

- 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](#)
- HB1006 BROADENING CRIMINAL JUSTICE TREATMENT OPTIONS (STEUERWALD G) Makes various changes to the criminal justice institute's annual report on the impact of criminal code reform on local units of government, the department of correction, and the office of judicial administration. Requires the report to be prepared in conjunction with the justice reinvestment advisory council (council). Adds probation departments, pretrial diversion programs, and jail treatment programs to programs that are eligible to apply for a state grant for community corrections. Replaces the Indiana judicial center with the office of judicial administration for purposes of: (1) submitting the community supervision collaboration plan; (2) approval of the commissioner of the department of correction providing additional financial aid to counties with a community supervision collaboration plan; and (3) duties with the council. Allows the division of mental health and addiction (division) to establish a pilot program, subject to available funding and on the recommendation of the council, to provide mental health and addiction forensic treatment services to individuals who are charged with a misdemeanor and meet certain eligibility criteria. Provides that if the pilot program is established, the division shall issue annual reports. Removes an expired provision.
- Current Status:* 3/6/2018 - House concurred in Senate amendments; Roll Call 323: yeas 90, nays 0
State Bill Page: [HB1006](#)
- HB1007 EXPANDING MENTAL HEALTH ACCESS (KIRCHHOFFER C) Requires the office of Medicaid policy and planning to implement a centralized credentials verification organization and credentialing process. Allows the division of mental health and addiction to grant approval for nine additional opioid treatment programs that: (1) are operated by a hospital; and (2) meet other specified requirements; if the division determines that there is a need for the program in the proposed location. Provides that mental health and addiction forensic treatment services may be administered or coordinated only by a provider certified by the division of mental health and addiction or licensed by the Indiana professional licensing agency to provide mental health and addiction treatment. (Under current law, a provider may provide services only if the provider is certified or licensed by the division of mental health and addiction.) Repeals current temporary permits for certain occupations and establishes new temporary permits for certain individuals who are pursuing required clinical supervisory hours needed for licensure. Allows clinical social work experience hours obtained under a temporary permit to be counted to supervise work experience requirements if certain conditions are met. Provides that the temporary permits are not renewable. Requires certain policies of accident and sickness insurance to provide coverage for substance abuse or chemical dependency treatment provided by: (1) an addiction counselor; and (2) a marriage and family therapist. Requires: (1) an accident and sickness insurer; and (2) a health

maintenance organization; to provide provisional credentialing to a provider for which a credentialing determination is not completed in at least 30 days if certain requirements are met. Urges the legislative council to assign to an appropriate interim study committee the task of studying the impact that opioid treatment programs have on the neighborhoods and communities in the immediate area of the opioid treatment programs.

Current Status: 3/8/2018 - House dissented from Senate Amendments

State Bill Page: [HB1007](#)

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](#)

HB1027 RIVERBOAT ADMISSIONS AND SUPPLEMENTAL WAGERING TAX DISTRIBUTIONS (FRYE R) Provides that the Dearborn County council may vote to direct the county auditor to distribute 25% of the admissions and supplemental wagering taxes that are distributed to Dearborn County to cities and towns in the county where a riverboat is not located. Provides for the taxes to be distributed using a ratio. Sets forth how a city or town in Dearborn County may use the admissions and supplemental wagering taxes that are distributed.

Current Status: 3/7/2018 - House concurred in Senate amendments; Roll Call 342: yeas 90, nays 0

State Bill Page: [HB1027](#)

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](#)

- HB1056 INNKEEPERS' TAXES AND FOOD AND BEVERAGE TAXES (OBER D) Provides that a member appointed to a convention and tourism commission under the uniform innkeeper's tax statute who is required to be: (1) engaged in a convention, visitor, or tourism business; or (2) involved in or promoting conventions, visitors, or tourism; need not be a resident of the county if the member is an owner or an executive level employee of a convention, visitor, or tourism business that is located within the county. Provides that such a member must be a resident of Indiana. Repeals the requirement in the uniform innkeeper's tax statute that no more than a simple majority of the members of a convention and tourism commission may be affiliated with the same political party. Requires the department of state revenue (department) to provide each commission with summary data of the amount of the innkeeper's tax collections to the county. Provides that, in the case of a county that has adopted an ordinance requiring the payment of the innkeeper's tax to the county treasurer instead of the department: (1) the county treasurer is required to annually report to the department the amount of innkeeper's tax collected in the county in the preceding calendar year; and (2) the department is required to provide summary data of the total amount of the county's innkeeper's tax collected in the preceding calendar year to the commission established for that county. Authorizes Vigo County to adopt a county food and beverage tax (tax). Provides that the tax rate may not exceed 1%. Specifies that the revenue from the tax shall be distributed to the capital improvement board and may be used by the board only for the acquisition, construction, improvement, maintenance, or financing of the following: (1) A convention center. (2) A facility that is used or will be used principally for convention or tourism related events or the arts. (3) Wayfinding improvements. Requires the construction or improvements to be made after June 30, 2018. (4) To pay the principal and interest on bonds issued to finance one of these purposes. Specifies that the tax expires December 31, 2043. Makes conforming changes.
- Current Status:* 3/12/2018 - , (Bill Scheduled for Hearing)
State Bill Page: [HB1056](#)
- HB1057 PRETRIAL DIVERSION (STEUERWALD G) Provides that the initial user fee amount for a diversion agreement involving a misdemeanor is \$50. Provides that the initial user fee amount for a diversion agreement involving a felony is \$75. Allows a court to impose on a person an additional program fee or cost that is reasonably related to the person's rehabilitation. Prohibits a monthly user fee from being collected beyond the maximum length of a possible sentence. Makes conforming amendments.
- Current Status:* 3/8/2018 - SIGNED BY GOVERNOR
State Bill Page: [HB1057](#)
- HB1065 BROADBAND GRANTS AND HIGH SPEED INTERNET SERVICE (OBER D) 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 first extending the deployment of qualified broadband service to areas in which: (A) Internet connections are unavailable; or (B) the only available Internet connections provide for an average speed of less than 10 megabits per second downstream. 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. For purposes of the statute concerning the high speed Internet service deployment and adoption initiative (initiative), changes the minimum speed thresholds for high speed Internet service to at least 10 megabits per second downstream and at least one megabit per second upstream. (Current law sets the minimum speed threshold at 384 kilobits per second in at least one direction.) Amends the Indiana Code section that requires the economic development corporation (IEDC) to map the availability of broadband service in Indiana as part of the initiative to require the IEDC to publish the map created as a data layer to the statewide geographic information system (GIS) base map. Authorizes the office of technology, in addition to the IEDC, to apply for state broadband and development grants under specified federal laws and any other sources for state or federal grants. Reorders the priorities that the IEDC is required to establish in developing and implementing the initiative. Changes the minimum and maximum speed thresholds for those geographic areas which are designated as priorities under the initiative. Amends the Indiana Code section that allows a holder of video service franchises issued by the utility regulatory commission (IURC) to apply to the IURC for direct marketing authority in a service area served by the holder to specify that such authority includes the authority to market directly to all businesses, as well as all households (as set forth in current law), in the service area. Prohibits the department of transportation (INDOT) from charging an access rate for communications infrastructure that is located before March 14, 2018, in any rights-of-way that are owned or controlled by INDOT. Directs the IURC to study certain topics regarding broadband services in Indiana and issue a report to the interim study committee on energy, utilities, and telecommunications before October 1, 2018.
- Current Status:* 3/7/2018 - Senate Advisors appointed Koch, Randolph Lonnie M, Messmer, Merritt and Buchanan

HB1070 AIRPORT BOARDS (MAYFIELD P) Provides that on July 1, 2018, the advisory member of the board of the Indianapolis Airport Authority representing Morgan County becomes a full voting member of the board. Increases from five members to six members the number of appointments made by the mayor of Indianapolis to the board of the Indianapolis airport authority. Makes conforming changes. Makes the following changes with regard to the rotary fund of a board aviation commissioners (board): (1) Allows the rotary fund to be used for expenses incurred in operating a public fueling station (instead of only for fuel and oil purchases). (2) Allows the board to transfer funds throughout the fiscal year instead of only at the end of the fiscal year. (3) Specifies that an initial appropriation is made to fund the rotary fund and that additional appropriations to the fund are discretionary. (4) Requires the board to transfer any profits in the rotary fund at the end of the fiscal year to the aviation fund or a reserve or depreciation account for capital improvements and replacements, if the rotary fund balance (not including amounts transferred to the aviation fund or reserve or depreciation account during the fiscal year) exceeds 25% of the previous year's expenditure from the rotary fund. (Current law requires the board to transfer excess funds from the rotary fund to the aviation fund if the rotary fund balance exceeds 25% of the previous year's appropriation to the rotary fund.)
Current Status: 3/6/2018 - House concurred in Senate amendments; Roll Call 327: yeas 88, nays 4
State Bill Page: [HB1070](#)

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](#)

HB1115 LANDOWNER IMMUNITY FOR TRAIL ACCESS (HAMILTON C) Specifies that with respect to the statute that restricts a landowner's liability for an injury to a person or property caused by an act or failure to act of another person using the landowner's premises for certain recreational purposes, those purposes include another person going on or through the premises for the purpose of accessing a trail, a greenway, a park, or another similar area used for recreational purposes. Makes a technical change to include in the statute that lists Indiana Code provisions that: (1) are outside the Indiana Code title concerning civil law and procedure; and (2) confer immunity; the statute that provides immunity to owners of land used by persons for hunting, fishing, or trapping.

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

State Bill Page: [HB1115](#)

HB1140 INTERLOCAL AGREEMENTS (MILLER D) Allows a county to enter into an interlocal agreement with a municipality to use: (1) a municipal ordinance violations bureau; or (2) a city or town court; to dispose of county ordinance violations.

Current Status: 3/6/2018 - House concurred in Senate amendments; Roll Call 329: yeas 92, nays 0

State Bill Page: [HB1140](#)

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](#)

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](#)

HB1233

ENVIRONMENTAL MANAGEMENT MATTERS (WOLKINS D) Provides that the term "onsite sewage system" applies to systems that treat sewage from municipalities or publicly owned treatment works. Strikes an incorrect statutory reference in the section defining that term. Amends the air pollution control law to add a reference to the law establishing the procedure for environmental rule making. Authorizes the use of certain regulated combustion facilities to dispose of drugs confiscated or collected as evidence by law enforcement agencies. Provides for the renewal of the certificate of a wastewater treatment plant operator, water treatment plant operator, or water distribution system operator after three years (instead of two years). Authorizes the environmental rules board to establish: (1) continuing education requirements; and (2) dates by which fees must be paid and proof of compliance with continuing education requirements must be submitted; as a condition of certificate renewal for wastewater treatment plant operators, water treatment plant operators, and water distribution system operators. Repeals a section providing that a countywide regional water, sewage, or solid waste district established in response to an agreed order must have one appointed trustee who resides in the area that was the subject of the investigation resulting in the agreed order and one appointed trustee who is an elected official representing a political subdivision that has territory in the district. Provides that an employee of a solid waste management district (SWMD) who is also a member of the county executive, legislative body, or fiscal body, after the SWMD is dissolved: (1) may continue to hold the employee's elected office; (2) is neither required to resign nor considered to have resigned as a county employee; and (3) may not cast a vote on any matter concerning solid waste management as a member of the county executive, legislative body, or fiscal body. Provides that, with certain exceptions and conditions, the board of a regional district must have at least: (1) two members who are ratepayers of the district if the board has seven members; or (2) three members who are ratepayers of the district if the board has nine, 11, or 13 members. Provides that after December 31, 2018, the executive of a municipality may not appoint an employee of the municipality as a member of the board of trustees of a regional sewage district, and the fiscal body or executive of a county may not appoint an employee of the county as a member of the board of trustees of a regional sewage district. Makes it a Class B misdemeanor: (1) to make a false material statement or representation in a form, notice, or report required under an air pollution control permit or water pollution control permit; (2) to tamper with or falsify data from an air or water pollution monitoring device; or (3) to make a false material statement or representation in a label, manifest, record, report, or other document required under a hazardous waste permit. Makes it a Class B misdemeanor to transport regulated used oil without a manifest. Makes it a Class C misdemeanor to knowingly violate certain air pollution control rules, permit conditions, or fee or filing requirements. Makes it a Class A misdemeanor to willfully or negligently violate certain water pollution control rules, permit conditions, or fee or filing requirements. Defines "negligently." Provides for potential fines for environmental Class A misdemeanors and Class B misdemeanors in an amount exceeding the ordinary statutory limit on fines for Class A and Class B misdemeanors. Provides that it is a felony for a person to knowingly commit any of certain offenses involving hazardous waste, air pollution, or water pollution if the person knows that the person's act places another person in imminent danger of death or serious bodily injury. Sets forth certain factors that a court may consider when imposing a fine for an environmental offense. Requires the state department of health to adopt rules concerning: (1) the disposal of sewage through the use of onsite sewage systems for municipalities and publicly owned treatment works and (2) sewage disposal in agricultural labor camps through methods other than septic tank absorption fields.

Current Status: 3/8/2018 - , (Bill Scheduled for Hearing)

State Bill Page: [HB1233](#)

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)

State Bill Page: [HB1245](#)

HB1256 VARIOUS LOCAL GOVERNMENT MATTERS (LYNESS R) Requires a municipal or county redevelopment commissioner (commissioner) to reside within the commission's jurisdictional area instead of the municipality or county. Allows a commissioner who does not meet the residency requirement to serve until the earlier of: (1) the appointment and qualification of the commissioner's successor; or (2) October 1, 2018. 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.

Current Status: 3/8/2018 - House Conferees appointed Lyness and Moed

State Bill Page: [HB1256](#)

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](#)

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 11

State Bill Page: [HB1278](#)

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](#)

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](#)

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](#)

HB1358

INTERSECTION SAFETY STUDY (CHERRY R) Urges the legislative council to assign to a study committee the task of studying safety at certain intersections not controlled by a traffic signal and drainage along rural roads.

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

State Bill Page: [HB1358](#)

HB1412

LIBRARIES (SAUNDERS T) Merges the Indiana historical bureau (bureau) into the Indiana state library (library) as a division of the library. (Current law specifies that the bureau and the library are separate divisions of the Indiana library and historical department (ILHD).) Specifies that: (1) the ILHD shall manage the library; and (2) the library shall manage the bureau. Requires the director of the library to appoint a deputy director of the bureau. (Current law requires the board of the ILHD to appoint a director of the bureau.) Makes the following changes to the membership of the state oversight committee on public records (committee): (1) Removes the deputy director of the bureau. (2) Requires the governor to appoint a circuit court clerk or county recorder who also serves on a county commission of public records. Allows the Indiana archives records administration to present evidence to a county cemetery commission regarding whether a cemetery is a burial ground for a Civil War veteran. Makes various changes to the state and local library laws. Repeals provisions concerning: (1) the state library and historical building; (2) the location of facilities housing the state archives; (3) acceptance of gifts by the Indiana library and historical board; (4) payments by the library to public library districts; and (5) the historic library building improvement matching grant program. Reorganizes and makes changes to provisions concerning the petition and remonstrance process for units that seek to: (1) establish a public library; (2) expand a public library into not more than one township or part of a township; or (3) expand a public library into more than one township or parts of more than one township. Requires certain language to appear where signatures are affixed to a petition or a remonstrance for the: (1) establishment of a public library; or (2) expansion of a public library. Makes various changes to the law regarding the leasing of library property. Makes technical corrections and conforming changes.

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

State Bill Page: [HB1412](#)

SB13

ADMINISTRATION OF OVERDOSE INTERVENTION DRUGS (GLICK S) Provides that community corrections officers and probation officers may administer an overdose intervention drug. Requires community corrections officers and probation officers to report the use of an overdose intervention drug to the emergency ambulance service responsible for reporting the use to the Indiana emergency medical services commission. Requires that persons permitted to administer an overdose intervention drug must receive education and training on drug overdose response and treatment, including the administration of an overdose intervention drug before the person may administer an overdose intervention drug. Provides civil immunity to community corrections officers and probation officers who administer an overdose intervention drug. Provides civil immunity to a person who has an agency relationship with a community corrections officer or probation officer who administers an overdose intervention drug. Makes conforming amendments.

Current Status: 3/7/2018 - Signed by the Governor

State Bill Page: [SB13](#)

SB27

1977 FUND NEW UNIT CREDITS FOR PRIOR SERVICE (BOOTS P) Provides, in the case of a unit (county, city, town, or township) that begins participation in the 1977 police officers' and firefighters' pension and disability fund (1977

fund), that the unit and the member (firefighter, police officer, or emergency medical technician) may agree how to share the cost of acquiring credit in the 1977 fund for the member's prior service as a firefighter, police officer, or emergency medical technician. (The introduced version of this bill was prepared by the interim study committee on pension management oversight.)

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

State Bill Page: [SB27](#)

- SB75 1977 FUND RETIREMENT AGE AND BENEFITS STUDY (FORD J) Urges the legislative council to assign to the interim study committee on pension management oversight or another appropriate interim study committee the task of studying the following: (1) A reduction from 52 to 50 the age at which a member of the 1977 police officers' and firefighters' pension and disability fund (1977 fund) is eligible to receive an unreduced retirement benefit. (2) An increase from 1% to 1.5% in the amount of the additional retirement benefit payable to a 1977 fund member for each six months of active service over 20 years. (3) A reduction from 32 to 28 in the number of years of service that may be used to compute a retirement benefit for a 1977 fund member. Urges the legislative council to assign to an appropriate interim study committee the task of studying the topic of establishing a public safety research fund.
- Current Status:* 3/6/2018 - Senate concurred in House amendments; Roll Call 338: yeas 49, nays 0
- State Bill Page:* [SB75](#)
- 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](#)
- SB100 CARBON MONOXIDE EMISSIONS TESTING (DELPH M) Provides that a fire department established by a: (1) county; (2) city; (3) town; or (4) township; or a volunteer fire department may provide vehicular carbon monoxide testing (testing) to the owner of a motor vehicle. Requires testing to be offered to the owner of a motor vehicle without charge. Specifies the manner in which testing is to be conducted. Specifies certain paperwork and record keeping requirements. Provides that a test administrator's good faith effort to properly conduct a vehicular carbon monoxide test immunizes the test administrator from civil liability and all associated damages, including punitive damages, arising from or related to the administered test. Provides that a fire department, volunteer fire department, or other person may not be found liable for any: (1) claim; (2) cause of action; (3) damages, including punitive damages; (4) demand; or (5) expense; arising from or related to an administered vehicular carbon monoxide test by reason of an agency relationship between the test administrator and the fire department, the volunteer fire department, or the other person. Defines certain terms.
- Current Status:* 3/7/2018 - Signed by the Governor
- State Bill Page:* [SB100](#)
- SB119 1977 FUND PURCHASE OF SERVICE (GROOMS R) Allows a member of the 1977 police officers' and firefighters' pension and disability fund (1977 fund) to purchase service performed in Indiana as a full-time, fully paid police officer or firefighter for an employer that does not participate in the 1977 fund.
- Current Status:* 3/6/2018 - Returned to the Senate without amendments
- State Bill Page:* [SB119](#)
- 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](#)

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](#)

SB242 STATE AND LOCAL ADMINISTRATION (HOLDMAN T) Provides that the lottery commission must obtain a tax clearance statement from the department of state revenue (DOR) for a retailer before the lottery commission may enter into a contract with that retailer. Repeals the riverboat admissions tax provisions scheduled to expire July 1, 2018. Reorganizes the supplemental wagering tax law. Specifies that gaming activity information shall be reported to the gaming commission daily. Provides that taxes withheld from riverboat and racino winnings are due on a monthly

basis rather than the day after the winnings are paid. Provides that money in the Indiana horse racing commission operating fund is continuously appropriated for the purposes of the fund. Changes reporting and remitting requirements of the slot machine wagering tax. Changes the allocation for adjusted gross receipts of slot machine wagering. Repeals the establishment of an investment product for the public employee deferred compensation plan and an alternative investment program for the annuity savings account of public employee retirement plans. Eliminates the maritime opportunity district property tax deduction for new manufacturing equipment installed in a district after June 30, 2018. Provides a sales tax exemption for certain property purchased and used by a person that manufactures hot mix asphalt at an asphalt plant. Provides that the DOR may require that certain information be provided or updated before the issuance or renewal of a registered retail merchant's certificate. Delays until July 1, 2019, the effective date of provisions concerning the sales taxation of the renting of rooms, lodgings, and accommodations for which a facilitator accepts payment. Makes various changes to the state income tax laws, including conformance with the latest version of the Internal Revenue Code, the net operating loss carryover period, the earned income tax credit, the calculation of income tax rates when two different rates are in effect during the taxpayer's taxable year, tax due dates, refund claims, and income tax preparer requirements. Provides that the reduced tax rate for a corporation in a qualified military enhancement area applies only to a corporation that locates all or part of its operations in an area before January 1, 2019. Provides that a county fiscal body may adopt an ordinance to impose (within the local income tax expenditure rate) a tax rate for correctional facilities and rehabilitation facilities in the county. Provides that the Jasper County local income tax adopting body may adopt an ordinance to provide that property taxes imposed due to a referendum, adopted before July 1, 2015, are eligible for the property tax relief rate credit if the credit was applied before January 1, 2017. Requires state and local employees, contractors, and subcontractors whose duties include access to confidential tax information to submit to and update background checks. Revises a statute concerning the investment of proceeds from the sale of the Montgomery County hospital. Allows a petition to be filed with the department of local government finance by the North Spencer school corporation requesting a modified maximum operations fund levy for 2019. Requires a member of a redevelopment commission to annually present certain information to the governing body of every school corporation with territory within an allocation area. Requires, for a territory that was annexed by a municipality after June 1, 1976, and before March 4, 1988, one-half of the property taxes attributable to property taxes imposed by the park and recreation district on property that is within the annexed territory to be transferred to the annexing municipality's parks and recreation department. Changes the date that the trustees of Ivy Tech Community College may issue and sell bonds for the Kokomo campus renovation and addition and the Muncie campus renovation and addition. Makes technical corrections.

Current Status: 3/8/2018 - , (Bill Scheduled for Hearing)

State Bill Page: [SB242](#)

SB265 STUDY OF INTERSECTION SAFETY (CRIDER M) Urges the legislative council to assign to a study committee the task of studying safety at certain intersections not controlled by a traffic signal and drainage along rural roads.

Current Status: 2/20/2018 - added as cosponsor Representative Goodin

State Bill Page: [SB265](#)

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](#)

- SB281 SHERIFF'S DEPARTMENT RETIREMENT PLANS (BOOTS P) Provides that certain sheriffs and county police officers are granted service credit in their respective county sheriff's department retirement plans for service to those county sheriff's departments before the effective dates of the county sheriff's department retirement plans. Provides that certain sheriffs and county police officers simultaneously waive their accrued service credit in the public employees' retirement fund for their service to those county sheriff's departments before the effective dates of the county sheriff's department retirement plans.
- Current Status:* 3/6/2018 - Returned to the Senate without amendments
- State Bill Page:* [SB281](#)
- 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](#)
- SB299 STATE PARKS (RAATZ J) Requires that two (2) of the four (4) legislative members of the White River state park development commission must represent the legislative district that includes the White River State Park. Urges the legislative council to assign to a study committee the task of studying whether counties should be authorized to: (1) adopt an ordinance to impose a surcharge on fees collected within a state park; and (2) use the revenue from the surcharge to assist a unit of local government that provides police protection, fire protection, emergency medical services, or road repairs to the state park.
- Current Status:* 3/8/2018 - Senate concurred in House amendments; Roll Call 368: yeas 35, nays 0
- State Bill Page:* [SB299](#)
- SB347 BONDING PROCEDURES (TAYLOR G) Permits the following political subdivisions to sell bonds at a negotiated sale after June 30, 2018, and before July 1, 2021: (1) A consolidated city. (2) A second class city. (3) A school corporation located in a consolidated city or a second class city. (Current law requires a public sale of bonds.) Provides that this change does not apply to refinancing bonds and some revenue bonds that are dedicated to a limited purpose. Makes technical corrections.
- Current Status:* 3/8/2018 - Motion to concur filed
- State Bill Page:* [SB347](#)
- SB349 STUDY OF TAXES ON SHORT TERM RENTALS (TALLIAN K) Urges the legislative council to assign to the appropriate interim study committee the task of studying the following: (1) The issue of which entities are required to collect sales tax on short term rentals. (2) The issue of whether local units can impose a local innkeeper's tax on short term rentals. Urges the legislative council to assign the topic of collecting and remitting state taxes in the peer-to-peer sharing economy.
- Current Status:* 3/6/2018 - Senate concurred in House amendments; Roll Call 349: yeas 48, nays 1
- State Bill Page:* [SB349](#)
- SB380 IMPROVEMENTS IN HISTORIC DISTRICTS (MESSMER M) Provides that certain requirements for an alteration to a historic site or a historic structure do not apply to a construction project that is funded by the state that involves the substantial alteration, demolition, or removal of a road or a sidewalk within the boundaries of the property of a historic site or a historic structure. Requires a person who intends to perform a construction project on a road or a sidewalk within the boundaries of the property of a historic site or a historic structure to submit an application for a certificate of approval with the division of historic preservation and archeology (division) before the person may begin work on the proposed construction project. Requires the division to determine not later than 30 days after the date the person submits an application for a certificate of approval whether the proposed construction project will have an adverse impact on the historic site or the historic structure. Provides that if the division fails to issue a determination regarding the proposed construction project's impact on the historic site or the historic structure within 30 days after the date the person submits an application for a certificate of approval, a person may begin work on a construction project regardless of the proposed construction project's impact on the historic site or the historic structure. Provides that certain requirements for an alteration to a historic site or a historic structure do not apply to a construction project that is funded by the federal government.
- Current Status:* 3/8/2018 - , (Bill Scheduled for Hearing)

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](#)

SB393 SAFETY NOTICE OF ADVANCED STRUCTURAL BUILDINGS (ECKERTY D) Requires an individual applying for a building permit issued by a city, town, or county for a Class 1 or Class 2 structure after June 30, 2018, to disclose the use of advanced structural components on the building permit application. Requires the city, town, or county building commissioner to notify the local fire department and local 911 call center of a Class 1 or Class 2 structure's use of advanced structural components not later than 90 days after issuing a building permit. Directs a 911 telephone call center to maintain and relay information contained in a qualifying property's notification and received by the 911 telephone call center. Prohibits the fire prevention and building safety commission (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. Requires that the commission adopt rules to replace the current statewide residential code before January 1, 2020. Provides that if the commission uses a national code as part of the adoption of the statewide residential code, the commission shall amend the national code as a condition of the adoption of the code. Requires the commission to submit a report to the general assembly by January 1, 2019 regarding the commission's work related to the adoption of a replacement statewide residential code.

Current Status: 3/6/2018 - Senate concurred in House amendments; Roll Call 352: yeas 47, nays 2

State Bill Page: [SB393](#)

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](#)