for the recovery of the possession of real estate to provide that such an action that: (1) involves a line located and established by a professional surveyor; and (2) accrues before the lines are located and established by the surveyor; must be commenced before the expiration of the appeal period set forth in the statute governing county surveyors. Amends the Indiana Code provision concerning the establishment of property lines by means of a legal survey to: (1) eliminate the exception to the required notice when all adjoining landowners consent in writing; and (2) specify that the lines established are binding on all affected landowners. Defines "original survey". Defines "retracement survey". Provides that, other than for descriptions of lots in new subdivisions, any new or modified real property description prepared by a professional surveyor as a product of an original survey or a retracement survey must include a caption that identifies: (1) the name and registration number of the professional surveyor preparing the description; and (2) the plat of survey produced as part of the original survey or retracement survey, including certain specified information. Repeals the section in the statute concerning the Indiana coordinate system that provides that the statute does not require a purchaser or mortgagee of real estate to rely on a description, any part of which depends exclusively upon the Indiana coordinate system. Makes conforming changes.

Current Status: 3/8/2018 - Motion to concur filed

State Bill Page: [SB197](#)

SB211 JAIL COMMISSARY FUND (BROWN L) Requires a sheriff to maintain a record of the jail commissary fund's (fund) activities. Requires the state board of accounts to prescribe commissary forms to record fund activities. Requires a sheriff to provide certain information concerning the fund to the county fiscal body by certain dates.

Current Status: 3/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate bills (Rule 148.2)

State Bill Page: [SB211](#)

SB258 WIRELESS COMMUNICATIONS SUPPORT STRUCTURES (MESSMER M) Provides that, for purposes of the statute concerning the local permitting of support structures for wireless communications services, with respect to the construction, placement, or use of a small cell facility and the associated supporting structure, a permit authority may prohibit the placement of a new utility pole or new wireless support structure in a right-of-way within an area that is designated strictly for underground or buried utilities, if the designation is made before April 15, 2017, and if certain other conditions are met. (Current law provides that the designation concerning underground or buried utilities must be made before May 1, 2017.) Provides that with respect to the construction, placement, or use of a small cell facility and the associated supporting structure in a right-of-way within an area that is: (1) zoned exclusively for residential land use; and (2) designated strictly for underground or buried utilities after April 14, 2017, and before May 1, 2017; a permit authority may not prohibit the placement of a new utility pole or new wireless support structure in a right-of-way within the area. Provides that if a permit authority receives an application for the placement of a new utility pole or a new wireless support structure in a right-of-way within such an area, a group of residents residing within the area and satisfying the statutory standing requirements for filing a complaint with the utility regulatory commission (IURC) may, not later than 30 days after the permit authority's receipt of the application, submit objections to the IURC for an informal determination of whether the placement is in the public interest. Requires the IURC to make its determination not later than 45 days after receipt of the submission. Provides that if the IURC does not make a determination within the prescribed 45 day period, the placement is considered to be in the public interest. Provides that the time for the permit authority to approve or deny the application is tolled until the IURC makes its determination or for 45 days, whichever occurs earlier. Provides that if a permit authority maintains an Internet web site, the permit authority shall post on its Internet web site notice of any applications the permit authority receives after March 27, 2018, for the construction, placement, or use of a small cell facility on one or more new utility poles or new wireless support structures. Provides that a regulation that: (1) is adopted by a permit authority after April 14, 2017, and before May 1, 2017; and (2) designates an area within the jurisdiction of the permit authority as strictly for underground or buried utilities; is void.

Current Status: 2/6/2018 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

State Bill Page: [SB258](#)

SB261 ANNEXATION STUDY TOPICS (BRAY R) Urges the legislative council to assign to an interim study committee the task of studying issues related to municipal annexation.

Current Status: 3/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate

- SB263 SNOW REMOVAL SERVICES CONTRACTS (CRIDER M) Provides that any provision in certain contracts for snow removal services that purports to release: (1) a person that performs snow removal services; or (2) a person that contracts for snow removal services; from liability for negligence, recklessness, or intentional acts is void as against public policy.
Current Status: 2/6/2018 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))
State Bill Page: [SB263](#)
- SB268 ANNEXATION (BUCK J) For an annexation ordinance excluding a voluntary annexation (an annexation petitioned for by more than 50% of landowners) or a supervoluntary annexation (an annexation petitioned for by 100% of landowners) adopted after June 30, 2018, the following applies: (1) If the total gross assessed value of property within the annexation territory that is annexed by all annexation ordinances adopted during the calendar year by the municipality is more than 15% of the total gross assessed value of the annexing municipality, all annexation ordinances adopted by the municipality during the calendar year are void unless the county executive approves the annexation. (2) If the total gross assessed value of property within the annexation territory that is annexed by an ordinance or ordinances adopted on the same date is more than 5% of the total gross assessed value of the annexing municipality, the annexation may be reviewed and approved or denied by the county executive if a member of the county executive requests review of the annexation. Provides that the annexation proceedings are terminated if the county executive votes to deny the annexation. Provides that the annexation is considered approved by the county executive if the county executive does not vote to approve or deny the annexation within 90 days after the annexation ordinance and fiscal plan are filed with the county executive. Requires that a fiscal plan after June 30, 2018, must address any estimated effects the annexation may have on taxing units (in addition to political subdivisions) not included in the annexation. Requires after June 30, 2018, that notice be given of certain annexation proceedings to taxing units and political subdivisions evaluated for purposes of the fiscal plan.
Current Status: 2/1/2018 - BILL DEAD
State Bill Page: [SB268](#)
- SB269 ROAD AND UTILITY REPAIR (KOCH E) Requires the department of transportation (department) to schedule an appeal of a local unit's denial of a petition to close a railroad crossing within 60 days after the denial of the petition. Establishes the New Harmony and Wabash River bridge authority (bridge authority). Specifies the composition and terms of bridge authority membership. Describes the purpose and duties of the bridge authority. Authorizes the bridge authority to charge and collect a toll for transit across the White County bridge (bridge). Requires the bridge authority to equip, improve, maintain, operate, reconstruct, rehabilitate, and restore the bridge for use by motor vehicles, pedestrians, and other forms of transportation. Allows the bridge authority to issue bonds and notes in certain instances and for certain purposes. Defines "department action" as one or more of the following: (1) Detour creation or implementation. (2) Planned bridge repair. (3) Planned road repair. Requires the department to consider the following when determining when to let a contract involving certain construction, maintenance, and repair projects: (1) Impact on local commerce. (2) Impact on local residents. (3) Impact on local tourism. Requires the department to make a good faith effort to use: (1) the least disruptive timing when determining when to let a contract involving certain construction, maintenance, and repair projects; and (2) the least restrictive means when implementing or performing certain construction, maintenance, and repair projects. Requires the department to release a contract let list: (1) every 180 days; and (2) to at least 1 news media entity. Provides that the hearing officer appointed to conduct a hearing concerning a petition to establish a regional water, sewage, or solid waste district is required to provide notice of the hearing to the executive of a city or town that has a municipal sewage works or public sanitation department having extraterritorial jurisdiction within the boundaries of the area to be included in the proposed district. Requires the board of trustees of a regional sewage district, when seeking to add territory to the district, to file a copy of its motion for the addition of territory in the office of: (1) the executive of each governmental entity having territory within the territory proposed to be added to the regional sewage district; and (2) the executive of a city or town that has a municipal sewage works or public sanitation department if the territory proposed to be added to the regional sewage district includes territory within the extraterritorial jurisdiction of the municipal sewage works or public sanitation department. Defines "governmental entity", for purpose of the law concerning regional water, sewage, and solid waste districts, as a municipal corporation or a special taxing district. Defines certain terms.
Current Status: 3/8/2018 - , (Bill Scheduled for Hearing)
State Bill Page: [SB269](#)
- SB270 STATE SETTLEMENT AGREEMENTS (KOCH E) Provides that neither a unit nor a school corporation may settle a claim by agreeing to: (1) adopt, refuse to adopt, or refuse to enforce an ordinance or policy; or (2) the terms of an injunction, restraining order, or consent decree; without providing the attorney general an opportunity to intervene.

Requires the court to certify such a case to the attorney general to provide the attorney general an opportunity to intervene. Provides that the attorney general may present evidence that relates to the state's interest in the outcome of the action, and arguments on the state's interest in the outcome of the action.

Current Status: 3/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate bills (Rule 148.2)

State Bill Page: [SB270](#)

SB276 TAX INCREMENT FINANCING DISTRICTS (BASSLER E) Provides that if a redevelopment commission outside Marion County wishes to establish a tax increment financing (TIF) area after December 31, 2018, a unit (county, city, town, or township) or school corporation that is located wholly or partly within a proposed TIF area may elect whether to participate in the TIF area. Provides that after December 31, 2018, each taxing unit that is located wholly or partly in a TIF area is bound by the terms of the TIF area until the TIF area expires, except for those units and school corporations that do not elect to participate in the TIF area.

Current Status: 2/6/2018 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

State Bill Page: [SB276](#)

SB296 ORDER TO REPAIR TAX SALE PROPERTY (RAATZ J) Provides that an order for necessary repairs originally issued by an enforcement authority under the unsafe building law to the owner of a vacant or abandoned property that is later sold at a tax sale may subsequently be enforced against the successful bidder at the tax sale. Organizes several tax sale definitions.

Current Status: 3/6/2018 - Returned to the Senate without amendments

State Bill Page: [SB296](#)

SB356 BROADBAND GRANTS FOR UNSERVED AREAS (HOUCHIN E) Authorizes the office of community and rural affairs (office) to award grants to qualified broadband providers in connection with qualified broadband projects involving the deployment of infrastructure to provide qualified broadband service in unserved areas in Indiana. Defines "qualified broadband service" as a connection to the Internet at an average speed of at least ten 10 megabits per second downstream and at least one megabit per second upstream, regardless of the technology used. Defines an "unserved area" as a geographic area in Indiana in which there is not at least one provider of terrestrial broadband service at the designated speeds. Provides that grants shall be made from the rural economic development fund. Provides that in awarding grants, the office shall give priority to qualified broadband projects proposed for unserved areas in which at least 85% of the total population is without access to qualified broadband service: (1) as of the date of the grant application; and (2) as determined by the Federal Communications Commission in its annual Broadband Progress Report. Requires the office to: (1) publish on its Internet web site all grant applications received; and (2) for each application received, establish a period of at least thirty 30 days from the date of publication, during which time the office will accept comments or objections concerning the application. Sets forth factors that the office must consider in determining whether to award a grant. Sets forth conditions that apply to the awarding of grants. Requires the office to adopt guidelines to implement these provisions and authorizes the office to collaborate with state agencies and political subdivisions in adopting the guidelines and administering grants. Requires the office to annually submit to the general assembly a report that includes specified information on grants awarded and progress made in the deployment of broadband infrastructure in unserved areas. Requires the state board of accounts to conduct, every three years, an audit on the awarding of grants. Prohibits the office from disclosing information designated as confidential or proprietary business information by a grant applicant or recipient.

Current Status: 3/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate bills (Rule 148.2)

State Bill Page: [SB356](#)

SB372 NOTARIAL ACTS (HOLDMAN T) Makes technical changes to standardize language concerning registration of trademarks and regulation related to notarial acts. Specifies requirements related to notarial acts, including use of electronic documentation and technology for electronic notarial acts. Requires the secretary of state to adopt rules related to electronic notarial acts and remote notarial acts. Specifies requirements for remote notarial acts, including: (1) registration of a remote notary public; (2) certification of and record keeping related to remote notarial acts; (3) use of audio visual communication and recording; (4) verification of credentials; and (5) maintenance of records. Makes conforming amendments.

Current Status: 2/28/2018 - Returned to the Senate without amendments

State Bill Page: [SB372](#)

SB382 PREEMPTION OF LOCAL BANS ON SHORT TERM RENTALS (MESSMER M) Provides that a local unit of government (local unit) shall not adopt any ordinance that restricts or prohibits the use of a person's primary residence as a short term rental, except for the following purposes: (1) The protection of the public's health and safety. (2) Residential

use and zoning related to noise, protection of welfare, property maintenance, and nuisance issues. Provides that, in the case of residential property that is not the person's primary residence, a local unit may require a special exception, special use, or zoning variance for the short term rental of the property. Provides, however, that the local unit may not interpret and enforce the local unit's zoning regulations for a special exception, special use, or zoning variance in a manner that is intended or has the effect of prohibiting or unreasonably restricting all short term rentals of the property. Exempts ordinances adopted before January 1, 1970, that are contrary to the provisions of the bill. Excludes homeowners associations and similar property owners associations from the provisions of the bill.

Current Status: 2/6/2018 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

State Bill Page: [SB382](#)

SB385

LOCAL GOVERNMENT BUDGET NOTICES (GLICK S) Reinstates certain expired and repealed statutes concerning local government budget notices. Reinstates the requirement that a political subdivision must give notice by publication to taxpayers of the estimated budget, the estimated maximum permissible levy, the current and proposed tax levies of each fund, the amount by which the political subdivision's property taxes may be reduced by circuit breaker credits, the amounts of excessive levy appeals to be requested, and the time and place of the public hearing on the budget. (Under current law, the political subdivision is required to submit this information to the department of local government finance's (DLGF's) gateway.) Provides that a political subdivision must include in each notice the Internet address of the DLGF's gateway at which the budget information is also available. Reinstates an expired statute providing that if the budget notice is not timely published due to the fault of a newspaper, the notice is a valid notice if it is published one time at least three days before the budget hearing. Reinstates an expired provision allowing the DLGF to correct certain errors or omissions that cause the budget notice to inaccurately reflect the tax rate, tax levy, or budget of a political subdivision.

Current Status: 2/6/2018 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

State Bill Page: [SB385](#)

SB386

FINANCING OF FLOOD CONTROL IMPROVEMENTS (RUCKELSHAUS J) Authorizes the Indianapolis metropolitan development commission (commission), following a written recommendation from the board of public works and approval of the legislative body, to adopt an ordinance designating an area as a flood control improvement district (district) to capture incremental property tax revenue within the district to be used for the construction, replacement, repair, maintenance, or improvement of flood control works. Provides that only special flood hazard property may be included within the boundaries of a district. Defines "special flood hazard property" as property that on January 1, 2018, is situated in a special flood hazard area as designated by the Federal Emergency Management Agency. Provides that a district may not include any property that is already included in a tax increment financing allocation area. Provides that, before making a recommendation to the commission to establish a district, a board of public works must: (1) establish the boundaries for the district; (2) identify the owners of each parcel of property in the district; (3) create a proposed plan for flood control works within the district; and (4) hold a public hearing on the proposed district. Provides that the fiscal officer of the county shall establish a flood control improvement fund (fund) for each district that is established within the county. Provides that the commission shall administer the fund. Provides that the incremental property tax revenue from a district shall be deposited in the fund and used only for providing flood control works within the boundaries of that district. Provides that the commission may issue bonds payable from the fund for the purpose of construction, replacement, repair, maintenance, or improvement of flood control works. Specifies the types of costs for flood control works that may be funded from a bond issue including reimbursement to the county for expenditures made from the county's storm water fund for flood control works prior to the bond issuance. Provides that, in lieu of issuing bonds, the fiscal body of the county may adopt an ordinance to authorize money in a fund of a district to be applied to reimburse debt service payments made on bonds for which revenue from the county's storm water fund is pledged, if the bonds for which the reimbursements are made were issued solely for the purpose of construction, replacement, repair, maintenance, or improvement of flood control works that are located within the district for which the fund was established. Allows the county to adopt an ordinance to continue distribution and allocation of property taxes after bond maturity, solely for the purpose of maintenance and repair of flood control works within the district for not more than 50 years. Requires a commission to make an annual report to the fiscal body of the county and submit a copy of the report to the department of local government finance.

Current Status: 3/1/2018 - Third reading passed; Roll Call 290: yeas 97, nays 0

State Bill Page: [SB386](#)

SB392

LOCAL GOVERNMENT MATTERS (NIEMEYER R) Establishes a process to: (1) divide and transfer land that is owned by a county, city, or town; and (2) assess the value of land that a county, city, or town owns that the county, city, or town has divided and transferred to an adjacent property owner. Provides that, in a tax sale, a county executive may include any costs directly attributable to the county in the price for the sale of a certificate of sale. Amends the law exempting a county executive or a town legislative body from giving notice of a meeting if the meeting concerns routine administrative functions. Provides that if a public record is in an electronic format, a state or local government

agency (excluding the office of the county recorder) shall provide an electronic copy or a paper copy of the public record, at the option of the person making the request for the public record. Prohibits, with certain exceptions, a state or local government agency from charging a fee for providing a public record by electronic mail. Provides that in the case of a county that sells a county hospital before July 1, 2018, the county council and the county executive may, by adopting substantially similar ordinances, establish a charitable nonprofit foundation (foundation) to hold some or all of the proceeds of the sale of the county hospital in trust for the benefit of the county. Provides the details for the operation of the foundation and use of the trust funds. Provides that another unit in the same county may enter into an interlocal agreement with the county council, the county executive, and the board to invest funds obtained by the unit from the sale of a capital asset into the foundation. Establishes requirements for the contents of the interlocal agreement. Provides that the department of local government finance (DLGF) may not reduce the actual or maximum permissible property tax levy of a unit that enters into an interlocal agreement on account of money transferred into or expended from the foundation. Permits the county to: (1) use money from the principal amount of the donation as a pledge of money to bonds, leases, or other obligations; and (2) pay bonds issued by the county. Specifies that the DLGF may not reduce a county's maximum or actual permissible property tax levy on account of money deposited into or expended from a foundation. Makes conforming changes.

Current Status: 3/7/2018 - Senate Conferees appointed Niemeyer and Breaux

State Bill Page: [SB392](#)

SB397

COMMUNITY MENTAL HEALTH CENTERS (BOOTS P) Specifies the funding amounts that must be provided by counties to community mental health centers. Provides that a county's maximum funding amount for a year is equal to the maximum funding amount for the previous year multiplied by the percentage change in the county's general fund property tax levy, after subtracting circuit breaker credits (but provides that the maximum funding amount will not be less than the preceding year's maximum funding amount). Phases-in this change in the case of Marion County. Requires the department of local government finance (DLGF) to verify the maximum appropriation calculation as part of the DLGF's certification of the county's budget. Specifies that the funding provided by a county to community mental health centers shall be used solely for: (1) the operations of community mental health centers serving the county; or (2) contributing to the nonfederal share of medical assistance payments to community mental health centers serving the county. Provides that unless otherwise agreed to by the county and the community mental health center, the county payment to the community mental health center shall be paid by the county treasurer to the treasurer of the community mental health center's board of directors at least as frequently as semiannually (in July and in December). Provides that a county's funding for community mental health centers shall be apportioned according to the proportion of: (1) the county's population residing in the primary service area of each center that is certified by the division of mental health and addiction; to (2) the total population of the county. Deletes provisions requiring the county to pay the appropriated amounts to the division of mental health and addiction (the division). Deletes the provisions specifying how the payments to the division must be made. Repeals a provision allowing the appropriation of an additional amount under certain circumstances. Provides that the governing board of a community mental health center must include a member of a county fiscal body or a member of a board of county commissioners, appointed by the board of county commissioners of the county where the community mental health center maintains its corporate mailing address. Requires a community mental health center to provide an annual report to the division and to the fiscal body and board of county commissioners of each county located in the community mental health center's primary service area. Specifies certain information that must be included in the annual report. Requires the division to review each annual report submitted by a community mental health center to determine whether the annual report is in the format required by the division and includes all information required by the division. Requires the division to provide an annual report containing certain information to the county fiscal body and board of county commissioners of each county.

Current Status: 3/5/2018 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate bills (Rule 148.2)

State Bill Page: [SB397](#)

SB409

REGULATED DRAINS AND ENVIRONMENTAL CONCERNS (CHARBONNEAU E) Authorizes a county surveyor to classify a regulated drain as a drain in need of reconstruction if: (1) the functionality of the drain is compromised; and (2) the drain could, at a reasonable cost, be reconstructed to perform the function for which it was designed while also better serving the interests of public health or significantly reducing undesirable environmental effects, or while also providing flood reduction benefits. Authorizes a county surveyor to classify a regulated drain as a drain in need of periodic maintenance if the drain can be made: (1) to perform the function for which it was designed and constructed; (2) to properly drain affected land; and (3) to better serve the interest of public health, produce fewer undesirable environmental effects, or provide flood reduction benefits; through periodically cleaning, spraying, removing obstructions from, and making minor repairs, additions, or alterations to the regulated drain. Provides that the maintenance fund established for a regulated drain or combination of regulated drains may be used to: (1) better serve the interests of public health; (2) reduce undesirable environmental effects; (3) provide flood reduction benefits; (4) improve drainage control; or (5) provide drainage water storage infrastructure or technology associated with water that flows in or into a particular regulated drain or combination of regulated drains. Authorizes a county surveyor, when determining the best method of reconstructing a regulated drain or the best method of drainage for

the area to which a petition to establish a new regulated drain relates, to consider cost effective drainage designs that limit undesirable environmental effects, improve public health, or provide flood reduction benefits.

Current Status: 2/6/2018 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

State Bill Page: [SB409](#)

SB419 PROFESSIONAL AND OCCUPATIONAL LICENSES (DORIOT B) Provides that a unit does not have the power to license, register, or certify a person to practice the person's profession or occupation within the unit if the occupation or profession is subject to licensure, registration, or certification under the Indiana Code. Provides that this prohibition does not apply to: (1) registration for particular projects for the alteration, construction, demolition, or repair of a building or other work on real property required under an ordinance or rule adopted under local government law; (2) the ability to revoke, suspend, or impose additional conditions on a permit or registration previously given if the person holding the permit or registered has performed substandard work or has otherwise violated any condition of the permit or registration; or (3) when the unit determines the establishment and enforcement of health and safety standards for the occupation or profession is appropriate and necessary to protect the public. Provides that an agency or political subdivision may require verification of an applicant's eligibility for state or local or federal public benefits provided by the agency or the political subdivision, by requiring the applicant to verify under penalty of perjury that the person is otherwise authorized by the federal government to reside and work in the United States.

Current Status: 3/8/2018 - Concurrences Eligible for Action

State Bill Page: [SB419](#)

SB422 LAND BANKS (BECKER V) Revises the land bank statute. Provides that in a county that has established a county land bank the county treasurer shall establish a county land bank fund for the purpose of accumulating money for distribution to the county land bank. Provides that a county fiscal body may adopt an ordinance to allocate to the county land bank an amount or percentage of the county's share of any penalties and interest on delinquent tax payments that is distributed to the county from the semiannual distribution made by the county auditor. Increases the fee charged for filing a sales disclosure form. Provides that in a county that has established a county land bank, part of the revenue received from fees charged for filing a sales disclosure form and any associated penalties shall be deposited in the county land bank fund. Reinstates the mortgage foreclosure counseling and education fee (expired July 1, 2017) to be collected as a civil cost in all mortgage foreclosure actions. Enacts a blight fee to be collected as a civil cost in all mortgage foreclosure actions. Enacts a supplemental tax deed petition fee to be collected as a civil cost in all petitions for issuance of a tax deed. Provides that redevelopment commissions and land banks are not required to pay recording fees or other fees charged by county recorders. Shortens the time limit for claiming a refund of excess property taxes paid by a taxpayer from three years to two years. Provides that unclaimed property tax refunds shall be deposited into the county land bank fund in a county that has established a land bank and a county land bank fund. Increases the penalties for delinquent property taxes in those counties that have established a county land bank. Emphasizes that the statute requiring execution of a residential real estate sales disclosure form does not apply to transfers of residential real property to or from a redevelopment commission or a land bank. Provides that the usual procedures for disposal of real property by a political subdivision do not apply to the disposal of property by a land bank. Provides that an enforcement authority may, upon determination that a vacant structure or an abandoned structure exists, inform the executive of the county, city, or town with which the enforcement authority is associated that the property is a candidate for inclusion on the executive's list of vacant or abandoned properties that are eligible for tax sale. Revises the statute concerning the determination by a court or hearing authority that real property is abandoned.

Current Status: 2/6/2018 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

State Bill Page: [SB422](#)

SB424 PROHIBITION ON REQUIRING SPRINKLER SYSTEMS (MESSMER M) Prohibits the fire prevention and building safety commission or a state agency from adopting rules requiring the installation of an automatic fire sprinkler system. Prohibits a political subdivision from adopting an ordinance or other regulation requiring the installation of an automatic fire sprinkler system.

Current Status: 2/6/2018 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

State Bill Page: [SB424](#)

SB435 BUILDING CODES (FORD J) Requires the fire prevention and building safety commission (commission) to adopt a statewide residential code to be known as the Indiana Residential Code. Requires the commission to provide access to the statewide residential code on the commission's Internet web site. Prohibits a state agency or political subdivision from enforcing standards that exceed those established in the statewide residential code. Requires the commission to establish a review committee to make recommendations for amendments to the statewide residential code and provide a report on any fiscal impact of the recommended amendments. Provides that rules adopted by the

commission are the only rules binding upon a state agency or political subdivision adopting the rules of the commission. Provides that rules adopted by the commission take precedence over any rules adopted by a state agency or any ordinance or other regulation that pertains to the fire prevention and building safety rules. Provides that a state agency and political subdivision shall only enforce the fire prevention and building safety rules. Requires a political subdivision to revise an ordinance or other regulation if the commission sends a notice that the ordinance or other regulation duplicates, conflicts, or overlaps with the rules of the commission.

Current Status: 2/6/2018 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

State Bill Page: [SB435](#)