

HB1001

STATE BUDGET (HUSTON T) Appropriates money for capital expenditures, the operation of the state, K-12 and higher education, the delivery of Medicaid and other services, and various other distributions and purposes. Provides for bonding authority for capital projects for higher education institutions. Renames the build Indiana fund the lottery surplus fund. Eliminates all the build Indiana fund accounts. Declares the policy of the state that no person may be denied coverage for a preexisting condition under a plan of health coverage offered or administered by the state. Specifies that the preexisting condition exclusion provisions of the Patient Protection and Affordable Care Act (PPACA) are in effect and enforced in Indiana, regardless of the legal status of the PPACA. Repeals the Indiana technology fund. Eliminates the office of state based initiatives. Makes the budget agency responsible for coordinating federal assistance to state agencies. Prohibits certain state agency action regarding federal assistance. Requires state agencies to provide federal assistance information to the budget agency. Requires the budget agency to: (1) prepare an annual report summarizing the federal assistance received by state agencies during the preceding federal fiscal year; (2) publish a comprehensive federal assistance review plan; and (3) perform a review of the current impact and projected future impact of federal mandates and regulations on Indiana. Makes the budget agency the state's single point of contact to review and coordinate proposed federal financial assistance and direct federal development. Permits the trust fund for self-insurance for employees, including retired employees, for the state police department, conservation officers of the department of natural resources, and the state excise police to invest in the same investments as the state police pension plan instead of the public employees' retirement fund (the trust fund could not invest in equity securities). Permits the retiree health benefit trust fund to invest in the same investments as the public employees' retirement fund instead of in the same manner as public deposits may be invested. Requires a periodic actuarial study of the retiree health benefit trust fund. Provides that employer contributions to the retirement medical benefits account (RMBA) on behalf of a participant must be sufficient to provide the specified benefit. Changes the administration and investment decisions for the RMBA from the budget agency to the Indiana public retirement system (INPRS). Changes responsibility for reports concerning other post-employment benefits (OPEB) from the office of management and budget (OMB) to the INPRS. Changes responsibility for reports concerning local pensions from the OMB to the INPRS. Changes references to Governmental Accounting Standards Board Statements that apply to OPEB reports. Adds the two deputy budget directors as alternate members of the budget committee, and specifies that one of the deputy directors shall take the place of the budget director when the budget director is not present. Removes the restriction on the Indiana horse racing commission using money distributed under a distribution agreement for administrative purposes. Requires 0.5% of the money distributed under a distribution agreement to be deposited in the Indiana horse racing commission's operating fund. Establishes the problem gambling program fund. Specifies that the part of the problem gambling fee that is retained annually by the Indiana gaming commission must be deposited into the fund. Provides that the money in the fund is continuously appropriated. Renames the state board of accounts trust and agency fund the examinations fund. Annually appropriates money in the fund for the payment of the state board of accounts' expenses for examinations. Provides that money in the fund does not revert to the state general fund. Requires that the state board of accounts certify the expense incurred for an examination as needed. (Currently, expenses may not be certified more often than monthly.) Provides that the money in the Indiana twenty-first century research and technology fund is continuously appropriated. Provides that the money in the Indiana regional cities development fund is continuously appropriated. Provides that a taxpayer may submit, beginning in 2021, a personal property tax return using an online submission system established by the department of local government finance in collaboration with county assessors. Establishes requirements to be eligible to claim the Indiana research expense income tax credit effective January 1, 2019. Increases the cap on the scholarship granting organization scholarship tax credit from \$14,000,000 to \$15,000,000 for the state fiscal year beginning July 1, 2019, and to the greater of \$16,000,000 or 120% of the credits awarded in the prior state fiscal year for state fiscal years beginning after June 30, 2020. Provides various tax exemptions for the College Football Playoff Group for the College Football Playoff National Championship, including ancillary events. Replaces the postwar construction fund with a fund named the state construction fund. Dedicates \$1,800,000 to the state construction fund from a part of the cigarette tax revenue formerly appropriated to the department of natural resources. Repeals the state police building account and directs the revenue formerly deposited in the account to the state construction fund. Removes the reduction from the motor vehicle highway account fund for the appropriation to the department of transportation for traffic safety. Transfers \$325,000 each month to the motor carrier regulation fund from the motor vehicle highway account fund. Requires the bureau of motor vehicles to determine the allocation to counties from the motor vehicle highway account fund that is based on motor vehicle registrations. Changes the annual appropriation from the motor vehicle highway account for assisting counties in employing a full-time county highway engineer from \$920,000 to the amount necessary to make distributions to counties. Provides that proceeds received under the First Amendment to the Amended and Restated Indiana Toll Road Concession and Lease Agreement entered on September 21, 2018, are to be deposited in a new fund known as the toll road lease amendment proceeds fund for certain state highway projects. Establishes the next level connections fund to be used to accomplish the transportation plan of the department of transportation. Terminates the appropriation to the state police department of part of the handgun license fees as of July 1, 2019. Transfers any balance remaining in the fund holding these fees to the state general fund on June 30, 2021. Provides that money in the state department of toxicology's breath test training and certification fund is continuously appropriated. Requires the division of disability and rehabilitative services to establish a cost participation schedule for

purposes of the first steps program. Repeals the statutory cost participation schedule. Provides that the money in the division of family resources child care fund is continuously appropriated. Removes the requirement that a school corporation distribute to the state general fund 3% of the federal reimbursement for claims paid under the federal Medicaid program. (Under current law, these funds distributed to the state general fund are dedicated for consulting to encourage school parti

Current Status: 3/12/2019 - added as third sponsor Senator Tallian

State Bill Page: [HB1001](#)

HB1019 PUBLIC CONSTRUCTION (PRESSEL J) Increases, from \$100,000 to \$150,000, the ceiling under which a board of aviation commissioners or an airport authority board may perform certain public construction projects with its own workforce. Increases, from \$75,000 to \$150,000 the ceiling under which a county drainage board may obtain quotes rather than advertise for bids for certain projects under the drainage law.

Current Status: 3/18/2019 - House Bills on Third Reading

State Bill Page: [HB1019](#)

HB1116 VARIOUS LOCAL GOVERNMENT MATTERS (KARICKHOFF M) Allows the governing body of a state or local government agency to discuss in an executive session strategy regarding a real estate transaction by the governing body. Allows the fiscal officer of a political subdivision to appropriate funds received from any private entity or individual for the purpose of repairing or replacing damaged property. (Current law allows only appropriation of funds from an insurance company.) Eliminates political party affiliation requirements for members of a utility service board, storm water management board, or board of aviation commissioners. Provides that if a board of aviation commissioners has four members, the executive of the county, city, town, or other municipal corporation or district that operates the airport serves as an ex officio member of the board for purposes of breaking a tie vote. Allows a political subdivision to receive electronic bids for public work projects that exceed a certain amount, if the bid solicitation states the procedure for transmitting the electronic bid and the means of transmission protects the bid contents. Requires a political subdivision that receives electronic bids to provide electronic access to the notice of the bid solicitation through the computer gateway administered by the state office of technology in addition to newspaper publication. Requires the head of the department of law of a second or third class city to reside within Indiana (instead of within the county). Provides that a hazardous tract of land containing a building that is not an unsafe building constitutes an unsafe premises and is subject to the unsafe building law. Eliminates the requirement that a negotiable note for a public work project or eligible efficiency project be repaid by a political subdivision on January 1 and July 1 of each year of the note's term.

Current Status: 2/27/2019 - Referred to Senate Local Government

State Bill Page: [HB1116](#)

HB1128 CONSTRUCTION PERMITS (MILLER D) Provides that a local unit may not require, as a condition precedent to granting, issuing, or approving certain permits for any Class 1 or Class 2 structures, completion of work upon which the performance bond or other surety was obtained prior to recording the secondary plat. Provides that a local unit may not require, as a condition precedent to granting, issuing, or approving a certificate of occupancy for any Class 1 or Class 2 structure, the completion of work upon which the performance bond or other surety was obtained prior to recording the secondary plat, unless required under certain state building laws or another law to meet a local unit's basic needs for public health and safety. Requires a local governmental agency to issue certain permits to a person not later than 12 business days after the person has filed a completed application and meets all required conditions, in certain instances.

Current Status: 2/27/2019 - Referred to Senate Local Government

State Bill Page: [HB1128](#)

HB1140 TRANSITIONS OF NEWLY ELECTED OFFICIALS (PRYOR C) Requires the department of local government finance (department) and the state board of accounts (board) to work with local government associations to develop a checklist that describes, for each elected local office, the information relating to that local office that is important and useful for a successor to that local office to have access to before the successor assumes office. Requires an incumbent of a local elected office to provide to the successor, not later than 14 days after the successor's election is certified, access to the information described by the department and the board. Provides that not later than 14 days after the successor requests access to information relating to the local office, other than information described in the checklist developed by the department and the board, the incumbent shall provide the successor access to that information unless federal or Indiana law otherwise prohibits the successor's access to the information before the successor assumes the office. Provides that if an incumbent denies access to information to which the successor is required or requested to have access, the successor has a cause of action to mandate the incumbent to provide the information. Makes a change to a provision regarding the transfer of records used in the preparation of an annual report by a township executive (executive) whose term expires to require that the new executive provide the former executive access to the records necessary in the preparation of the former executive's annual report.

- HB1266 SEDIMENT AND EROSION CONTROL IN CONSTRUCTION (MILLER D) Prohibits an MS4 community (a county, city, or town that administers a program under which construction plans including erosion and sediment control measures are submitted for approval) from requiring erosion and sediment control measures that are more stringent than the erosion and sediment control measures required by the administrative rule of the environmental rules board concerning storm water runoff associated with construction activity. Provides that a review authority (the department of environmental management, a soil and water conservation district, or an MS4 community) to which a construction plan is submitted must make a preliminary determination whether the construction plan is substantially complete before the end of the fifth working day after the day on which the construction plan is submitted to the review authority. Provides that an individual who reviews and makes a conclusive determination concerning a construction plan submitted to an MS4 community: (1) must be a registered professional civil engineer, registered architect, or registered surveyor; (2) must have successfully completed either of two particular MS4 training programs or a comparable training program; or (3) must be working under the direct supervision of an individual described in (1) or (2). Provides that if an MS4 community has made a conclusive favorable determination concerning a construction plan and work on the construction project has begun, the MS4 community may not order work on the construction project to stop on the grounds of inadequate erosion and sediment control measures unless the project site owner given written notice of the inadequacies of the erosion and sediment control measures and the inadequacies are not resolved within 72 hours after the project site owner receives the written notice.
Current Status: 3/11/2019 - Senate Environmental Affairs, (Bill Scheduled for Hearing)
State Bill Page: [HB1266](#)
- HB1270 KANKAKEE RIVER BASIN DEVELOPMENT (GUTWEIN D) Abolishes the Kankakee River basin commission (KRBC) and repeals its statute. Establishes the Kankakee River basin development commission (commission) as a public body corporate and politic. Clarifies that the Yellow River basin is part of the Kankakee River basin.
Current Status: 3/14/2019 - Senate Local Government, (Bill Scheduled for Hearing)
State Bill Page: [HB1270](#)
- HB1279 CONSERVANCY DISTRICT PETITION (WOLKINS D) Changes to the minimum number of freeholders owning land in a proposed conservancy district who must sign a petition to establish the conservancy district. Provides that 30% of the freeholders must sign the petition if the proposed conservancy district contains not more than 5,000 freeholds; that 15% (but not less than 1,000) of the freeholders must sign the petition if the proposed conservancy district contains more than 5,000 but not more than 25, 000 freeholds; and that 10% (but not less than 3,000) of the freeholders must sign the petition if the proposed conservancy district contains more than 25,000 freeholds. Provides that the change does not apply to a petition filed with a clerk of circuit court before July 1, 2019.
Current Status: 3/4/2019 - Referred to Senate Environmental Affairs
State Bill Page: [HB1279](#)
- HB1427 LOCAL GOVERNMENT MATTERS (LEONARD D) Provides that the state board of accounts, instead of the budget agency, is to approve audits for regional development authorities and allows for private examiners to perform audits. Excludes political subdivisions that do not have the power to impose 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 0.1%, 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. Eliminates the permissive written demand to a county resident who is delinquent in the payment of personal property taxes during the period from May 10 to October 31. Changes the time period from at least 21 to 30 days for the county treasurer's notice of the sale of a mobile home. 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. 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. Provides that the county executive (instead of the DLGF) may cancel any property taxes assessed against real property owned by a county, township, city, town, or body corporate and politic under certain circumstances. Removes the provision in current law that requires the DLGF to be a party to any contract in which a county assessor employs professional appraisers as technical advisers for assessments. Provides that the standard contract to employ professional appraisers is void if: (1) the appraiser is not certified at the time the contract is executed; or (2) the DLGF subsequently revokes the appraiser's certification. Requires a county that enters into a contract for computer software and with a software provider to upload the contract to the Indiana transparency Internet web site. Provides that a governmental entity shall (not may) submit a proposed notice, ordinance, or resolution to the DLGF for review. Requires a political subdivision to adopt the needed changes to its budget, tax levy, or rate in a public meeting if the political subdivision's tax levy is increased by the DLGF to an amount that exceeds the amount originally advertised or adopted by the political subdivision. Provides that a civil taxing unit may not request permission to impose a property tax on account of revenue shortfalls, if the revenue shortfall preceded the most recent certified budget for the civil taxing unit by more than five years. Specifies that: (1) 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) 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. Provides that Highland Township in Greene County may increase its maximum township property tax levy for 2020 and thereafter. Provides that Taylor Township in Greene County may increase its maximum township property tax levy and its maximum fire protection and emergency services property tax levy for 2020 and thereafter. 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).

Current Status: 3/7/2019 - added as second sponsor Senator Buchanan

State Bill Page: [HB1427](#)

HB1437

TRAINING FOR LOCAL GOVERNMENT OFFICERS (ENGLEMAN K) Adds a definition of "training course" for purposes of the training requirements that are applicable to the executive, legislative, and fiscal bodies of counties, cities and towns. Requires the Indiana office of community and rural affairs (office) to develop and make available courses to train members of the following county, city, and town bodies: (1) A plan commission and board of zoning appeals. (2) A county drainage board. Provides that the office may work in cooperation with public and private organizations and state educational institutions in developing and making the training courses available. Requires a member of a county, city, or town body to complete the training by the later of the following dates: (1) Twelve months after the member is elected or appointed. (2) July 1, 2020. Allows a county, city, or town to fix the compensation of a building inspector that has attained certification from the International Code Council at a salary that is higher than a building inspector that has not attained certification. Provides that an individual elected to the office of county auditor, treasurer, recorder, or surveyor must take a newly elected official training course before the individual first takes the office. Provides that money in the county elected officials training fund (fund) may be used to provide to county auditors, treasurers, recorders, and surveyors the following: (1) Travel, lodging, and related expenses associated with any training paid for from the fund. (2) Training of one or more designees of a county elected official if sufficient funds are appropriated by the county fiscal body. Provides that money in the fund may be used for the newly elected official training course expenses. Provides that the failure of an individual to complete the required training does not prevent the individual from taking an office to which the individual was elected. Provides that a county, city, or town may pay the training expenses of a member of the executive, legislative, or fiscal body from the county, city, or town's general

fund without appropriation.

Current Status: 3/4/2019 - Referred to Senate Local Government

State Bill Page: [HB1437](#)

SB4 WATER AND WASTEWATER UTILITIES AND RUNOFF (CHARBONNEAU E) Establishes a storm water management task force to study issues related to storm water management systems. Provides for the task force to consist of: (1) two members of the senate; (2) two members of the house; and (3) other members appointed by the governor. Requires the task force to issue a report setting forth its findings and recommendations not later than December 1, 2019. Provides that the Indiana finance authority (IFA) shall coordinate the executive branch activities related to the state's water programs. Prescribes the duties of the authority in serving in this role. Requires the IFA to divide Indiana into study areas and to hold annual meetings with the officers and employees of the water and wastewater utilities located in each study area. Authorizes the utilities within a study area to meet voluntarily to determine area water and wastewater priorities, promote cooperation among the utilities, and consider other matters. Requires biennial reports from the utilities of each study area and from the IFA on the cooperative activities of the utilities. Provides that a utility applying to the IFA for a loan, a grant, or other financial assistance must demonstrate that its officers and employees have participated in study area activities. Requires every water utility, at least once in each calendar year, to perform an audit of its water distribution system to determine the causes of the water utility's "non-revenue water" (the difference between the amount of water entering the utility's distribution system and the amount of water received by the water utility's customers). In even-numbered years, requires the results of the annual audit to be verified by an independent evaluator and reported to the IFA and requires the IFA to issue a report concerning the audit results. Specifies that: (1) customer specific data, including information excluded from public access under Indiana's access to public records act; and (2) a required cybersecurity plan; submitted in connection with an application for a permit for a public water system or a wastewater treatment plant is exempt from the requirement that certain required analyses and plans must be made publicly available. Amends the definition of "customer lead service line improvement".

Current Status: 3/14/2019 - added as cosponsor Representative Manning

State Bill Page: [SB4](#)

SB270 RECUSAL OF LOCAL GOVERNMENT OFFICIALS (HEAD R) Provides that county, city, town, and township elected officials (local officials) may not, outside of a public meeting: (1) participate in a discussion or a vote; or (2) persuade the vote of another elected official of the unit; if the local official has a financial interest in the outcome of a decision before the body the local official serves. Provides that an elected official has a financial interest if the decision involves: (1) the transfer or authorized use of property owned or controlled by the elected official or a relative of the elected official; or (2) the procurement of services by the unit from the elected official, the elected official's employer or prospective employer, the elected official's relative, or an entity the elected official owns or controls. Provides that if disqualification of a body's members prevent a vote from being taken or cause a tie vote, the decision will be made or the tie broken by the following: (1) The mayor, in the case of a city legislative body. (2) The clerk-treasurer, in the case of a town legislative body. (3) The township trustee, in the case of a township legislative body. (4) The county fiscal body, in the case of a county executive body. (5) The county executive, in the case of a county fiscal body.

Current Status: 3/7/2019 - Referred to House Government and Regulatory Reform

State Bill Page: [SB270](#)

SB581 LAKE MICHIGAN SHORE ZONE ADMINISTRATIVE RULES (DORIOT B) Defines "Lake Michigan shore zone" as the land between the ordinary high water mark of Lake Michigan and the lakeside property line of a privately owned lot or tract of land described by metes and bounds. Defines "ordinary high water mark". Provides that a Lake Michigan shore zone includes a seawall constructed on the lakeside property line of a privately owned lot or tract of land described by metes and bounds. Authorizes the natural resources commission (commission) to adopt rules concerning: (1) the movement of sand across a Lake Michigan shore zone through natural forces or otherwise and the return of the sand to the Lake Michigan shore; (2) the flow of water, including water from a source on a privately owned lot or tract of land, across a Lake Michigan shore zone; (3) permitting and specifications for any maintenance, construction, or another similar activity in the Lake Michigan shore zone related to beach grooming, sea walls, revetments, secondary erosion control, and retaining walls; and (4) other matters relating to the use of Lake Michigan shore zones. Provides that the rules adopted by the commission supersede an ordinance of a unit of local government, including a zoning ordinance, that is inconsistent with the adopted rules. Provides that a person who goes on the property of another for the purpose of: (1) going to or departing Lake Michigan public trust land; or (2) going to another destination upon leaving Lake Michigan public trust land; does not have assurance that the property is safe for the purpose, and the owner of the property is immune from liability, with certain exceptions, for an injury to a person or property caused by an act or omission of another person using the property.

Current Status: 3/7/2019 - Referred to House Judiciary

State Bill Page: [SB581](#)

SB604 VOIDING AND RELEASING CLAIMS IN LAND INTERESTS (DORIOT B) Adds a provision to the statute concerning marketable title for real property to provide that after a person has filed a claim for an interest in land, the claim is

void if: (1) the owner of the property subject to the claim (or any person having an interest in the property) provides written notice to the claimant to file an action to enforce the claim; and (2) the claimant fails to file, within 30 days after receiving the notice to enforce the claim, an action to enforce the claim in the county where the property is located. Provides that upon the claimant's failure to file an action to enforce the claim within the 30 day period, the person who provided the notice to the claimant may file with the recorder of the county where the property is located an affidavit stating that the person has served notice on the claimant to enforce the claim and that no action for enforcement of the claim is pending. Requires the county recorder to record the affidavit of service. Requires that an affidavit of service must also include a reference to the recording information of the recorded notice of claim. Requires that, when the recorder records the affidavit of service, the recorder must include a reference to the recorded notice of claim in the record book.

Current Status: 3/18/2019 - House Judiciary, (Bill Scheduled for Hearing)

State Bill Page: [SB604](#)