

- 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](#)
- 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](#)
- 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](#)
- 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](#)
- 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](#)

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

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