

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. 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. Establishes the Indiana-Michigan boundary line commission to administer and oversee a survey and remonumentation of the Indiana-Michigan border. 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. 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 0.45% of the adjusted gross receipts from each casino to be deposited in the 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. 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. Repeals the Indiana technology fund. 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. 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. 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 \$16,500,000 for state fiscal years beginning after June 30, 2020. Repeals the income tax credit for property taxes paid by a for-profit acute care hospital. Provides various tax exemptions for the College Football Playoff Group for the College Football Playoff National Championship, including ancillary events. Provides that money in the department of state revenue pilot program fund for functions related to motor carrier services is continuously appropriated. Allocates a percentage of St. Joseph County innkeeper's tax revenue: (1) for the development and operation of an indoor sports complex in the city of Mishawaka; and (2) to finance projects for the Potawatomi Zoo in the city of South Bend. Expires both of these allocations and decreases the innkeeper's tax rate by the percentage allocated for the respective purposes on the later of: (1) July 1, 2024; or (2) a specified date to occur. 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. 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. Appropriates \$239,400,000 from the toll road lease amendment proceeds fund in state fiscal year 2019 to be used for the purposes of the fund. 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. 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 participation in the Medicaid program.) Extends the prohibition on the office of Medicaid policy and planning from including certain Medicaid recipients who receive nursing facility services in a Medicaid risk based managed care program or a capitated managed care program through June 30, 2020. Specifies conditions that apply to a Medicaid disproportionate

*Current Status:* 4/24/2019 - Conference Committee Report Adopted (H) Report 1: adopted by the House; Roll Call 657: yeas 67, nays 31; Rules Suspended

*State Bill Page:* [HB1001](#)

- HB1017 CIVIL AND CRIMINAL IMMUNITY (FRYE R) Provides that a civilian who, in good faith, takes an action to prevent serious bodily injury to or to prevent a forcible felony against a law enforcement officer who is engaged in the execution of the law enforcement officer's duties is immune from civil and criminal liability, unless the civilian's acts or omissions amount to gross negligence or willful or wanton misconduct. Provides that the governmental entity that employed the law enforcement officer must indemnify the civilian against any cause of action that may arise out of the civilian's assistance to the law enforcement officer.
- Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)
- State Bill Page:* [HB1017](#)
- HB1018 COUNTY PARK BOARDS (SOLIDAY E) Makes changes to: (1) the procedure for a county to adopt an ordinance creating a department of parks and recreation (department); and (2) the composition of the county park board (county board). Requires that if the county fiscal body amends the ordinance that created a department as to the members of the county board, the amended ordinance must provide that the composition of the members of the county board are selected in accordance with the remainder of the bill. Prohibits a county fiscal body (after December 31, 2019) from adopting an ordinance to create a department. Provides that, if the county fiscal body has not adopted an ordinance or has repealed the ordinance creating a department before January 1, 2020, the county executive may adopt an ordinance to create a department. Provides that in a county that has an ordinance that is in effect on June 30, 2019, the ordinance is unchanged unless amended or repealed by the county fiscal body and specifies that the county board in such a county is governed by the current law for the composition of the county board. Sets forth who may serve as an ex officio member of the county board created by the county executive using the procedure added by the bill. Makes conforming and stylistic changes.
- Current Status:* 4/24/2019 - SIGNED BY GOVERNOR
- State Bill Page:* [HB1018](#)
- 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:* 4/18/2019 - SIGNED BY GOVERNOR
- State Bill Page:* [HB1019](#)
- HB1025 COUNTY HIGHWAY ENGINEER'S SALARY (AYLESWORTH M) Increases the state subsidy for a county highway engineer's annual salary. Makes an appropriation.
- Current Status:* 4/24/2019 - Signed by the Speaker
- State Bill Page:* [HB1025](#)
- HB1027 WIND FARM CONFLICTS OF INTEREST (SAUNDERS T) Amends the statute that establishes the criminal offense of conflict of interest by a public servant to provide that a public servant who serves a unit in which a proposed wind farm development is being considered commits an offense under the statute if either of the following apply: (1) The public servant knowingly: (A) has or will have a pecuniary interest in; or (B) derives or will derive a profit from; a contract or purchase related to the proposed wind farm development. (2) The wind farm developer does, or offers to do, certain specified acts related to the proposed wind farm development and involving the public servant's role as a public official. Provides that a public servant does not commit an offense under the statute if the public servant makes a written disclosure that describes the nature of the conflict the public servant has with respect to the proposed wind farm development. Requires a wind farm developer that seeks to install or locate one or more wind power devices in a unit to make certain disclosures regarding conflicts of interest involving elected or unelected officials with respect to the proposed project. Provides that a wind farm developer shall make the required disclosures as necessary throughout all phases of the proposed project and continuing for one year after the date on which all wind power devices included in the project are fully operational. Prescribes the form and manner in which the disclosures must be made. Confers authority upon the attorney general to investigate and adjudicate complaints alleging violations of the disclosure requirements. Provides that upon determining that a wind farm developer has violated the requirements,

the attorney general may impose a civil penalty of not more than: (1) \$50,000 for the first violation; and (2) \$100,000 for any subsequent violation.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1027](#)

HB1033

LOCAL INCOME TAXES (THOMPSON J) Expires the existing local income tax law on December 31, 2021, and adds a new local income tax law effective in 2022 and thereafter. Does the following under the new local income tax law: (1) Authorizes counties, municipalities, and school corporations to each enact a property tax relief rate of not more than 0.5% in the case of counties and municipalities and not more than 0.25% in the case of school corporations. Provides that in Marion County, municipalities may not enact a property tax relief rate, but the Marion County city-county council may adopt a 1% property tax relief rate. (2) Authorizes counties, municipalities (other than municipalities in Marion County), and school corporations to each enact an expenditure rate. (3) Provides that an expenditure rate may not exceed: (A) 1.25% in the case of counties other than Marion County or 2% in the case of Marion County; (B) 1% in the case of municipalities (other than municipalities in Marion County); and (C) 0.25% in the case of school corporations. (4) Provides that, if an expenditure rate is imposed by a municipality, the municipality shall receive the revenue from the tax, and specifies that the revenue may be used for any legal purpose of the municipality (including providing additional property tax credits). (5) Specifies that a school corporation may not adopt an expenditure rate unless: (A) the expenditure rate is approved by the voters of the school corporation in a local public question; or (B) the revenue from the expenditure rate is used to provide additional property tax credits. Provides that, if a school corporation's expenditure rate is approved by the voters, the revenue may be used for any legal purpose of the school corporation (including providing additional property tax credits). Provides that the maximum period for an expenditure rate approved by the voters of a school corporation is eight years, but that the expenditure rate may be reimposed by the school corporation if approved by the voters. (6) Provides that, if an expenditure rate is imposed by a county other than Marion County, the revenue shall be distributed as certified shares to civil taxing units in the county (other than municipalities and school corporations) on the basis of property tax levies. Specifies that, in counties other than Marion County, the revenue from the county's expenditure rate may be allocated to a public safety answering point or used to provide additional property tax credits before the remaining revenue is distributed as certified shares. (7) Provides that, the 2% maximum expenditure rate in Marion County consists of: (A) an expenditure rate of not more than 1%, to be distributed as certified shares to the county and to excluded cities in the county on the basis of property tax levies; and (B) an expenditure rate of not more than 1%, to be distributed as certified shares to the county and to townships in the county on the basis of property tax levies. (8) Specifies that in Marion County: (A) the revenue from the county's expenditure rate may be allocated to a public communications systems and computer facilities district, a public library, or a public transportation corporation, or for additional property tax credits before the remaining revenue is distributed as certified shares; and (B) revenue distributed as certified shares may be used for any legal purpose of the unit receiving the certified shares. (9) Provides that, after May 31, 2019, a political subdivision may not pledge for the payment of bonds, leases, or other obligations any tax revenue received under the current local income tax law (other than a special purpose rate). (10) Maintains the existing special purpose rates. (11) Provides that, after December 31, 2021, a local income tax rate imposed for transit purposes after approval in a local public question: (A) is a separate special purpose rate; and (B) is not part of the county's expenditure rate or considered in determining whether the county is imposing its maximum expenditure rate. (12) For property taxes due and payable in 2022 and thereafter, requires the department of local government finance to adjust each maximum property tax levy for which a levy freeze amount was applied under the existing local income tax law in 2021. (13) Authorizes a political subdivision to appeal to the department of local government finance for the authority to impose an additional local income tax rate if the political subdivision's expected local income tax distributions will be insufficient to pay obligations for which a pledge of revenue was made under the prior local income tax laws. (14) Specifies that the legislative council shall provide for the preparation and introduction of legislation in the 2020 session of the general assembly to correct cross references and make other changes to the Indiana Code, as necessary, to bring other provisions of the Indiana Code into conformity with this act.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1033](#)

HB1034

POLITICAL SUBDIVISION CONTROLLED PROJECTS AND DEBT (THOMPSON J) Amends the definition of a "controlled project" to exclude projects for: (1) roads; (2) streets; (3) bridges; and (4) road, street, or bridge appurtenances. Provides that, for purposes of the petition and remonstrance process, a controlled project includes any project: (1) that is not otherwise a controlled project; but (2) the cost of which, when added to the cost of all other projects adopted by the political subdivision in the preceding five years, exceeds 1% of the political subdivision's gross assessed value but does not exceed 2% of the political subdivision's gross assessed value. Provides that, for purposes of the referendum process, a controlled project includes any project: (1) that is not otherwise a controlled project; but (2) the cost of which, when added to the cost of all other projects adopted by the political subdivision in the preceding five years, exceeds 2% of the political subdivision's gross assessed value. Provides that the notice of the preliminary determination of the political subdivision to issue bonds or enter into a lease for a controlled project must

include a statement that a person may file a petition with the department of local government finance objecting that the political subdivision has unlawfully divided a controlled project in order to avoid the petition and remonstrance or referendum requirements. Provides that if the estimated increase in a political subdivision's property tax levy for debt service for a proposed controlled project will be offset in whole or in part because of the retirement of existing debt of the political subdivision, the proper officers of the political subdivision may adopt a resolution that includes certain information and statements. Provides that if a political subdivision experiences a decrease in net assessed value it may be stated as an exception to a political subdivision's statement about maintaining its property tax rate to fund a new controlled project because of the retirement of debt. Specifies the ballot language for the referendum on such a proposed controlled project. Provides that the restrictions on supporting a position on a controlled project apply to any political subdivision that has assessed value within the same taxing district as the political subdivision proposing the project.

*Current Status:* 4/24/2019 - DEAD BILL: Fails to advance by conclusion of 2019 legislative session

*State Bill Page:* [HB1034](#)

HB1044

REGULATION OF CONFINED FEEDING OPERATIONS (BACON R) Amends the law on confined feeding operations (CFOs), which include any confined feeding of at least 300 cattle, 600 swine or sheep, 30,000 fowl, or 500 horses. Prohibits the department of environmental management (department) from granting approval for the construction or expansion of a CFO: (1) if a manure unit located at the CFO would be located less than 500 feet from a residence on the site of the CFO, less than 1,000 feet from a residence outside the CFO, or less than 1,000 feet from a public or private water supply well, a public or private water supply surface intake structure, or a publicly or privately owned reservoir or lake; or (2) if an exhaust system used to remove air from an enclosed animal containment unit at the CFO expels the air in the direction of a residential area that is located less than 1,000 feet from the enclosed animal containment unit and that was in existence as a residential area before the exhaust system began to be used. Prohibits an alteration of a CFO that was in operation before July 1, 2019, if the CFO, as altered, would violate the manure unit restriction or the exhaust system restriction. Requires the environmental rules board to adopt rules establishing restrictions on air pollution from CFOs. Provides that the rules must restrict hydrogen sulfide, methane, ammonia, and particulate matter from a CFO in the ambient air measured: (1) at the location of the CFO; and (2) in areas that are outside the CFO but near enough to the CFO to be affected by air pollutants from the CFO. Requires the department to enforce these rules.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1044](#)

HB1045

REGULATION OF MINING (BACON R) Provides that rules adopted by the natural resources commission shall require that all blasting operations involving surface coal mining operations must be monitored with the use of at least three seismic monitors. Provides that a surface coal mining operation may not be located within 1,000 feet of any of the following: (1) An occupied dwelling, unless waived by the owner. (2) A public building. (3) A school. (4) A church. (5) A community or an institutional building. (6) A public park. Specifies that the 1,000 foot requirement shall be measured as follows: (1) From the nearest exterior wall of an occupied dwelling to the surface coal mining operation. (2) From the nearest property boundary to the surface coal mining operation for a public building, school, church, community or institutional building, or public park. Makes a conforming change.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1045](#)

HB1050

RACIAL PROFILING AND PRETEXTUAL STOPS (PRYOR C) Prohibits a law enforcement agency or a law enforcement officer from engaging in racial profiling or conducting pretextual stops. Requires a law enforcement agency to adopt a detailed policy that defines the elements of racial profiling and pretextual stops, and requires a law enforcement agency to collect certain data relating to stops made by law enforcement officers. Requires cultural diversity awareness training and training on unlawful racial profiling and pretextual stops for law enforcement officers. Specifies that a law enforcement agency shall transmit to the attorney general information concerning racial profiling complaints, investigations, and any action taken, as well as data collected relating to stops made by the law enforcement agency. Requires the attorney general to: (1) submit an annual report to the legislative council based on the information; (2) submit the data to a third party for statistical analysis; and (3) publish the results of the analysis on the attorney general's Internet web site. Establishes the racial profiling review commission to review complaints of unlawful racial profiling and unlawful pretextual stops. Permits a person to bring a civil action based on unlawful racial profiling and unlawful pretextual stops. Permits a law enforcement agency to use certain federal funds to purchase vehicle cameras and body cameras, and establishes training standards and standards for use. Makes a technical correction.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1050](#)

- HB1052 LOCAL INCOME TAX AND OTHER FINANCING MATTERS (THOMPSON J) Changes the allocation of local income tax (LIT) revenue that is based on property taxes to be based on maximum permissible property tax levies instead of actual levies. Provides that if a township passes a local public question on whether the county in which the township is located should be required to fund and carry out a public transportation project under the central Indiana public transportation projects statute, the township board shall adopt a resolution to impose a special local income tax rate on the local taxpayers residing in the township, instead of the fiscal body of the county. Allows political subdivisions to enter into public-private agreements with an operator to accomplish the design, financing, construction, acquisition, improvement, renovation, equipping, operation, or maintenance of a regional jail. Requires the department of local government finance to prepare a report before January 1, 2020, concerning school funding in each school corporation for the period beginning July 1, 2018, and ending June 30, 2019. Requires the department of education to prepare a report before January 1, 2020, concerning school funding in the surrounding states, Indiana, and each school corporation in Indiana for the period beginning July 1, 2018, and ending June 30, 2019.
- Current Status:* 4/16/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline for House bills (Rule 79(b))
- State Bill Page:* [HB1052](#)
- HB1055 LIENS (TORR J) Permits a person to discharge a mechanic's lien by filing an indemnification or payment bond with the recorder's office in an amount equal to at least 150% of the lien. Requires the surety responsible for issuing an indemnification or payment bond to: (1) be authorized to do business in Indiana; and (2) be rated at least "A-" by at least one nationally recognized investment rating service. Specifies certain requirements concerning the recording of an indemnification or payment bond. Provides that the filing or deposit of a bond discharges the liability of a person served by a lien claimant not less than 30 days after the filing or deposit of a bond. Provides that a contractor or subcontractor may adjudicate the adequacy of a bond in certain instances. Provides that the liability of a person served by a lien claimant may not be discharged while the adequacy of a bond is being adjudicated. Repeals the current statute concerning the filing of an undertaking to discharge a lien. Urges the legislative council to assign to the appropriate interim study committee (committee) the topic of judgment liens. Provides that if the topic of judgment liens is assigned to the appropriate committee, the following topics will be addressed by the committee: (1) The feasibility of developing, preparing, and implementing, before January 1, 2021, a plan, protocol, or Internet based system concerning judgments and pending cases. (2) The feasibility of providing, before January 1, 2021, all necessary training and education to clerks of court regarding any plan, protocol, or Internet based system concerning judgments or pending cases. (3) Any other issue or topic relevant to the development and implementation of any plan, protocol, or Internet based system concerning judgments or pending cases. Makes conforming amendments.
- Current Status:* 4/16/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline for House bills (Rule 79(b))
- State Bill Page:* [HB1055](#)
- HB1056 PROPERTY TAX APPEALS (MANNING E) Requires a county or township official who receives a written appeal notice from a taxpayer to forward the notice to the county auditor, if the taxpayer raises a claim regarding a matter that is in the discretion of the county auditor. Provides that the county auditor is a party before the county property tax assessment board of appeals and for any appeal of the board's decision in an appeal related to a matter that is in the discretion of the county auditor. Specifies the notice that the Indiana board of tax review (Indiana board) must file with the tax court regarding the preparation of a certified record of the proceedings related to a petition for which judicial review has been sought. Repeals a statute requiring the Indiana board to recommend that parties settle or mediate any case pending before the board if certain conditions are met. Provides that certain burden shifting requirements do not apply if the assessment that is the subject of the review or appeal is based on substantial renovations or new improvements. Provides that "small claim" means an appeal where the parties have elected to proceed under the Indiana board's small claims rules. (Current law defines the term as an appeal of a final determination of assessed valuation that does not exceed \$1,000,000.) Provides that a party must be able to elect out of the small claims rules.
- Current Status:* 4/24/2019 - Signed by the Speaker
- State Bill Page:* [HB1056](#)
- HB1061 ATTORNEY'S FEES (LEONARD D) Requires a court to award attorney's fees to the prevailing party in all civil actions.
- Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)
- State Bill Page:* [HB1061](#)
- HB1074 TAX SALE REDEMPTIONS (ENGLEMAN K) Provides that if real property sold at a tax sale is redeemed, the interest rate on the following components of the redemption amount is increased from 5% per annum to the statutory rate per annum for judgments on money (8% per annum under current law): (1) The amount by which the sales price exceeds the minimum bid. (2) The amount of the taxes and special assessments paid by the purchaser.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1074](#)

HB1078 COMMITMENT OF LEVEL 6 OFFENDERS TO DOC (STEUERWALD G) Provides that a court may commit a person convicted of a Level 6 felony to the department of correction (DOC) if: (1) the person is a violent offender; or (2) the person has two prior unrelated felony convictions.

*Current Status:* 4/23/2019 - House reconsidered and concurred in Senate amendments; Roll Call 592: yeas 94, nays 2

*State Bill Page:* [HB1078](#)

HB1086 LOCAL LICENSING AND PERMITTING (PRESSEL J) Provides that if a political subdivision requires a person to post a surety bond as a condition that the political subdivision issue a license or permit to the person, a surety bond posted by the person is considered sufficient if the following are satisfied: (1) The bond is written by a surety company authorized to transact business in Indiana. (2) The obligation on the bond is for an amount that is at least the amount required by the political subdivision for the issuance of the particular license or permit. (3) The obligee or obligees named on the bond are any of the following: (A) The political subdivision that requires the bond. (B) Specifically named political subdivisions in the county that include the name of the political subdivision that requires the bond. (C) All political subdivisions in the county in which the political subdivision that requires the bond is located. (D) All political subdivisions of the same kind as the political subdivision that requires the bond located in the county. (4) The conditions of the bond otherwise comply with the requirements of the ordinance that imposes the bond condition. Provides that a political subdivision may not require the obligation on a license bond to be more than \$15,000. Provides that a person required to post a bond satisfies the posting requirement if the person files a copy of the bond with the political subdivision or appropriate agency of the political subdivision that requires the bond. Provides that a political subdivision may not require that the person record the license bond.

*Current Status:* 4/16/2019 - Signed by the Speaker

*State Bill Page:* [HB1086](#)

HB1087 PAYMENT OF COURT COSTS (PRESSEL J) Allows a court to reduce some or all of the court costs owed by a person who performs community service or approved uncompensated volunteer work by: (1) determining the number of hours of community service or volunteer work performed by the person; (2) multiplying the number of hours worked by the Indiana minimum wage; and (3) deducting that figure from the amount owed. Excludes from the calculation community service hours required to be performed under a plea agreement.

*Current Status:* 4/24/2019 - SIGNED BY GOVERNOR

*State Bill Page:* [HB1087](#)

HB1101 UNIFORM FOOD AND BEVERAGE TAX (CHERRY R) Provides that a county fiscal body may impose a uniform food and beverage tax if the county is not required or authorized to impose a food and beverage tax under any other law (other than the stadium and convention funding food and beverage tax). Specifies that the tax rate may not exceed 1% and must be imposed in increments of 0.25%. Provides that revenue from the tax may be used by the county, after appropriation by the county fiscal body, only for: (1) capital improvements that promote economic development in the county, including fairgrounds, convention centers, or conference centers; (2) certain costs that are necessary or useful for such a capital improvement; and (3) paying the principal and interest of any bonds issued or lease rental payments for a lease entered into for these purposes. Specifies that the tax revenue may not be used to pay any operating expenses. Authorizes the county fiscal body to pledge the tax revenue to pay bonds issued, loans obtained, and lease payments or other obligations incurred by or on behalf of the county for purposes authorized under the uniform food and beverage tax law. Specifies that a uniform food and beverage tax imposed in a county remains in effect until the earlier of: (1) the date on which the county fiscal body rescinds the food and beverage tax; or (2) the last day of the month beginning immediately after the tenth anniversary of the date on which the food and beverage tax was first imposed in the county.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1101](#)

HB1102 LOCAL INCOME TAX RATE (CHERRY R) Increases the maximum portion of the local income tax expenditure rate that a county fiscal body may allocate for correctional and rehabilitation facilities from 0.2% to 0.4%. Extends the maximum time period for the allocation from 20 to 22 years.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1102](#)

- HB1103 PLAN COMMISSION EXECUTIVE DIRECTOR (CHERRY R) Provides that: (1) the county executive may appoint the executive director of an area plan commission; and (2) if the county executive does not appoint the executive director within 45 days of a vacancy in the position, the area plan commission may appoint the executive director. (Under current law, the area plan commission appoints the executive director.)  
*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)  
*State Bill Page:* [HB1103](#)
- HB1111 STATE PAYMENTS IN LIEU OF PROPERTY TAXES (BARTELS S) Requires the state to make payments in lieu of property taxes (PILOTs) for qualified parcels in counties in which at least 15% of all land in the county is: (1) in the aggregate, owned or leased by the state of Indiana or the federal government; and (2) subject to an exemption from property taxes. Defines "qualified parcel" as a parcel that is: (1) owned or leased by the state of Indiana; (2) subject to an exemption from property taxes; and (3) located in a county to which this act applies. Provides that a county containing qualified parcels is entitled to receive PILOTs from the state. Provides that for purposes of calculating a PILOT, each acre of the qualified parcel is considered to have an assessed value of 1/2 of the statewide agricultural land base rate value. Provides that money received from the PILOTs must be used by the taxing units for one or more of the following purposes: (1) Public safety. (2) Capital improvements. (3) Purchase or lease of equipment. Annually appropriates from the state general fund the amount necessary to pay the required PILOTs.  
*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)  
*State Bill Page:* [HB1111](#)
- 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 or storm water management board. 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. 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. Specifies the procedure for notice by publication under 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. Allows a drainage board to send written invitations for bids for construction work by electronic means. Resolves conflicts with HEA 1019-2019 and HEA 1115-2019.  
*Current Status:* 4/22/2019 - Signed by the Speaker  
*State Bill Page:* [HB1116](#)
- HB1120 COUNTY OPTION PROPERTY TAX REPLACEMENT FEE (KARICKHOFF M) Permits a county council or a local income tax adopting body to establish an annual property tax replacement fee on any parcel receiving assessed value deductions or property tax credits that reduce the annual property tax liability on the parcel to less than the fee amount set by the county. Provides that the fee must be at least \$100 but not more than \$400. Specifies that the property taxes paid on the parcel are a credit against the fee. Changes the county option amount from \$25 to \$100 for requiring the payment of property taxes and the property tax replacement fee, if any, in the May installment. Eliminates the \$5 minimum property tax statement processing fee if a county adopts the property tax replacement fee.  
*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)  
*State Bill Page:* [HB1120](#)
- HB1125 CUMULATIVE CAPITAL IMPROVEMENT FUND (ELLINGTON J) Permits a local government unit to establish a cumulative capital improvement fund to provide money to purchase, lease, or pay all or part of the cost of electronic monitoring equipment used by a state or local community corrections program.  
*Current Status:* 4/16/2019 - Signed by the Speaker  
*State Bill Page:* [HB1125](#)
- HB1126 LOCAL TAX MATTERS (ELLINGTON J) Provides that the local income tax council is the county adopting body for purposes of the local income tax only if: (1) the county income tax council (under the prior law) adopted either the county option income tax or the county economic development income tax; and (2) the population of the county is more than 140,000. Specifies that in all other cases, the county adopting body is the county council. 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.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1126](#)

- HB1127 PROPERTY TAX EXEMPTION (MILLER D) Provides a property tax exemption effective January 1, 2017, for certain property owned by an Indiana nonprofit public benefit corporation exempt from taxation under Section 501(c)(3) of the Internal Revenue Code if: (1) the property is used in the operation of a nonprofit health, fitness, aquatics, and community center; and (2) the acquisition and development of the property are provided in part under the regional cities initiative of the Indiana economic development corporation. Provides for a refund for any property taxes paid in 2018 and 2019.
- Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)
- State Bill Page:* [HB1127](#)
- 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:* 4/2/2019 - Third reading passed; Roll Call 371: yeas 47, nays 1
- 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.
- Current Status:* 4/16/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline for House bills (Rule 79(b))
- State Bill Page:* [HB1140](#)
- HB1157 PIPING MATERIALS FOR PUBLIC WORKS PROJECTS (MILLER D) Defines "acceptable piping material" as piping material that: (1) meets certain recognized standards; and (2) meets the performance specifications for the public works contract. Provides, for purposes of the law on public works projects of state agencies and political subdivisions, including design-build public works projects, that the specifications or design criteria package must allow bidding in open competition for acquisition of acceptable piping materials for use in the public works project. Provides, however, that a public works project's engineer is not limited in selecting any acceptable piping materials that meet the requirements of the public works project.
- Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)
- State Bill Page:* [HB1157](#)
- HB1158 FAIR AND OPEN COMPETITION FOR PUBLIC WORKS PROJECTS (MILLER D) Provides that a public agency may not do any of the following: (1) Require a potential bidder on a public works project to provide any information that the potential bidder considers confidential or proprietary as a requirement for the public agency finding the bidder to be a

responsive or responsible bidder. (2) By rule, ordinance, or any other action relating to contracts for public works projects for which competitive bids are required impose any requirement that directly or indirectly restricts potential bidders to any predetermined class of bidders defined by experience on similar projects, size of company, union membership, or any other criteria. (3) Take certain actions based on a bidder's, offeror's, or contractor's entering into, refusing to enter into, adhering to, or refusing to adhere to an agreement with a labor organization.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1158](#)

HB1166 REDEVELOPMENT COMMISSION MEMBERSHIP (COOK A) After December 31, 2019, increases by one member, the membership of a municipal or county redevelopment commission (commission). Requires a municipal or county executive to appoint one member to the redevelopment commission who is a school board member. Provides that if there is more than one school corporation within redevelopment commission territory, the member must be: (1) a member of the school board of the school corporation having the largest average daily membership (ADM); or (2) a member of the school board of another school corporation within the commission's territory who is recommended by the school board described in (1). Effective January 1, 2020, eliminates the appointment of and term of office of a nonvoting adviser to the commission. Provides that the executive of the municipality for a municipal redevelopment commission, or the president of the county executive for a county redevelopment commission, serves as an ex officio member of the commission to cast the deciding vote to break a tie.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1166](#)

HB1170 PUBLIC SAFETY OFFICER CONTRACT NEGOTIATIONS (MAHAN K) Requires a county, city, town, or township (unit) that does not have a procedure for resolution of an impasse in contract negotiations through alternative dispute resolution with an employee organization for the unit's police or fire department employees, to include in a written agreement entered into with the employee organization after June 30, 2019 that: (1) the parties to submit to nonbinding mediation if they fail to agree to a new agreement within one year after the existing agreement expires. (2) the agreement continue without any change in its terms and conditions until the earlier of the following: (A) The parties fail to reach an agreement after mediating the dispute, at which time the written agreement no longer binds the parties. (B) The date the parties execute a new written agreement.

*Current Status:* 4/15/2019 - Signed by the President Pro Tempore

*State Bill Page:* [HB1170](#)

HB1177 TOWNSHIP GOVERNMENT ISSUES (ZIEMKE C) Requires a township to prepare a capital improvement plan for at least the ensuing three years if the balance in certain capital improvement funds in the preceding year exceeds both of the following: (1) 150% of the township's annual budget estimate. (2) \$200,000. Prohibits the township from collecting property taxes for certain capital improvement funds in the ensuing year unless the township has adopted a capital improvement plan. Allows a township to make a one time transfer of an excess balance or part of an excess balance between township funds. Provides that the transfer may not be completed until after the township adopts a capital improvement plan, if the township is required to adopt a capital improvement plan. Requires the transfers must be completed not later than September 1, 2020. Provides that if an eligible municipality petitions an adjacent township to accept the transfer of the territory of the eligible municipality that is within the transferor township, the legislative body of the adjacent township must accept transfer of the territory of an eligible municipality within two years (instead of one year) after the legislative body receives the petition. Repeals a provision that prohibits the transfer of territory from taking effect in the year before a federal decennial census is conducted.

*Current Status:* 4/23/2019 - Signed by the Speaker

*State Bill Page:* [HB1177](#)

HB1178 TOWNSHIP CEMETERY OWNERSHIP AND MAINTENANCE (ZIEMKE C) Transfers from townships to counties the current provisions concerning cemetery establishment, ownership, and maintenance. Requires townships to transfer to the county in which the township is located cemetery related property and responsibilities before January 1, 2020.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1178](#)

HB1185 BUNKHOUSE SAFETY REQUIREMENTS (NEGELE S) Defines "bunkhouse". Provides that, before January 1, 2021, the commission may adopt rules to exempt bunkhouses from being required to be equipped with an automatic fire sprinkler system.

*Current Status:* 4/24/2019 - SIGNED BY GOVERNOR

*State Bill Page:* [HB1185](#)

- HB1192 THEFT BY PUBLIC SERVANTS (LAUER R) Specifies that in the case of a public servant who criminally exerts unauthorized control over public funds of the public servant's employer, the employer may be reimbursed from the public servant's public pension fund contributions and benefits. Provides that the employer may withhold payment of the public servant's contributions and interest during the pendency of the criminal case, but may not withhold the: (1) monthly pension portion of a retired public servant; or (2) disability benefits of a public servant who becomes disabled; during that time. Provides that assets of the judges' retirement system and the prosecuting attorneys retirement fund are exempt from levy, sale, garnishment, attachment, or other legal process. (Current law provides similar exemptions for certain funds administered by the Indiana public retirement system.)  
*Current Status:* 4/23/2019 - Signed by the Speaker  
*State Bill Page:* [HB1192](#)
- HB1210 FEDERAL ASSISTANCE AND FEDERAL GRANT ADMINISTRATION (STUTZMAN C) Provides that after June 30, 2019, a state agency may not apply for or renew federal assistance or a federal grant (assistance or grant) unless: (1) the state agency analyzes the effect of the assistance or grant on state and local governments and private sector entities; (2) the Indiana office of state based initiatives (office) makes a recommendation based upon the agency's analysis regarding whether to pursue the assistance or grant; (3) the governor approves the assistance or grant. Provides that if the assistance or grant requires any expenditure of state funds, for fiscal years after June 30, 2021, the general assembly must make a specific appropriation of the funds in the state budget. Requires the office in cooperation with the state budget agency to present certain budgetary information on assistance and grants to the interim study committee on fiscal policy and the state budget committee before November 1 of each even-numbered year. Requires the interim study committee on fiscal policy and the state budget committee to review the federal grant information presented by the office. Requires the office in cooperation with the state budget agency to provide information regarding assistance and grants expiring in fiscal years 2020 and 2021 to the interim study committee on fiscal policy and the state budget committee.  
*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)  
*State Bill Page:* [HB1210](#)
- HB1212 NOTICE OF SHERIFF'S SALE OF FORECLOSED PROPERTY (MCNAMARA W) Amends the statute concerning the procedures for a sheriff's sale of real property subject to a mortgage foreclosure judgment to provide that before selling the property, the sheriff must advertise the sale by arranging for the posting of a notice of the sale on the Internet web site maintained by: (1) each county in which the real estate is located; or (2) the office of the sheriff; at the discretion of the sheriff. (Current law requires the sheriff to advertise the sale by publication in a newspaper of general circulation in each county in which the property is located.) Specifies that existing law governing an error or omission in a legal notice published in a newspaper also applies to a sheriff's sale notice posted on an Internet web site. Provides that if: (1) a county in which the real estate is located does not maintain an Internet web site; and (2) the office of the sheriff does not maintain an Internet web site; the sheriff shall advertise the sale by publication in the county. Provides that in a case in which: (1) the sheriff must publish a sheriff's sale notice in a newspaper; and (2) the sheriff is unable to procure such publication; the sheriff shall execute a written statement explaining why publication was not possible. (Current law does not specify that the sheriff's statement must be in writing.) Provides that the sheriff shall: (1) maintain a record, in a printed or an electronic format, of the written statement for a period of not less than three years from the date of execution of the statement; and (2) make the statement available to the public upon request. Provides that a sheriff who posts a sheriff's sale notice on a county's or the sheriff's Internet web site shall: (1) maintain a record, in a printed or an electronic format, of the posted notice of sale for a period of not less than three years from the date on which the notice is removed from the Internet web site after the occurrence of an event specified under the bill; and (2) make the record available to the public upon request. Makes conforming amendments.  
*Current Status:* 4/16/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline for House bills (Rule 79(b))  
*State Bill Page:* [HB1212](#)
- HB1217 PORTER COUNTY ELECTION BOARD (SOLIDAY E) Establishes a board of elections and registration for Porter County. Provides that Porter County is a county that counts absentee ballots at a central location. Provides that an appointed member of a county election board or a board of elections and registration may not be a relative of any individual that has the authority to appoint a member of the board.  
*Current Status:* 4/18/2019 - Signed by the Speaker  
*State Bill Page:* [HB1217](#)
- HB1230 REPEAL OF STATUTES PREEMPTING LOCAL ACTION (CHYUNG C) Repeals statutes that prohibit a unit of local government from doing the following: (1) Mandating employee benefits, scheduling, or leave policy that exceed federal or state requirements. (2) Regulating firearms, ammunition, and firearm accessories. (3) Requiring a landlord

to participate in a housing program. (4) Regulating the manufacture or use of bags, bottles, and other single use containers. (5) Regulating the leasing or sale of real property.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1230](#)

HB1260 LOCAL REFERENDA FOR WIND POWER DEVICES (SAUNDERS T) Provides that after June 30, 2019, a unit may not authorize, or establish requirements for, the installation or siting of wind power devices in the unit unless the voters of the unit have approved the installation or siting of wind power devices in the unit through a local public question. Provides that a regulation that: (1) is adopted or amended by a unit after June 30, 2019; and (2) authorizes, or establishes requirements for, the installation or siting of wind power devices in the unit; does not take effect unless this condition is met. Sets forth procedures for conducting a local public question concerning the installation or siting of wind power devices in a unit.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1260](#)

HB1263 WORKFORCE HOUSING DEVELOPMENT (PRESSEL J) Establishes the workforce housing development revolving loan fund (fund) to provide funding for loans to counties, cities, or towns for workforce housing development projects. Appropriates \$1,000,000 to the fund for the 2019-2020 state fiscal year. Provides that the Indiana housing and community development authority shall administer the fund. Specifies the purposes for which money loaned from the fund must be used. Permits redevelopment commissions in counties other than Marion County to establish a program for workforce housing development and a tax increment funding allocation area for that program. Defines "workforce housing" for purposes of both the fund and the program as housing that consists of single family dwelling units that have a sales price of not more than \$250,000.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1263](#)

HB1266 SEDIMENT AND EROSION CONTROL IN CONSTRUCTION (MILLER D) Provides that a review authority (an MS4 community or a soil and water conservation district) to which a construction plan is submitted must make a preliminary determination whether the construction plan is substantially complete: (1) before the end of the tenth working day after the day on which the construction plan is submitted in the case of a small construction activity site (one at which construction results in land disturbance of at least one but less than five acres) or very small construction activity site (one at which construction results in land disturbance of less than one acre); or (2) before the end of the fourteenth working day after the day on which the construction plan is submitted in the case of a large construction activity site (one at which construction activities result in land disturbance of at least five acres). Provides that if a review authority to which a construction plan is submitted does not notify the project site owner before the end of the tenth or fourteenth working day (whichever applies) of its preliminary determination whether the construction plan is substantially complete, the project site owner may submit a notice of intent letter and, 48 hours later, may begin the construction project. Provides that an MS4 community may require erosion and sediment control measures at a very small construction activity site but that the control measures may not be more stringent than the control measures required at a small construction activity site by administrative rules or the general permit that will be issued by the department of environmental management (IDEM). Establishes minimum qualifications for an individual who begins employment after July 1, 2019, reviewing and making conclusive determinations concerning construction plans submitted to an MS4 community. 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 that the erosion and sediment control measures are not adequate unless the project site owner is notified in writing of the inadequacies and the inadequacies are not resolved within 72 hours. Provides that the general permit that will be issued by the department of environmental management to establish erosion and sediment control requirements for construction sites, to the extent allowed under federal law, must recognize and be consistent with these provisions.

*Current Status:* 4/18/2019 - Signed by the Speaker

*State Bill Page:* [HB1266](#)

HB1271 PRACTICING A LICENSED OCCUPATION (WESCO T) Provides that if an individual is required to have an occupational license to practice an occupation, the individual may practice the occupation without an occupational license if the individual provides a signed disclosure with the consumer before entering into a contract and complies with all health, safety, security, confidentiality, reporting, and consumer protection requirements that are imposed on an individual with an occupational license. Defines the applicable occupations. Repeals the law concerning a local license to vend, hawk, and peddle goods.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule

- HB1319 REGULATION OF MORTGAGE FORECLOSURES (MOED J) Specifies that the statute concerning the state regulation of mortgage foreclosures does not affect or preempt a political subdivision's authority to: (1) regulate the maintenance, upkeep, or repair of real property within the jurisdiction of the political subdivision, including real property subject to a mortgage foreclosure action; or (2) act as authorized under the unsafe building law, or other applicable state law, with respect to real property within the jurisdiction of the political subdivision, including real property subject to a mortgage foreclosure action; in accordance with state law.
- Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)
- State Bill Page:* [HB1319](#)
- HB1340 MOTOR VEHICLE SAFETY (PRESSEL J) Defines "critical work zone" as an area within a highway work site that is demarcated by signage and in which: (1) the normal lane path is offset, the road surface is significantly disturbed, or machinery is located; and (2) workers are present. Restricts use of an automated traffic enforcement safety device by certain governmental entities to detection or recording of: (1) violations of reduced speed limits in critical work zones; (2) failure by a driver to pay a required toll at a toll collection facility; and (3) failure to comply with school bus stop arm regulations; and provides that the images captured by the automated traffic enforcement safety device are not public records and must be destroyed after a certain amount of time. Provides that certain entities may enforce reduced speed limits in highway worksites without first conducting an engineering study if: (1) workers are present in the immediate vicinity of the highway worksite; and (2) the highway worksite is demarcated by proper signage. Provides that workers need not be present for purposes of certain traffic offenses in highway work zone areas that are not critical work zones. Amends regulations regarding use of a cell phone or other electronic communication device while driving as follows: (1) Expands the list of devices to which the regulations apply. (2) Prohibits: (A) holding or handling an electronic communications device; or (B) viewing, recording, or broadcasting images or video; while operating a motor vehicle. (3) Adds types and uses of devices that are excepted from the regulations. (4) Adds violation of the regulations to the offenses for which a driver may be a habitual violator. Provides that certain governmental entities may enter into agreements with third parties to administer camera enforcement of: (1) reduced speed limits in critical work zones; and (2) school bus stop arm regulations; subject to certain conditions. Provides for a rebuttable presumption that the owner of a vehicle is the person operating the vehicle at the time the vehicle is photographed violating a regulation enforced by camera enforcement. Provides: (1) for civil penalties that may be assessed; and (2) that points may not be assessed under the bureau of motor vehicles' point system; for violations of regulations enforced by camera enforcement. Requires: (1) a penalty collected for a violation of a highway worksite speed limit enforced by camera enforcement to be deposited in the spinal cord and brain injury fund; and (2) 25% of the amount of a civil penalty collected for a violation of a school bus stop arm violation that is enforced by camera enforcement to be deposited in the school operations fund of the school corporation in which the violation occurred and used for funding school bus arm signal device cameras. Provides that a school bus driver: (1) may not pick up or drop off a student at a location that requires the student to cross: (A) a state highway; (B) a county arterial highway; or (C) a municipal arterial street; and (2) must pick up and drop off students as close as is practicable to the right-hand curb or edge of any other type of roadway. Provides that a school bus driver who knowingly or intentionally violates these pick up and drop off provisions commits a Class D infraction. Provides that failure by a school bus driver to conduct a required inspection for students or passengers remaining on a school bus at the end of a trip is a Class D infraction.
- Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)
- State Bill Page:* [HB1340](#)
- HB1343 LIBRARIES (LEONARD D) Provides that, in the case of a public library outside Marion County, the fiscal body of a city, town, or county that established the public library, the governing body of which is not comprised of a majority of officials who are elected to serve on the governing body, may adopt a resolution to require the public library to submit its proposed budget and property tax levy to the city, town, or county fiscal body for binding review and approval in the same manner that is required under current law if the public library's cash on hand plus its expected revenues is greater than 150% of the public library's proposed budget. (These amounts exclude gifts, bequests, and philanthropic funds and debt funds.) Provides that the fiscal body of the city, town, or county may not reduce the public library's proposed operating budget or tax levy in a budget year by more than 10% of the public library's operating levy.
- Current Status:* 4/24/2019 - Conference Committee Report Adopted (H) Report 1: adopted by the House; Roll Call 652: yeas 57, nays 39; Rules Suspended
- State Bill Page:* [HB1343](#)
- HB1345 PROPERTY TAX MATTERS (MILLER D) Provides that if a for-profit land developer acquires land in inventory from a school corporation or a local unit of government, the land in inventory shall be assessed as agricultural land at the

agricultural land base rate on the first assessment date immediately following the date on which the land developer acquires title to the land in inventory, and thereafter the land in inventory is subject to the usual provisions for reassessment of a land developer's land in inventory. Restores the property tax exemption for certain real property that is acquired for the purpose of erecting, renovating, or improving a single family residential structure that is to be given away or sold: (1) in a charitable manner; (2) by a nonprofit organization; and (3) to low income individuals who will use the land as a family residence. Provides a property tax exemption for assessment dates occurring after December 31, 2016, for certain property owned by an Indiana nonprofit public benefit corporation exempt from taxation under Section 501(c)(3) of the Internal Revenue Code if: (1) the property is used in the operation of a nonprofit health, fitness, aquatics, and community center; and (2) the acquisition and development of the property are provided in part under the regional cities initiative of the Indiana economic development corporation. Allows a refund for any property taxes paid in 2018 and 2019 for property that qualifies for the exemption.

*Current Status:* 4/24/2019 - SIGNED BY GOVERNOR

*State Bill Page:* [HB1345](#)

HB1359 ANNEXATION (MAHAN K) Provides that if an annexation petition is filed with the municipality by 100% of the landowners within the annexation territory, the municipality must: (1) hold a public hearing on the annexation not later than 60 days (instead of 30 days) after the filing; and (2) adopt an annexation ordinance not later than 90 days (instead of 60 days) after the filing; or landowners may file the petition in court. Provides the following with regard to annexation remonstrance waivers (waivers): (1) Waivers executed before July 1, 2015, expire not later than July 1, 2034. (2) A real estate sales disclosure form must disclose whether the property is subject to a waiver. Allows some tax exempt agricultural property to be: (1) noncontiguous; or (2) used to annex additional property.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1359](#)

HB1373 ASSESSMENTS FOLLOWING SUCCESSFUL APPEALS (ABBOTT D) Provides for a three year cap on the assessment of real property that was the subject of a successful appeal or review that reduced the gross assessed value by more than 5%. Provides that the assessment cap does not follow the real property and is subject to a change in ownership. Provides that the assessed value is determined by standard appraisal methods when a change in ownership occurs within the three years following the successful appeal. Provides that the assessment cap does not apply to assessments determined using the income capitalization approach, determined through the correction of an error or omission, or based upon a change in structural improvements, zoning, or use. Provides that a person has the option of applying the assessed value limitations or filing a claim for refund, but not both.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1373](#)

HB1375 STATE BOARD OF ACCOUNTS (LEHMAN M) Makes various changes to statutes concerning the state board of accounts (board). Provides that an examination of an entity shall be limited to matters relevant to the use of public money received by the entity. Relocates language addressing examinations of certain not-for-profit corporations. Provides that an examination of a not-for-profit corporation that derives at least 50% but less than \$750,000 (rather than \$200,000, under current law) of its disbursements from appropriations, public funds, taxes, and other sources of public expense shall be limited to matters relevant to the use of the public money received by the entity. Provides that an individual may confidentially report suspected malfeasance, misfeasance, or nonfeasance that involves an individual who has responsibility for administering public funds on behalf of an entity. Expands the list of individuals to whom the board may disclose examination workpapers and investigation records. Makes changes to the procedure governing the payment of delinquent property taxes and specifies how delinquent property tax payments are to be applied. Eliminates a requirement that the county auditor transmit a monthly financial report to the board. 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. Defines "compensation" for purposes of statutes concerning compensation paid to elected county, city, town, and township officials (local elected officials). Provides that certain information must be included in an ordinance establishing compensation for local elected officials. Makes corresponding changes. Renames the board trust and agency fund the examinations fund. Annually appropriates money in the fund for the payment of the board's expenses for examinations. Provides that money in the fund does not revert to the state general fund. Requires that the board certify the expense incurred for an examination as needed.

*Current Status:* 4/15/2019 - Signed by the President Pro Tempore

*State Bill Page:* [HB1375](#)

HB1389 ANNEXATION WAIVERS AND FIRE PROTECTION DISTRICTS (ELLINGTON J) Provides the following with regard to a waiver of remonstrance of annexation: (1) A waiver executed before, on, or after July 1, 2019 expires 10 years after the waiver is executed. (2) A waiver executed before, on, or after June 30, 2019, is void if the waiver is recorded

more than 90 business days after the date the waiver was executed. Provides that an area located within certain fire protection districts (including any area added to the fire protection district after the district is established) remains within the fire protection district after the annexation. (Current law provides that the annexed area ceases to be a part of the fire protection district when the municipality begins to provide fire protection services to the area.)

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1389](#)

- HB1391 CONTROLLED PROJECTS (GOODRICH C) Provides that the term "controlled project" in the statute applicable to the issuing of bonds and other evidences of indebtedness by political subdivisions does not include: (1) an infrastructure project; or (2) a project for the construction of a data center. Increases from \$25,000,000 to \$50,000,000 the aggregate limit of costs of controlled projects for any 365 day period above which a political subdivision is required to conduct a referendum for additional proposed controlled projects.
- Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)
- State Bill Page:* [HB1391](#)
- HB1395 BROADBAND DEVELOPMENT (NEGELE S) Provides that the Indiana utility regulatory commission (IURC) may adopt rules necessary to administer the Indiana universal service fund (IUSF), including rules to: (1) adjust the amount of the surcharge percentage required to be collected by communications service providers and remitted to the IUSF; and (2) establish the types of communications service providers that are required to assess a surcharge for remittance to the IUSF. Provides that the IURC may, to the extent not prohibited by federal law, require a provider of interconnected VoIP service to collect and remit to the IUSF a surcharge on the provider's revenue from intrastate use of the provider's interconnected VoIP service. Provides that a communications service provider, including a provider of broadband service through fiber optic cable, has access to public rights-of-way as a public utility for purposes of federal law exempting public utilities from payment of fair market value for use of public rights-of-way acquired with federal mass transportation funds. Allows use of the I-Light network for provision of communications service to unserved areas, subject to rules adopted by the office of community and rural affairs to: (1) define unserved areas for purposes of the rules; and (2) establish an application process to receive and evaluate proposals by communications service providers for use of I-Light to provide communications service to unserved areas. Provides that a fee owner of a right-of-way or a possessor of an easement: (1) is not entitled to compensation; (2) may not charge a fee of any kind; and (3) may not unreasonably deny authorization; for construction, operation, or maintenance of infrastructure by public and municipally owned utilities, including communications service providers, to the extent that the construction, operation, or maintenance does not interfere with the ordinary and normal use of the right-of-way or easement. Provides that the department of transportation, when issuing a permit for excavation or obstruction of a street, highway, or right-of-way: (1) may not require provision of a bond or cash deposit in an amount greater than \$10,000 for each area designated in the permit; and (2) must accept a blanket bond in satisfaction of the bond requirement. Makes a technical correction.
- Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)
- State Bill Page:* [HB1395](#)
- HB1403 ANNEXATION (ELLINGTON J) Provides that after June 30, 2019, an annexation may be initiated only as follows: (1) By a petition requesting annexation that is signed by 100% of the affected property owners. (2) By a municipality, if the territory is contiguous and 100% of the affected property owners consent to the annexation. (3) By a municipality, if the territory is noncontiguous and contains certain facilities that are owned or operated by the municipality or owned by a property owner that consents to the annexation. Establishes requirements for a property owner to consent to an annexation. Provides that the following provisions do not apply to an annexation for which an ordinance is adopted after June 30, 2019: (1) Annexation remonstrances. (2) Reimbursement of remonstrators' attorney's fees and costs. (3) Municipal outreach programs. (4) Annexations requested by petition of at least 51% of property owners. Provides that a settlement agreement in lieu of annexation that is executed after June 30, 2019, is void. Eliminates provisions regarding the contiguity of a public highway.
- Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)
- State Bill Page:* [HB1403](#)
- HB1409 CORRECTIONS MATTERS (NEGELE S) Eliminates the community transition program. Removes the requirement for the department of correction (IDOC) to provide a yearly report outlining the operational cost savings from the implementation of HEA 1006-2014. Removes the requirement for IDOC to provide a monthly report on population snapshots, admissions, and release trends. Eliminates the boot camp for youthful offenders program. Provides that when a person imprisoned for a felony completes the person's fixed term of imprisonment, less the credit time the person has earned with respect to that term, the person shall be as soon as practicable, but not later than five

business days, released on parole, discharged, or released to the committing court if the sentence included a period of probation.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1409](#)

- HB1411 EMINENT DOMAIN FOR NONPUBLIC USES (WOLKINS D) Amends the statute concerning the use of eminent domain to acquire real property for nonpublic uses to provide that the requirement that a condemnor compensate the owner of residential property acquired under the statute in the amount of 150% of the fair market value of the property applies: (1) only to residential property occupied by the owner as a residence, in the case of an eminent domain proceeding: (A) initiated before July 1, 2019; and (B) with respect to which the fair market value of the parcel has been determined before July 1, 2019; and (2) to all residential property, regardless of whether the property is occupied by the owner as a residence, in the case of an eminent domain proceeding initiated: (A) after June 30, 2019; or (B) before July 1, 2019, and with respect to which the fair market value of the parcel has not been determined before July 1, 2019. Defines "residential property" for purposes of the statute.
- Current Status:* 4/24/2019 - SIGNED BY GOVERNOR
- State Bill Page:* [HB1411](#)
- HB1417 DISTRIBUTION OF LOCAL INCOME TAXES (THOMPSON J) Phases in a new distribution formula for certain local income tax (LIT) revenue using a weighted combination of property tax levies and total residential assessed value for taxing units receiving this LIT revenue. Phases in the weights over four years beginning in 2021.
- Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)
- State Bill Page:* [HB1417](#)
- HB1427 LOCAL GOVERNMENT MATTERS (LEONARD D) 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. 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. Specifies the deadlines for county auditors to submit property tax settlement and distribution information to the DLGF. Repeals the electronic digital signature act. Specifies the calculation of the acquisition cost of depreciable personal property acquired in like kind exchange for personal property tax purposes. 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. 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. Makes the filing deadlines for property tax deductions applicable to mobile homes and manufactured homes that are not assessed as real property the same as the filing deadlines for property tax deductions applicable to real property. 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. 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. 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, 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 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. Makes changes to the time frame for the board of tax review to conduct a hearing and issue a determination. 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. 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. 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 for an extension of time to submit a city's budget in the case of a veto after October 1. 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). Requires the DLGF to increase the North Harrison fire protection territory provider unit's maximum permissible ad valorem property tax levy for purposes of IC 36-8-19 for property taxes due and payable in 2020 if a petition requesting an increase is filed. 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. Requires a statement in the county treasurer's notice of intention to sell mobile homes that the county treasurer will apply for a court judgment against the mobile homes for an amount that is set by the county executive and that includes collection expenses. Provides that whenever no bid is received on a mobile home, the taxpayer who is delinquent in the payment of taxes causing the tax sale maintains ownership of the mobile home and liability for the delinquent taxes. 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: (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. 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. 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 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 local income tax economic development

*Current Status:* 4/24/2019 - Conference Committee Report Adopted (H) Report 1: adopted by the House; Roll Call 656: yeas 91, nays 6; Rules Suspended

*State Bill Page:* [HB1427](#)

HB1435

TAX SALE REDEMPTIONS (ENGLEMAN K) Provides that a tax deed may not be issued to the holder of a certificate of sale unless: (1) the property taxes and special assessments that first became due and payable after the date of sale; and (2) the penalties on those property taxes and special assessments that are not otherwise removed from the tax duplicate; are paid in full. Repeals most of the tax sale surplus disclosure statute, retaining only the provision prohibiting a county auditor from endorsing a document of conveyance for property sold during the tax sale redemption period unless the purchaser has redeemed the property. Makes technical changes.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1435](#)

HB1436

DUTIES OF COUNTY AUDITORS (ENGLEMAN K) Makes the filing deadlines for property tax deductions applicable to mobile homes and manufactured homes that are not assessed as real property the same as the filing deadlines for property tax deductions applicable to real property. Provides that weed control charges incurred by counties, cities, towns, and townships for removal of noxious weeds and detrimental vegetation on private property are to be collected in the manner that municipal sewer charges are collected and imposes an additional \$20 collection fee. Increases, from \$5 to \$10, the maximum amount of the county option fee that a county auditor may charge for endorsing a real estate conveyance document and provides that the fee revenue must be used for developing or maintaining plat books, in traditional or electronic format. Provides that a redevelopment commission or other entity that creates a tax increment financing area shall file the resolution and supporting documents that create the tax increment financing area with the county auditor in which the tax increment financing area is located within 30 days after the redevelopment commission or other entity takes final action on the resolution. Provides that if a redevelopment commission or other entity that creates a tax increment financing area fails to file the resolution and supporting documents with the county auditor before the first anniversary of the effective date of the tax increment financing area, the county auditor shall use the assessment date immediately preceding the date on which the documents were filed to compute the base assessed value of the tax increment financing area. Urges a legislative study of the advisability of eliminating the mortgage property tax deduction and the advisability of increasing the homestead standard deduction.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

- 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:* 4/16/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline for House bills (Rule 79(b))
- State Bill Page:* [HB1437](#)
- HB1453 APPELLATE DEFENDER AND MISDEMEANOR REIMBURSEMENT (YOUNG J) Establishes the office of the state appellate defender and the juvenile defense office to provide direct appeals for indigent individuals. Provides that a case that originates from Lake or Marion County is exempt from receiving services from the office of the state appellate defender. Provides that a juvenile delinquency case that originates from Marion County is exempt from receiving services from the state appellate defender juvenile defense office. Provides that a county may be reimbursed for indigent services provided for misdemeanors in a superior or circuit court.
- Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)
- State Bill Page:* [HB1453](#)
- HB1473 INDIANA BOND BANK (STEUERWALD G) Allows the Indiana bond bank to require certain entities to establish separate reserve accounts as additional security in connection with the issuance of bonds or notes. Allows and establishes terms and procedures for certain entities to assign or otherwise transfer a future stream of revenue to the Indiana bond bank or certain other entities to obtain funding. Establishes conditions under which the state board of finance may sell, transfer, or liquidate agreements that evidence the state's right to make deductions from state tuition support to pay advances from the common school fund under the school corporation and charter school safety advance program. Provides that the state board of education must report to the budget committee each year on any defaults on the repayment of advances from the common school fund by charter schools that have closed or otherwise ceased operations. Requires the department of local government finance to notify the Lake County auditor of the estimated and certified tax revenue that will be withheld from revenue allocated for economic development purposes for certain civil taxing units and distributed to the secretary-treasurer of the northwest Indiana regional development authority (authority). Requires the auditor of state to withhold local income tax revenue from the revenue allocated for economic development purposes for certain civil taxing units in Lake County and distribute it to the secretary-treasurer of the authority. Provides for distribution of certain amounts collected by the authority if a full funding grant agreement is not entered into for the West Lake corridor project.
- Current Status:* 4/18/2019 - Signed by the Speaker
- State Bill Page:* [HB1473](#)
- HB1477 PROPERTY TAX REFERENDUM FOR LOCAL OPERATING FUND (HUSTON T) Permits counties, cities, and towns to adopt a resolution to hold a referendum to impose a property tax levy for a referendum tax levy operating fund.
- Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)
- State Bill Page:* [HB1477](#)
- HB1513 DEPARTMENT OF NATURAL RESOURCES (EBERHART S) Specifies the use of certain motorboat fees. Provides that the administrator of the underground petroleum storage tank excess liability trust fund (ELTF) is required, not more

than 30 business days after a claim on the ELTF is submitted, to: (1) approve the claim; (2) notify the claimant that a correction, a clarification, or additional information is needed; or (3) deny the claim. Provides that an employee drug testing plan is not required to be submitted with a bid for a public works contract. Eliminates both the department of natural resources fee and the lake and river enhancement fee. Sets out the registration and renewal fees for motorboats. Eliminates the mussel license. Removes a provision that exempts an activity in a boundary river floodway from having to acquire a construction permit. Extends the quarry and aggregate permits from two to five years. Allows the department of natural resources to construct, rent, lease, license, or operate public service privileges and facilities for recreation in a state forest. Provides that the department of natural resources ensure certain improvements are made to the Ferdinand and Morgan-Monroe state forests. Creates inspection service fees for land classified as native forest land, a forest plantation, or wildland. Makes conforming changes.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1513](#)

HB1521

PROPERTY TAX ASSESSMENTS (GIAQUINTA P) Repeals the provision that requires the county surveyor to make a survey of certain land, if an assessor and a landowner fail to agree on the amount of land included in assessments involving rights-of-way, levees, and public drainage ditches. Instead, provides that a survey must be done if an assessor and a landowner fail to agree on the amount of land in those circumstances, and: (1) requires the landowner to provide written notice of the disagreement to the assessor; (2) requires the survey to be completed within six months from the date of the landowner's notice; (3) allows the landowner to elect to choose the surveyor to conduct the survey (if the landowner does not choose a surveyor, the county surveyor is required to conduct the survey); and (4) specifies the party who is required to pay for the survey. Provides that the attorney general, upon written request of a county assessor, may authorize the chief administrative officer of the office of judicial administration to hire private counsel to represent the county assessor: (1) in a judicial review initiated by the county assessor for review of a final determination of the Indiana board of tax review regarding the assessment or exemption of tangible property; and (2) in a judicial review seeking relief from the tax court to establish that the Indiana board of tax review rendered a decision that was: (A) an abuse of discretion; (B) arbitrary and capricious; (C) contrary to substantial or reliable evidence; or (D) contrary to law (the office of the attorney general may not represent the assessor in these actions under current law). Makes a technical correction.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1521](#)

HB1531

LOCAL REGULATION OF NATURAL RESOURCE DEVELOPMENT (ELLINGTON J) Provides that a municipal plan commission's inclusion in a comprehensive development plan of an unincorporated area within two miles of the corporate boundaries of the municipality does not authorize the municipal plan commission or a board of zoning appeals to regulate: (1) the sale or removal of merchantable timber; or (2) the extraction of mineral resources; on private property located in the unincorporated area. Provides, for purposes of a local planning and zoning law stating that a plan commission is not authorized to prevent the use and alienation of mineral resources or forests outside of urban areas, that an area in which there are at least 20 residences within a quarter mile square (instead of eight residences within a quarter mile square) is an "urban area." Prohibits a county, city, town, or township from regulating the sale or removal of merchantable timber on private property. Provides that a county, city, town, or township may charge a fee to a person who removes merchantable timber from private property, but provides that the fee may not exceed the fee that the unit charges in connection with a road cut or other access to a highway for purposes of new commercial construction. Provides that a county, city, town, or township may require a person who removes merchantable timber from private property to post a bond, but provides that the amount of the bond may not exceed the amount of the bond that the unit requires in connection with a road cut or other access to a highway for purposes of new commercial construction. Prohibits a county or municipality from regulating the extraction of mineral resources on private property located outside the corporate boundaries of a municipality.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1531](#)

HB1566

INNKEEPER'S TAX (ENGLEMAN K) Provides that the department of state revenue (DOR) or a county treasurer may enter into an agreement with the fiscal officer of an entity responsible for the expenditure of funds from an innkeeper's tax to furnish the fiscal officer each month with the name and retail address of each business collecting an innkeeper's tax and the amount of money collected from each business. Provides that the agreement must include a nondisclosure provision. Provides that the DOR may release information concerning an innkeeper's tax or a food and beverage tax under certain circumstances. Increases the Clark County and Floyd County innkeeper's taxes from 4% to 6%. Provides that each month the DOR shall provide summary data regarding innkeeper's tax collections and food and beverage tax collections to county auditors, county treasurers, and fiscal officers of political subdivisions in the case of a tax imposed by a political subdivision that is not a county.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1566](#)

HB1581 PRIVATE REPRESENTATION OF PUBLIC OFFICIALS (CANDELARIA REARDON M) Prohibits a public official who: (1) is sued in the public official's personal capacity and is alleged to have acted outside the scope of the public official's duties; or (2) is charged with a crime unrelated to the public official's duties; from using public funds to pay for private legal counsel. Prohibits the public official from using public funds to pay a judgment or settlement under certain circumstances. Declares certain nondisclosure agreements entered into after June 30, 2019, involving sexual assault, sexual harassment, and sexual discrimination as against public policy and void.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1581](#)

HB1582 LOCAL GOVERNMENT MATTERS (CANDELARIA REARDON M) Allows a political subdivision to provide for automatic enrollment of employees hired after June 30, 2019, in the political subdivision's deferred compensation plan, if the employee does not reject enrollment in the plan within a specified time period. Allows political subdivisions (except school corporations) that make a preliminary determination after June 30, 2019, as to whether a project is a controlled project to deduct from the project cost any funds segregated for use in the project that are in the political subdivision's capital improvement plan or other plan. (Current law applies only to political subdivisions other than school corporations in Hamilton County.) Allows a municipality to make deposits to a vendor or service provider to ensure the municipality's performance of a contract for the purchase of: (1) personal property having a cost of more than \$150,000; or (2) the services of a performer or performers that a municipality contracts with for performing at an entertainment, cultural, or recreational event or activity. Requires the clerk and fiscal officer of all cities and towns to complete at least: (1) 14 hours of training courses within one year; and (2) 36 hours of training courses within three years. Provides that a training course that an individual completes after being elected or appointed as clerk or fiscal officer of a city or town and before the individual begins serving in office applies toward the training requirements. Requires all city and town clerks and fiscal officers to fulfill the training requirements for each term the clerk or fiscal officer serves in office. Provides, in the case of a city or town that reorganizes, that the individual who performs the functions of clerk or fiscal officer for the reorganizing city or town shall comply with the training requirements for the reorganized political subdivision. Allows the board governing a: (1) municipal water or sewer provider; (2) municipal department of sanitation; or (3) sewage disposal plant service provider; to fix the time within which service charges become delinquent and service may be discontinued due to nonpayment of charges. (Currently these time periods are provided by statute.)

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1582](#)

HB1595 SYRINGE EXCHANGE PROGRAM (FLEMING R) Requires the state health commissioner to appoint a panel to hold a public hearing to determine whether to operate a syringe exchange program in a county if the Indiana state department of health determines from available data that the county has experienced at least a 20% increase in opioid overdose emergency room visits or in hepatitis C cases.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1595](#)

HB1619 SPECIAL PERMITS (CHERRY R) Allows the Indiana department of transportation and certain local authorities to issue a permit that allows for the transportation of: (1) material; (2) products; or (3) equipment; belonging to an electric cooperative in certain instances.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1619](#)

HB1622 COUNTY JAILS (LAUER R) Provides that the per diem from the department of correction for the cost of incarcerating a Level 6 felon is \$55 per day. Provides that a county must appropriate at least \$25 of each \$55 per diem to the county sheriff which shall be used by the sheriff only for the purposes of law enforcement or county jail operations. Provides that upon a request from the sheriff, the commissioner may agree to accept custody of a person convicted of a Level 6 felony: (1) if placement in the county jail represents a substantial threat to the safety of others; (2) the inmate committed a new criminal offense while incarcerated in the county jail; or (3) for other good cause shown.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

HB1623 VETERANS (LAUER R) Provides that a veteran who is classified as individually unemployable is entitled to a property tax deduction. Increases the limit of the gross assessed value below which the veteran's property tax deduction is allowable for a veteran who is totally disabled, is at least 62 years of age and has a disability of at least 10%, or is classified as individually unemployable by the department of veterans affairs. Provides that the surviving spouse of an individual who dies while serving in the military or naval forces of the United States is entitled to a property tax deduction. Provides a state income tax deduction for all military service income received by an individual or the individual's surviving spouse. Creates the veterans service officer fund. Allows the department of veterans affairs to award grants for treatment for drug addiction recovery and mental health services. Creates the veterans service officer training fund. Provides for tuition remission at state educational institutions for children of veterans and children of individuals currently serving in or on active duty in the armed forces or their reserves, the Indiana National Guard, and the National Guard.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1623](#)

HB1625 HOUSING COST INFORMATION (CLERE E) Amends the statute concerning state rulemaking procedures to provide that if a state agency intends to adopt a rule that may increase or decrease the costs of housing in Indiana, the agency shall prepare a housing impact analysis (analysis) for the rule. Provides that: (1) the full text of the analysis must be published in the Indiana Register; and (2) the rule must be referenced in the required newspaper notice of the rule; under state rulemaking procedures. Requires a county or a municipality to prepare an analysis if a proposed regulation may increase or decrease the cost of housing in the county or municipality. Requires the analysis to be submitted to the members of the legislative body not less than 30 days before the legislative body considers the regulation. Sets forth the required information for an analysis prepared by a state agency or by a county or municipality. Requires the Indiana housing and community development authority (authority) to prepare a comprehensive five year state housing strategy plan (plan). Sets forth required elements of the plan. Requires the authority to: (1) annually update the plan; and (2) submit the plan to the governor and the legislative council before October 1 of each year. Requires a municipality to annually prepare a housing fee report. Requires the municipality to post the report on the municipality's Internet web site (or on the county's Internet web site if the municipality does not maintain an Internet web site). Provides that a municipality may not impose any housing related fee that is not: (1) included in the fee report; or (2) posted on the municipality's Internet web site.

*Current Status:* 4/16/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline for House bills (Rule 79(b))

*State Bill Page:* [HB1625](#)

HB1649 ELECTRIC FOOT SCOOTERS (EBERHART S) Provides that an electric foot scooter is not a motor vehicle for purposes of certain motor vehicle laws. Provides that an electric foot scooter has all rights and duties that apply to a person operating a bicycle. Exempts electric foot scooters from financial responsibility. Provides for certain equipment requirements for electric foot scooters. Allows an electric foot scooter to be parked on a sidewalk in certain instances. Prohibits an electric foot scooter from operating on an interstate highway. Provides that a local authority, with respect to private roads and highways under the authority's jurisdiction, may regulate the standing or parking of electric foot scooters. Provides that a local authority, with respect to private roads and highways under the authority's jurisdiction, may regulate the operation of electric foot scooters and require the registration and licensing of electric foot scooters. Makes conforming changes.

*Current Status:* 4/18/2019 - Signed by the Speaker

*State Bill Page:* [HB1649](#)

HB1650 ELIMINATION OF TOWNSHIP ADVISORY BOARDS (ZIEMKE C) Amends various provisions in the Indiana Code concerning township government effective January 1, 2022. Provides that on January 1, 2020, in all counties (except Marion County): (1) township boards are dissolved; (2) the duties and responsibilities of the township board are transferred to the township trustee; (3) the township trustee has the legislative and fiscal powers and duties of the township, in addition to the executive powers and duties; and (4) the property and personnel of the township board are transferred to the township trustee. Beginning with property taxes due and payable in calendar year 2021 in a county not having a consolidated city, the township trustee shall submit the township budget to the county fiscal body for review and approval, if the township's proposed tax rate exceeds the statewide township property tax rate average during the preceding five years by at least 3% for property taxes due and payable that same year. Urges the legislative council to assign to an appropriate interim study committee the task of studying the effect of eliminating township advisory boards.

*Current Status:* 2/25/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline (Rule 147.1)

*State Bill Page:* [HB1650](#)

- SB11 NEEDLE EXCHANGE PROGRAM PARTICIPATION (BOHACEK M) Requires a qualified entity to establish and maintain a syringe exchange program registry. Provides a defense to prosecution of certain offenses related to controlled substances if: (1) a person is currently registered under a syringe exchange program; (2) the person obtained the hypodermic syringe or needle under a syringe exchange program; and (3) there is no more than a residual amount of a controlled substance located in the hypodermic syringe or needle.  
*Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))  
*State Bill Page:* [SB11](#)
- SB19 CRIMES AGAINST PUBLIC SAFETY OFFICIALS (MERRITT J) Increases the penalty for battery if it is committed against a public safety official or a relative of a public safety official because of the official's status or perceived status as a public safety official, and increases the penalty for criminal recklessness if it is committed against: (1) a public safety official while the official is engaged in the official's official duties; or (2) a public safety official or a relative of a public safety official if the offense is committed because of the official's status or perceived status as a public safety official.  
*Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))  
*State Bill Page:* [SB19](#)
- SB24 OWI AND PUBLIC SAFETY OFFICIALS (MERRITT J) Makes operating while intoxicated a Level 6 felony if the operator causes bodily injury to a public safety official or property damage to an authorized emergency vehicle.  
*Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))  
*State Bill Page:* [SB24](#)
- SB29 SCHOOL MATERIALS FOR JUVENILE DETAINEES (BOHACEK M) Provides that, if a child is or will be detained in a juvenile detention facility (facility) for more than seven calendar days, the school corporation must, upon the child's parent or facility's request, provide to the facility the school materials for the grade level or courses that the child is or would be enrolled in if the child were not detained. Requires the school corporation, upon the child's parent or facility's request, to deliver the school materials at least once every seven calendar days, excluding any days that are not student instructional days. Provides that the school corporation may provide the school materials in an electronic format. Provides that, except for the assessment of rental fees for curricular materials, the school corporation is responsible for the costs associated with preparing and delivering the school materials. Provides that the school corporation is not required to provide the school materials if the: (1) child is released from the facility; or (2) facility requests that the school corporation no longer provide the school materials. Provides that if a student is suspended, the student is required to complete all assignments and school work assigned during the period of the student's suspension. Provides that the principal or the principal's designee shall ensure that the student receives notice of any assignments or school work due and teacher contact information in the event the student has questions regarding the assignments or school work. Provides that a school is required to provide a student who is expelled with a list of available alternative education programs or virtual charter schools which the student may attend during the student's expulsion. Provides that if a student is expelled from school or from any educational function, the student's absence from school because of the expulsion provisions requiring compulsory school attendance if the student may enroll in: (1) an alternative education program in the county or in a county immediately adjacent to the county containing the school corporation from which the student was expelled; or (2) a virtual charter school if the student does not enroll in a program or virtual charter school during the student's expulsion.  
*Current Status:* 4/25/2019 - SIGNED BY GOVERNOR  
*State Bill Page:* [SB29](#)
- SB32 SAME DAY REGISTRATION (LANANE T) Permits a voter to register at the polls by completing a voter registration form and an affirmation that the person has not voted elsewhere in the election and by providing proof of residence.  
*Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))  
*State Bill Page:* [SB32](#)
- SB33 COMPREHENSIVE ADDICTION RECOVERY CENTERS (MERRITT J) Establishes certification and a grant program for comprehensive addiction recovery centers to be administered by the division of mental health and addiction (division). Sets forth requirements for certification and a grant. Requires entities that are awarded a grant to report specified data to the division. Establishes the comprehensive addiction recovery center fund.  
*Current Status:* 4/18/2019 - Conference Committee Report Adopted (S) Report 1: adopted by the Senate; Roll Call 537: yeas 44, nays 0

- SB82 EMPLOYMENT BENEFITS (MELTON E) Repeals the prohibition of local units from establishing, mandating, or requiring certain employee benefits. Allows for local units to maintain a higher minimum wage rate than the state's minimum wage. After December 31, 2019, increases the minimum wage paid to certain employees from \$7.25 per hour to \$9 per hour, then annually increases the minimum wage in \$0.50 increments to \$12 per hour through January 1, 2026.  
*Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))  
*State Bill Page:* [SB82](#)
- SB83 TAX INCREMENT FINANCING (MELTON E) Allows a redevelopment commission (including the Indianapolis metropolitan development commission) to the use up to 15% of the property tax proceeds allocated to a redevelopment district in a fiscal year for ongoing maintenance and repair of: (1) public ways; and (2) sewers, central water systems, central sewer systems, roads, sidewalks, and levees; that are located in an allocation area and that were funded in whole or in part with tax proceeds allocated to the redevelopment district.  
*Current Status:* 4/15/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate bills (Rule 148.1)  
*State Bill Page:* [SB83](#)
- SB86 ABSENTEE VOTING (FORD J) Permits a voter who is qualified to vote in person to vote by absentee ballot. Removes all other qualifications for a voter to vote by absentee ballot except for a voter with disabilities who is unable to make a voting mark on the ballot or sign the absentee ballot secrecy envelope. (Such a disabled voter is currently required to vote before an absentee voter board.)  
*Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))  
*State Bill Page:* [SB86](#)
- SB90 IMMUNITY UNDER THE LIFELINE LAW (MERRITT J) Specifies that a law enforcement officer may not arrest a person for an offense involving possession of paraphernalia, a syringe, or a controlled substance if the officer's contact with the person was due to the reporting of a medical emergency and certain other conditions are met.  
*Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))  
*State Bill Page:* [SB90](#)
- SB94 INTERIM STUDY COMMITTEE (BOOTS P) Urges the legislative council to assign the topic of municipal annexation to the appropriate interim study committee during the 2019 interim.  
*Current Status:* 4/22/2019 - Senate concurred in House amendments; Roll Call 546: yeas 45, nays 0  
*State Bill Page:* [SB94](#)
- SB97 FORFEITURE (BOOTS P) Establishes a new procedure for civil forfeiture, and treats seized property in which a person asserts an ownership interest differently from seized property that is abandoned or unclaimed. Permits seized property that is not abandoned or unclaimed to be forfeited to the state only if the person who owned or used the property has been convicted of a criminal offense. Establishes procedures by which a property owner may regain custody of seized property pending a final determination of the forfeiture action. Specifies which law enforcement costs are recoverable in a forfeiture action. Repeals a provision permitting the state to turn over seized property to the federal government. Makes conforming amendments and repeals an obsolete section.  
*Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))  
*State Bill Page:* [SB97](#)
- SB118 COUNTY COUNCIL AND COMMISSIONER SALARIES (BOHACEK M) Allows the president of the county executive and the president of the county fiscal body in a county other than Marion County to receive a salary that is more than that of the other members as compensation for extra services performed as president. Provides that a president may not receive additional compensation that exceeds 25% of the salaries of the body's other members. Legalizes and validates any action taken by the bodies or members of the bodies before July 1, 2019, regarding the fixing or receipt of a president's salary that includes compensation for extra services.  
*Current Status:* 4/15/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate bills (Rule 148.1)  
*State Bill Page:* [SB118](#)

- SB120 SHERIFF REIMBURSEMENT RATE (TOMES J) Provides that the per diem rate paid from the county jail maintenance contingency fund or any other fund after June 30, 2019, and before July 1, 2021, may not be less than \$55 per day for persons convicted of felonies, including: (1) persons convicted of a Level 6 felony; and (2) convicted felons who are incarcerated for more than five days after the day of sentencing or the date upon which the department of correction receives the abstract of judgment and sentencing order, whichever occurs later.  
*Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))  
*State Bill Page:* [SB120](#)
- SB127 REFERENDUM FOR SCHOOL SAFETY LEVY (HOLDMAN T) Allows a school corporation to adopt a resolution to place a referendum on the ballot to impose a school safety referendum tax levy to improve school safety. Allows a school corporation to impose a school safety referendum tax levy if approved by a majority of the voters. Requires a school corporation to certify a copy of: (1) the resolution to place a referendum for a school safety referendum tax levy on the ballot; and (2) the language for the question; to the department of local government finance (department) for review and approval. Provides that voters may not approve a school safety referendum tax levy that is imposed for more than 8 years. Provides that a school safety referendum tax levy may be reimposed or extended. Requires a county auditor to distribute proceeds attributable to property taxes imposed after being approved by the voters in a referendum to the school corporation. Specifies when a referendum is to be held. Requires the circuit court clerk of each county to certify the results of the referendum for a school safety referendum tax levy to the department. Provides that if a school safety referendum tax levy is approved by the voters in a school corporation in a calendar year, another school safety referendum levy question may not be placed on the ballot in the school corporation in the following calendar year. Provides that if a school corporation imposes a school safety referendum tax levy approved in a referendum, the school corporation may not simultaneously impose more than one additional school safety referendum tax levy approved in a subsequent referendum. Provides that during the period beginning with the adoption of a resolution by a school corporation to place a school safety referendum tax levy question on the ballot and continuing through the day on which the referendum is submitted to the voters, the school corporation may not promote a position on the referendum by taking certain actions. Provides that a school board member, school corporation superintendent, school corporation assistant superintendent, or chief school business official of a school corporation may discuss and personally advocate a position on a referendum for a school safety referendum tax levy outside a regular school day as long as public funds are not used. Requires the governing body of a school corporation for which a school safety referendum tax levy is approved to establish a school safety referendum tax levy fund (fund). Specifies purposes for which money from the fund may be used. Requires the governing body of a school corporation for which a school safety referendum tax levy is approved to establish a school safety referendum debt service fund. Specifies purposes for which money from the school safety referendum debt service fund may be used. Provides that if a school safety referendum tax levy has been approved by the voters in a school corporation at any time in the previous three years, the school corporation may not adopt a resolution to place a school referendum tax levy on the ballot. Requires a school corporation to include in a controlled project any capital improvements necessary to complete components of the most recent threat assessment of the buildings within the school corporation or school safety plan that have not been completed or that require additional funding to be completed. Expands the use of a matching grant from the Indiana secured school fund by a school corporation or charter school (school) to allow the school to use the matching grant to provide a response to a threat in a manner that the school sees fit, including the use of firearms training or other self-defense training. Requires that a school resource officer participate in the development of programs designed to identify, assess, and provide assistance to troubled youth.  
*Current Status:* 4/23/2019 - Rules Suspended. Senate concurred in House amendments; Roll Call 566: yeas 41, nays 8  
*State Bill Page:* [SB127](#)
- SB134 STORAGE OF FIREARMS AT PUBLIC VENUES (SANDLIN J) Requires certain facilities owned or operated by a political subdivision to provide a secure storage location for handguns owned by visitors. Permits a handgun permit holder to carry a handgun on the property of certain facilities for the purpose of safely and securely storing the handgun. Provides that a law enforcement officer or an off duty law enforcement officer may carry or possess a handgun on the grounds or premises of certain buildings, facilities, structures, or venues without restriction. Creates certain exceptions. Provides that any: (1) administrative rule; (2) contractual term; (3) ordinance; (4) policy; (5) regulation; (6) rule; or (7) statute; that prevents or prohibits a person possessing a valid handgun permit or a law enforcement officer or off duty law enforcement officer from carrying or possessing a handgun on the grounds or premises of certain buildings, facilities, structures, or venues is void. Creates certain exceptions.  
*Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))  
*State Bill Page:* [SB134](#)
- SB142 BUILDING PERMITS (BOHACEK M) Prohibits a building commissioner, building code official, or inspector for a local unit of government (unit) from issuing a building permit when the building commissioner, building code official, or

inspector has a direct or indirect financial interest in the issuance of the permit. Requires a unit to adopt an ordinance to establish a procedure to address instances where a building commissioner, building code official, or inspector has a direct or indirect financial interest in the issuance of a permit.

*Current Status:* 4/3/2019 - SIGNED BY GOVERNOR

*State Bill Page:* [SB142](#)

- SB145 COUNTY VEHICLE EXCISE AND WHEEL TAX EXEMPTION (NIEMEYER R) Provides that the fiscal body of a city or town may adopt an ordinance declaring that a vehicle registered in the city or town is exempt from the county vehicle excise tax and the county wheel tax (nonparticipating municipality). Provides that a nonparticipating municipality does not receive a distribution of county vehicle excise tax revenue or county wheel tax revenue.
- Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))
- State Bill Page:* [SB145](#)
- SB160 RESIDENCY OF POLICE OFFICERS AND FIREFIGHTERS (MESSMER M) Allows a member of a police or fire department to reside within a county that is noncontiguous to the county where the police or fire department is located but is not more than 50 miles from the closest boundary of the city, town, or township where the police or fire department is located.
- Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))
- State Bill Page:* [SB160](#)
- SB172 SURVIVOR HEALTH COVERAGE (CRIDER M) Provides that, if the employer of a public safety officer who dies in the line of duty after June 30, 2019, offers health coverage for active employees, the employer shall offer to provide and pay for health coverage under the plan covering active employees for the surviving spouse and each natural child, stepchild, and adopted child of the public safety officer. Provides that health coverage for a surviving child continues: (1) until the child becomes 18 years of age; (2) until the child becomes 23 years of age, under certain circumstances; or (3) during the entire period of the child's physical or mental disability; whichever period is longest. Changes the application date from a death occurring after June 30, 2019, to a death occurring after December 31, 2017. Requires the department of local government finance to establish a state address confidentiality form to be used to restrict access to the home address of certain persons. Adds to the definition of "covered person" the surviving spouse of a covered person if the person is killed in the line of duty. Provides that the state address confidentiality form may be used when applying for address confidentiality.
- Current Status:* 4/23/2019 - Signed by the Speaker
- State Bill Page:* [SB172](#)
- SB178 PROPERTY TAX EXEMPTION (ALTING R) 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 after the statutory deadline if the person pays a late filing fee. Requires the county auditor deposit all money collected from the late filing fee in the county's property reassessment fund. Provides that a property owner may submit a property tax exemption application before September 1, 2019, for any real and personal property: (1) for which an exemption application was filed after April 1, 2017, and before April 10, 2017; and (2) that would have been eligible for a property tax exemption if an exemption application had been properly and timely filed for the real and personal property. Specifies that if a property owner files such an exemption application, the property tax exemption shall be allowed and granted for the January 1, 2017, assessment date, and the property owner is entitled to a refund for any taxes, penalties, and interest paid with respect to the property for that assessment date.
- Current Status:* 4/15/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate bills (Rule 148.1)
- State Bill Page:* [SB178](#)
- SB193 SEWER AND WATER CONNECTIONS (BOHACEK M) Provides that a unit may not prohibit a property owner from installing a sewer line or other sewage works: (1) in or through a public right-of-way owned or controlled by the unit; and (2) for the purpose of connecting the owner's property to a sewer system owned or operated by another unit or entity; if the owner provides to the unit a written determination from a specified authority that the owner's existing sewage disposal system is failing, and if certain other conditions are met. Provides that in the case of a connection to a sewer system made under these provisions, a municipality (or a board of sanitary commissioners for the department of sanitation in certain municipalities) that owns or operates the sewer system to which the connection is made may waive the requirement that the property owner must release the property owner's right to remonstrate against pending or future annexations of the property owner's property by the municipality. Provides that a unit may not prohibit a property owner from installing a water service line or other water utility service infrastructure: (1) in or through a public right-of-way owned or controlled by the unit; and (2) for the purpose of connecting the owner's

property to a waterworks owned or operated by a water utility other than a water utility owned or operated by the unit; if the property owner's property is served by a private water well, and if certain other conditions are met.

*Current Status:* 4/22/2019 - Senate concurred in House amendments; Roll Call 548: yeas 46, nays 0

*State Bill Page:* [SB193](#)

- SB194 VOTER CHALLENGES IN PRIMARIES (BOHACEK M) Eliminates voter challenges at a primary election based on party affiliation.  
*Current Status:* 4/15/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate bills (Rule 148.1)  
*State Bill Page:* [SB194](#)
- SB198 SENTENCING (BOHACEK M) Makes committing a controlled substance offense on the property of a penal facility or juvenile facility an enhancing circumstance. Makes it an aggravating circumstance that a crime was committed because of certain perceived or actual characteristics of the victim.  
*Current Status:* 4/3/2019 - SIGNED BY GOVERNOR  
*State Bill Page:* [SB198](#)
- SB200 INDEMNIFICATION FROM LEGAL MALPRACTICE CLAIMS (BROWN L) Provides that any provision in an agreement between an attorney and a client that purports to prospectively release the attorney from liability for malpractice is against public policy, void, and unenforceable.  
*Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))  
*State Bill Page:* [SB200](#)
- SB215 COUNTY REDEVELOPMENT COMMISSION APPOINTMENTS (BOOTS P) Provides that for appointments made to a five member county redevelopment commission after December 31, 2019: (1) the county executive appoints two (instead of three) members; and (2) the county fiscal body appoints three (instead of two) members. Provides that for appointments made to a seven member county redevelopment commission after December 31, 2019: (1) the county executive appoints three (instead of four) members; and (2) the county fiscal body appoints four (instead of three) members.  
*Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))  
*State Bill Page:* [SB215](#)
- SB220 GOING UPON THE PREMISES OF ANOTHER (KOCH E) Amends the law providing that a person who goes upon the premises of another for certain purposes does not have an assurance that the premises are safe for the person's purpose. Specifies that the law applies to a person who goes upon the premises of another for the purpose of departing from a trail, greenway, or similar area.  
*Current Status:* 4/23/2019 - Signed by the Speaker  
*State Bill Page:* [SB220](#)
- SB222 DISCLOSURE OF PUBLIC HEALTH INFORMATION (KOCH E) Provides that if a person is or was prohibited from working in a food establishment because the person has or had a communicable or infectious disease while working in a food establishment, a local health department or the health and hospital corporation (corporation) shall, upon request, disclose certain information. Specifies that a local health department or a corporation may not disclose the name or any identifying information of the person who has or had a communicable or infectious disease.  
*Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))  
*State Bill Page:* [SB222](#)
- SB225 CONTROLLED SUBSTANCES IN A PENAL OR JUVENILE FACILITY (CRIDER M) Increases the penalty for committing a controlled substance offense on the property of a penal facility or a juvenile facility.  
*Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))  
*State Bill Page:* [SB225](#)
- SB233 BUSINESS PERSONAL PROPERTY TAX EXEMPTION (FREEMAN A) Provides that not later than 30 days prior to the filing date, the appropriate assessor shall provide notification to each person whose personal property is subject to assessment. Increases, from \$20,000 to \$40,000, the acquisition cost threshold for the business personal property tax

exemption. Specifies that a taxpayer who is eligible for a personal property tax 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 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. Repeals provisions in current law that allow a county council to impose a local service fee on each person that has exempt business personal property because the business personal property does not exceed the acquisition threshold. Removes outdated provisions.

*Current Status:* 4/23/2019 - Conference Committee Report Adopted (H) Report 1: adopted by the House; Roll Call 609: yeas 68, nays 25; Rules Suspended

*State Bill Page:* [SB233](#)

SB246 LOCAL PUBLIC QUESTIONS (DORIOT B) Provides that except as otherwise specifically provided by a statute, a local public question may be placed on the ballot only at the following elections: (1) A general election. (2) A municipal general election, but only if the election district for the public question is contained entirely within a municipality. Makes conforming changes.

*Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

*State Bill Page:* [SB246](#)

SB248 DISTRIBUTIONS OF PUBLIC SAFETY INCOME TAX REVENUE (NIEMEYER R) Requires the distribution of public safety local income tax revenues to a township that provides fire protection or emergency medical services (other than a township in Marion County). Permits a qualified fire protection territory and a qualified fire protection district (other than in Marion County) to be eligible to receive distributions of public safety local income tax revenues.

*Current Status:* 4/15/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate bills (Rule 148.1)

*State Bill Page:* [SB248](#)

SB253 STATE AGENCY GRANT ADMINISTRATION (RUCKELSHAUS J) Provides that after June 30, 2019, a state executive branch agency may not apply for or renew a grant from a public or private entity unless the following occurs: (1) The office of state based initiatives (office) analyzes the grant's effect on state and local governments and private sector entities. (2) The office makes a recommendation regarding whether the state agency should pursue the grant opportunity. (3) The governor approves the grant opportunity in writing. Provides that if the grant opportunity obligates the state to expend more than \$500,000 the general assembly must make a specific appropriation of funds for the grant in the state budget.

*Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

*State Bill Page:* [SB253](#)

SB255 CULTURAL DISTRICT DEVELOPMENT (FORD J) Provides that an arts and cultural district certified by the Indiana arts commission is subject to annual review by the commission and must be recertified every four years. Specifies certain requirements for certification (or recertification) of a district.

*Current Status:* 4/15/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate bills (Rule 148.1)

*State Bill Page:* [SB255](#)

SB256 WORK ZONES STUDY (FORD J) Urges the legislative council to assign to an appropriate interim study committee the task of studying the use of automated traffic control systems in work zones.

*Current Status:* 4/15/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate bills (Rule 148.1)

*State Bill Page:* [SB256](#)

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:* 4/15/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate bills (Rule 148.1)

*State Bill Page:* [SB270](#)

- SB283 STATE PAYMENTS IN LIEU OF PROPERTY TAXES (HOUCHIN E) Urges the legislative council to assign to an appropriate interim study committee the task of studying the topic of state payments in lieu of property taxes to counties in which at least 15% of all land in the county is: (1) in the aggregate, owned or leased by the state of Indiana or the federal government; and (2) subject to an exemption from property taxes.
- Current Status:* 4/15/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate bills (Rule 148.1)
- State Bill Page:* [SB283](#)
- SB316 ELIMINATION OF ANNUAL ADJUSTMENTS OF ASSESSED VALUES (NIEMEYER R) Eliminates the annual adjustments (or "trending") to assessed values of certain real property for assessment dates beginning after December 31, 2019. Retains the provisions in current law that require four year cyclical reassessments. Allows a reassessment plan for the four year cyclical reassessments to include trending factors in the plan. Does not eliminate the annual adjustment for agricultural land. Makes conforming changes. Makes technical corrections.
- Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))
- State Bill Page:* [SB316](#)
- SB317 CUSTODY OF DOCUMENTS UNDER AUDIT (NIEMEYER R) Removes provisions regarding the authority of the state board of accounts (board) to conduct an examination without notice to an entity subject to examination. Specifies the manner in which records requested as part of an examination must be handled. Requires the board, in the case of an examination of a township, to: (1) notify the township executive (executive) of the records requested by the board; and (2) allow the executive to bring the requested records to the circuit court clerk's office. Makes corresponding changes.
- Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))
- State Bill Page:* [SB317](#)
- SB332 LAKE COUNTY LOCAL INCOME TAX DISTRIBUTIONS (HOLDMAN T) Adds an expiration date for certain special provisions in current law that allow the Lake County council to adopt an ordinance to use local income tax revenue to provide property tax replacement credits against: (1) property tax levies imposed by the county; or (2) property taxes imposed by municipalities and by the county in unincorporated areas. Provides a schedule for distribution of the tax revenue until the expiration of the special provisions in current law. Provides that if Lake County has an ordinance in effect under the special provisions that reduces all property tax levies imposed by the county by the granting of property tax replacement credits against those property tax levies, the tax rate imposed under that ordinance continues in effect and shall be imposed under the provisions in the local income tax statute that apply to all counties.
- Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))
- State Bill Page:* [SB332](#)
- SB349 VOTER REGISTRATION (FORD J) Provides that an application to obtain or renew a motor vehicle driver's license or permit or an identification card serves as a voter registration application unless the applicant expressly declines on the application to register to vote. Provides that a voter becomes registered to vote when: (1) the county voter registration office determines the voter appears to be eligible to vote at the address on the voter's voter registration application; and (2) the voter receives notice of this determination. Requires a county voter registration office to note that a voter is in inactive status if the notice of voter registration is returned by the United States Postal Service due to an unknown or insufficient address. Eliminates the seven day period during which a voter's voter registration application is considered pending. Removes a requirement for transmission of a paper copy of the voter's application to the county voter registration office.
- Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))
- State Bill Page:* [SB349](#)
- SB366 INTERIM COMMITTEE ON TOWNSHIP CONSOLIDATION (ZAY A) Urges the legislative council to assign to an appropriate interim study committee the task of studying the reduction of township government where economic

efficiencies can be obtained. Requires the county executive or county executive's designee of each county to make recommendations to the committee regarding reducing township governments and providing township services in their own counties.

*Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

*State Bill Page:* [SB366](#)

- SB375 COLLECTING SOLID WASTE MANAGEMENT DISTRICT FEES (NIEMEYER R) Amends the solid waste management district law and the local government law to provide that, after June 30, 2019, a unit of local government may not enact an ordinance requiring a solid waste hauler or a hauler of recyclable materials to collect solid waste management fees and remit the fees to the board of a solid waste management district or a unit of local government.
- Current Status:* 4/10/2019 - SIGNED BY GOVERNOR
- State Bill Page:* [SB375](#)
- SB387 UNSAFE BUILDING HEARING NOTIFICATIONS (KOCH E) Clarifies the procedure for notice by publication under the unsafe building law.
- Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))
- State Bill Page:* [SB387](#)
- SB405 ELECTION AUDITS (SPARTZ V) Allows the secretary of state to designate counties as risk-limiting audit pilot counties and sets forth a procedure for a county to follow to be designated as a pilot county to conduct risk-limiting audits. Provides for conducting election procedure audits after an election. Authorizes the secretary of state to adopt rules detailing procedures for such audits.
- Current Status:* 4/18/2019 - Public Law 34
- State Bill Page:* [SB405](#)
- SB411 CONSULAR IDENTIFICATION (BREAUX J) Requires a state agency, a political subdivision, or an employee of a state agency or political subdivision to accept a consular identification document submitted by an individual as valid identification of the individual in most situations. Provides that a consular identification document may not be accepted: (1) from an individual registering to vote or obtaining a driver's license; (2) when acceptance is not permitted under federal law; or (3) when acceptance would jeopardize funding from a particular source. Provides that information collected from or appearing on a consular identification document is subject to the same privacy protections and limitations on disclosure that apply to information collected from or appearing on a driver's license or an identification card. Provides that, unless otherwise provided by federal law, a consular identification document: (1) does not establish or indicate lawful United States immigration status; (2) may not be considered valid for that purpose; and (3) does not establish a foreign national's right to be in or to remain in the United States. Repeals statutes defining offenses related to consular identification.
- Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))
- State Bill Page:* [SB411](#)
- SB430 ELIMINATION OF NET METERING PHASE OUT (FORD J) Eliminates provisions under which net metering (an arrangement under which an electric utility's customer who has equipment for the production of electricity and who intermittently supplies electricity from that equipment to the electric utility is credited for the electricity that the customer supplies to the electric utility) would be partially ended by 2032 and completely ended by 2047. Eliminates a limit on the aggregate amount of an electric utility's net metering facility nameplate capacity that can be made available for customers' participation in net metering. Provides instead that the net metering facility nameplate capacity that an electric utility makes available for customers' participation in net metering must be at least 3% of the electric utility's most recent summer peak load. Provides that, of the net metering facility nameplate capacity made available for customers' participation in net metering, 30% must be reserved for participation by residential customers and not more than 5% must be reserved for participation by customers that install net metering facilities that use organic waste biomass.
- Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))
- State Bill Page:* [SB430](#)
- SB435 PUBLICATION OF LOCAL GOVERNMENT NOTICES (ZAY A) Allows a political subdivision, which includes an agency of a political subdivision, to publish legal notices on a legal notice web site instead of in a newspaper. Establishes requirements regarding availability and accessibility of a legal notice web site. Requires a political subdivision to designate an official responsible for the electronic publication of legal notices, if the political subdivision publishes legal

notices electronically. Provides that if a political subdivision does not have an official web site, legal notices may be published on an official web site of the county government. Establishes requirements for the duration of the posting of a legal notice and proof of posting.

*Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

*State Bill Page:* [SB435](#)

SB460

BROADBAND DEVELOPMENT (MESSMER M) Establishes the rural broadband fund for the purpose of awarding grants: (1) before August 1, 2019, under the existing statute governing grants for qualified broadband projects for unserved areas in Indiana; and (2) after July 31, 2019, under new procedures governing grants for eligible broadband projects for rural areas in Indiana. Requires the office of community and rural affairs (office) to establish procedures for the awarding of grants from the fund after July 31, 2019, by state agencies to eligible broadband service providers for eligible broadband projects in rural areas of Indiana. Provides that the procedures established by the office must establish specified priorities for the awarding of grants, based on the available Internet speeds in a particular area. Provides that the procedures established by the office may not permit the awarding of a grant from the fund for any proposed broadband project in an area in which eligible broadband service is available. Provides that the procedures established by the office may not permit the office to award a grant from the fund for any project in a rural area for which funding has been allocated from certain federal funding programs. Provides that the procedures established by the office must establish a system of priorities for awarding grants, weighted as determined by the office in guidelines adopted by the office, that gives preference to eligible broadband projects that meet certain specified criteria. Requires an eligible broadband service provider awarded a grant to sign with the office a grant agreement that: (1) outlines a start date and an end date for completion of the project; and (2) conditions the release of any grant funds on the progressive completion of the project. Beginning in 2020, requires the office to submit to the general assembly an annual report on the awarding of grants under these procedures during the most recent state fiscal year. Provides that every three years, beginning in 2021, the state board of accounts shall conduct an audit of the awarding of grants from the fund during the most recent three state fiscal years. Provides that a communications service provider that holds a certificate of territorial authority shall be designated as a public utility solely as that term is used in federal law that allows a state to exempt a public utility from the federal law's requirement that the state must charge fair market value for the use of real property acquired by the state using federal transportation funding. Provides that the department of transportation (INDOT) may not charge an access rate or any other recurring charge or recurring fee for communications infrastructure that is located before May 1, 2019, in any rights-of-way that are owned or controlled by INDOT. Specifies that INDOT may charge routine right-of-way permit fees to enter INDOT's rights-of-way for the maintenance of existing facilities. Provides that the department may create a broadband corridor program to manage communications infrastructure along or within limited access highway rights-of-way. Specifies that for purposes of the broadband corridor program, "communications infrastructure" does not include privately owned vertical structures used primarily for providing wireless communications service. Provides that: (1) INDOT may not unreasonably discriminate among entities requesting access to broadband corridors or other INDOT controlled rights-of-way; and (2) the bill's provisions prohibiting INDOT from discriminating among such entities do not abrogate or limit INDOT's statutory authority to safely and efficiently manage and operate the state highway system and associated highway rights-of-way. Provides that, before July 1, 2020, INDOT shall adopt rules to provide that, as used throughout the department's administrative code regarding utility facility relocation for purposes of construction contracts, "utility" has the meaning set forth in federal law concerning utility relocations, adjustments, and reimbursement.

*Current Status:* 4/18/2019 - Senate concurred in House amendments; Roll Call 532: yeas 46, nays 0

*State Bill Page:* [SB460](#)

SB477

STORM WATER FEE EXEMPTIONS (SANDLIN J) Provides that the board of a municipal department of storm water management, the board of a county department of storm water management, or the board of public works of a consolidated city may not assess or collect user fees for the operation and maintenance of a storm water system with respect to: (1) property where religious services are held regularly; (2) property that belongs to a school corporation and is used for educational purposes; or (3) property that is assessed as agricultural land for property tax purposes. Provides that the drainage board of a county that does not have a department of storm water management may not assess or collect fees for services provided to address issues of storm water quality and quantity with respect to: (1) property where religious services are held regularly; (2) property that belongs to a school corporation and is used for educational purposes; or (3) property that is assessed as agricultural land for property tax purposes.

*Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

*State Bill Page:* [SB477](#)

SB483

COUNTY SERVICE OFFICERS (ALTING R) Provides that 5% of the funds a county receives under the excise tax replacement disbursement to be used to fund county service officers is to be set aside from each individual county's

distribution after the state welfare and tuition support allocation is deducted from the total amount available for apportionment and distribution. Requires a county with more than 2,500 veterans to hire an additional part-time county service officer.

*Current Status:* 4/15/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate bills (Rule 148.1)

*State Bill Page:* [SB483](#)

SB487 PROPERTY MATTERS (YOUNG M) Requires a local health officer to have information establishing probable cause of a public health law or rule violation before a court may issue certain orders concerning the property (current law requires reliable information). Requires a health officer's order of abatement to include the name of the person making the complaint and requires the health officer to report certain information concerning a person who provided false information. Requires the health and hospital corporation of Marion County (corporation) to post notice of an ordinance pending final action on the county's Internet web site. Requires a health officer to provide information concerning a person who made a false report concerning a communicable disease to the person against whom a false report was made. States that a dwelling is unfit for human habitation when the dwelling places a person's health or life in danger (current law states that the dwelling is dangerous or detrimental to life or health). Requires a health officer to provide notice concerning a violation of health, sanitation, and safety and provide a reasonable amount of time to comply with the notice. Specifies language to be included in a notice to quit concerning personal property left on the property after eviction and the time frame in which a landlord can consider the personal property to have been abandoned and the former tenant trespassing if the former tenant reenters the premises. Specifies that a landlord is not responsible for a health code violation by a tenant. Reduces the fines for certain ordinance violations from: (1) \$2,500 to \$250; and (2) \$7,500 to \$750.

*Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

*State Bill Page:* [SB487](#)

SB488 PUBLIC DEFENDERS (YOUNG M) Authorizes the Indiana public defender commission to create guidelines and requirements pertaining to a multicounty public defender's office. Authorizes a county executive to adopt an ordinance that allows the county to enter into an interlocal agreement with one or more counties for the purpose of: (1) creating a multicounty public defender's office; and (2) providing legal services to indigent persons located in the areas subject to the interlocal agreement. Requires interlocal agreements concerning indigent criminal defense to be administered by a joint board. Prohibits certain persons from acting as a member of a joint board. Specifies: (1) term limits; and (2) meeting requirements; for joint boards. Requires the auditor of one county belonging to an interlocal agreement to: (1) receive; (2) disburse; and (3) account for; all monies distributed to a multicounty public defender's office. Amends certain definitions. Makes conforming amendments.

*Current Status:* 4/24/2019 - SIGNED BY GOVERNOR

*State Bill Page:* [SB488](#)

SB497 TAXATION OF SHORT TERM RENTALS (TALLIAN K) Provides that if a person rents or furnishes rooms, lodgings, or accommodations for consideration for periods of less than 30 days, the owner of the real property is the retail merchant responsible for collecting and remitting any sales tax imposed on the rental income received for the rental. Provides that a facilitator becomes responsible for remitting sales tax on a rental arranged by the facilitator only if the facilitator accepts payment from the consumer for a charge designated as sales tax and subsequently fails to forward the sales tax to the owner. Provides a sales tax exemption for an owner of a house, condominium, or apartment who rents or furnishes rooms, lodgings, or other accommodation in the owner's house, condominium, or apartment if the house, condominium, or apartment is the owner's primary personal residence and the owner rents or furnishes the rooms, lodgings, or other accommodations for fewer than 15 days in a calendar year (residential sales tax exemption). Provides that innkeeper's taxes apply, in addition to any other place explicitly specified in an innkeeper's tax statute, to rooms, lodgings, or other accommodations in a house, condominium, or apartment that are regularly furnished for consideration for less than 30 days. Provides that an owner who rents or furnishes rooms, lodgings, or other accommodations in a house, condominium, or apartment for consideration in a retail transaction and does not use the services of a facilitator to facilitate the retail transaction: (1) is not required to register as a retail merchant; and (2) should report the state gross retail tax collected and remitted by the owner for transactions in the manner specified by the department.

*Current Status:* 4/15/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate bills (Rule 148.1)

*State Bill Page:* [SB497](#)

SB517 UTILITY RELOCATION FOR ROAD PROJECTS (HEAD R) Codifies Indiana department of transportation (INDOT) rules prescribing the administrative process for the relocation of a utility's facilities for a road construction contract. Provides that if a utility authorizes an INDOT contractor to perform required utility relocation work as part of a road improvement project, INDOT shall indemnify the utility for any: (1) damage to the property or facilities of the utility or

the utility's customers; (2) loss of utility service to the utility's customers; or (3) interruption of service to the utility's customers; caused by the INDOT contractor's work. Provides that if a utility does not perform the utility's relocation duties imposed by a final work plan within the time set forth in the final work plan, INDOT may: (1) relocate, or cause the relocation of, the utility's facilities; or (2) file a complaint in court for an emergency order to compel the utility to relocate the facilities. Provides that if INDOT relocates, or causes the relocation of the facilities, INDOT: (1) may recover from the utility the costs of the relocation; and (2) shall indemnify the utility for any: (A) damage to the property or facilities of the utility or the utility's customers; (B) loss of utility service to the utility's customers; or (C) interruption of service to the utility's customers; caused by INDOT's or an INDOT's contractor's relocation of the facilities. Provides that if INDOT prevails in a court action to compel a utility to relocate the utility's facilities or customer service facilities, the court shall order the utility to: (1) reimburse INDOT for INDOT's reasonable litigation expenses, including court costs and reasonable attorney's fees; and (2) pay to INDOT a civil penalty of not less than \$20,000. Provides that if a utility prevails in a court action to compel the utility to relocate the utility's facilities or customer service facilities, the court shall order INDOT to pay: (1) the costs of any relocation of the utility's facilities in connection with the project; and (2) the reasonable litigation expenses, including court costs and reasonable attorney's fees, incurred by the utility. Provides that these same procedures apply with respect to the relocation of utility customer service facilities in connection with construction projects involving the state highway system. Provides that if a county executive determines that the location of a utility's facilities will interfere with a planned road, highway, or bridge project under the jurisdiction of the county: (1) the county executive may order the utility to relocate the utility's facilities in accordance with the procedures used by INDOT for projects involving the state highway system; and (2) if the county executive elects to use those procedures: (A) the county executive has all of the authority granted to, and the obligations of, INDOT under that statute, to the extent applicable; and (B) the utility has all of the obligations and rights of a utility under that statute, to the extent applicable.

*Current Status:* 4/15/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate bills (Rule 148.1)

*State Bill Page:* [SB517](#)

SB523 WAIVER OF INTEREST AND PENALTIES (MELTON E) Provides that the fiscal body of a county may adopt an ordinance to establish a property tax amnesty program and require a waiver of interest and penalties added before January 1, 2019, on delinquent taxes and special assessments on real property in the county if: (1) all of the delinquent taxes and special assessments on the real property were first due and payable before January 1, 2019; and (2) before May 1, 2020, the taxpayer has paid all of these delinquent taxes and special assessments and has also paid all of the taxes and special assessments that are first due and payable after December 31, 2018. Requires the waiver of interest and penalties in these circumstances, notwithstanding any payment arrangement entered into by the county treasurer and the taxpayer. Provides that the waiver of interest and penalties under a program shall not apply to interest and penalties added to delinquent property tax installments or special assessments on real property that was purchased or sold in any prior tax sale.

*Current Status:* 4/15/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate bills (Rule 148.1)

*State Bill Page:* [SB523](#)

SB529 AGRICULTURAL MATTERS (GROOMS R) Provides that a county, city, town, or township may not adopt or continue in effect any ordinance, rule, regulation, or resolution prohibiting the establishment or maintenance of beekeeping on property that the person owns, rents, or leases. Specifies that a county, city, town, or township may adopt an ordinance, rule, regulation, or resolution that regulates certain aspects of beekeeping.

*Current Status:* 4/24/2019 - Conference Committee Report Adopted (H) Report 1: adopted by the House; Roll Call 628: yeas 78, nays 16; Rules Suspended

*State Bill Page:* [SB529](#)

SB535 EXTRATERRITORIAL POWERS OF MUNICIPALITIES (BOOTS P) Repeals the general authority of a city or town (municipality) to regulate conduct or property use endangering public health, safety, and welfare within four miles outside of its municipal boundaries and provides that the repeal: (1) does not void such an ordinance or resolution adopted before January 1, 2019, or prevent the validity of such an ordinance or resolution from being challenged in a legal proceeding; and (2) voids such an ordinance or resolution adopted after December 31, 2018. Repeals the general authority of a municipality to: (1) impose restrictions upon persons or animals in order to prevent injury or disease; and (2) capture and destroy animals; within four miles outside its boundaries. Voids any such ordinances or resolutions adopted by a municipality before July 1, 2019. Provides that a municipality may only exercise eminent domain within the municipality unless a statute expressly provides otherwise. Eliminates the express authority of a municipal park board to acquire property outside its boundaries by eminent domain. Provides that a municipal airport board may exercise eminent domain: (1) within four miles outside its municipal boundaries; and (2) more than four miles outside its municipal boundaries in order to acquire land contiguous to an airport that existed on January 1, 2019. Repeals the general authority of a municipality to do the following with regard to watercourses located within 10 miles outside the municipal boundaries: (1) Change the channel of, dam, dredge, remove an obstruction in,

straighten, and widen a watercourse. (2) Regulate the taking of water, or causing or permitting water to escape, from a watercourse. (3) Regulate conduct that might alter the temperature of water, or affect the flow of water, in a watercourse. (4) Regulate the introduction of any substance into a watercourse or onto its banks. (5) Purify the water in a watercourse. Provides that the repeal of the powers in (1) through (5) regarding watercourses: (1) voids any municipal ordinances or resolutions adopted before July 1, 2019, that exercise those powers; (2) does not affect a municipality's ability to take water from a watercourse within the 10 mile area outside its boundaries; and (3) does not affect a municipality's authority under these sections with regard to a municipal park existing on June 30, 2019, that is located within 10 miles outside the municipal boundaries. Allows a municipality to continue to exercise eminent domain to acquire property outside its boundaries, if it has reached a specified point in the eminent domain proceedings on January 1, 2019. Provides that for comprehensive plans that were initially adopted before July 1, 2019, if the municipal plan commission provided in its comprehensive plan for the development of a contiguous unincorporated area, the municipal plan commission may continue to exercise territorial jurisdiction over that area unless the jurisdiction of the municipal plan commission is terminated as provided by law. Provides that for comprehensive plans that are initially adopted after June 30, 2019: (1) If the municipality is located in a county that has not adopted a comprehensive plan covering the contiguous unincorporated area and the municipality is providing municipal services to the contiguous unincorporated area, the municipal plan commission may exercise territorial jurisdiction over that area by filing certain notices. (2) If the municipality is located in a county that has adopted a comprehensive plan and ordinance covering the contiguous unincorporated area, the municipal plan commission may exercise territorial jurisdiction over that area only if it obtains the approval of the county legislative body of each affected county. Provides that the power to aid, maintain, and operate public parks, playgrounds, and recreation facilities and programs may be exercised by a municipality with regard to a municipal park located within 10 miles outside the boundaries of the municipality that exists on June 30, 2019.

*Current Status:* 4/24/2019 - Conference Committee Report Adopted (H) Report 1: adopted by the House; Roll Call 638: yeas 94, nays 3; Rules Suspended

*State Bill Page:* [SB535](#)

SB556

ANNEXATION (BUCK J) With regard to an annexation ordinance adopted after June 30, 2019, allows a county executive to review and deny an annexation if, for the assessment date in the calendar year preceding the calendar year in which the annexation ordinance is adopted, the total gross assessed value of all property annexed by the municipality by all ordinances adopted on the same date is more than 5% of the total gross assessed value of the municipality (without considering the territory to be annexed in the ordinance or ordinances). Provides that if the county executive: (1) denies the annexation, the proceedings are terminated; or (2) does not deny the annexation, the annexation proceedings continue. With regard to an annexation ordinance adopted after June 30, 2019: (1) requires the county executive to review; and (2) allows the county executive to deny an annexation, if, for the assessment date in the calendar year preceding the calendar year in which the annexation ordinance is adopted, the total gross assessed value of all property annexed by the municipality by all ordinances adopted during the calendar year is more than 15% of the total assessed value of the municipality (without considering the territory to be annexed in the ordinance or ordinances). Provides that if the county executive: (1) denies the annexation, the proceedings are terminated and all annexation ordinances adopted by a municipality during the calendar year are void; or (2) does not deny the annexation, the annexation proceedings continue. Requires a fiscal plan prepared after June 30, 2019, to address any estimated effects of the annexation on taxing units not included in the annexation. Requires after June 30, 2019, that notice be given of certain annexation proceedings to taxing units and political subdivisions evaluated for purposes of the fiscal plan.

*Current Status:* 2/26/2019 - DEAD BILL; Fails to advance by Senate 3rd reading deadline (Rule 79 (a))

*State Bill Page:* [SB556](#)

SB566

RESIDENTIAL TAX INCREMENT FINANCING (RAATZ J) Permits a redevelopment commission to establish a program for residential housing development and a tax increment funding allocation area for the program if the average of new, residential houses constructed in the county or municipality in the preceding three years is less than 1% of the total number of residential houses in the county or municipality. Requires the department of local government finance, in cooperation with appropriate county and municipal agencies, to determine eligibility for the program. Provides that a program may not take effect until the governing body of each school corporation affected by the program passes a resolution approving the program. Defines "residential housing" as housing or workforce housing that consists of single family dwelling units sufficient to secure quality housing in reasonable proximity to employment.

*Current Status:* 4/24/2019 - Conference Committee Report Adopted (H) Report 1: adopted by the House;; Rules Suspended

*State Bill Page:* [SB566](#)

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:* 4/15/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate bills (Rule 148.1)

*State Bill Page:* [SB581](#)

SB582 CLAIMS CONCERNING USER FEES (CHARBONNEAU E) Defines the term "user fee" as a fee, rate, or charge imposed by a political subdivision: (1) that represents a just, reasonable, and proportionate approximation of the use or privilege for use of a service, the benefit conferred by the use or privilege for use of a service, and the costs incurred by a political subdivision for providing the service or availability of the service; and (2) that is not excessive in relation to the costs incurred for providing the service. Provides that, in a taxpayer's appeal of a property tax assessment, a taxpayer may not raise any claim related to the legality or constitutionality of: (1) a user fee; (2) any other charge, fee, or rate imposed by a political subdivision; or (3) any tax imposed by a political subdivision other than a property tax. Provides that: (1) all circuit courts; (2) all standard superior courts; and (3) all superior courts that are not standard superior courts; have original and concurrent jurisdiction over claims concerning user fees. Makes a technical correction.

*Current Status:* 4/23/2019 - Conference Committee Report Adopted (S) Report 1: adopted by the Senate;

*State Bill Page:* [SB582](#)

SB603 ANNEXATION (BUCK J) Provides that property added to a fire protection district (district) is considered part of the district as of the date that the district was originally established. Provides that provisions of the existing law regarding the following apply to districts established after July 1, 1987 (instead of after June 14, 1987): (1) The effective date of an annexation of property within a district and the date that an annexed area ceases to be a part of the district. (2) A municipality's liability for indebtedness of a district that is annexed. Provides that if property is annexed within a fire district (including a district established after July 1, 1987) that has a total net assessed value of more than \$1,000,000,000 on the date the annexation ordinance is adopted, the annexed property: (1) remains a part of the district after the annexation; (2) continues to receive its fire protection services from the district; and (3) shall not be taxed by the municipality for fire protection services. Provides that a special fire fund shall be created for all fire protection services provided by the municipality to property within the boundaries of the municipality that is not within the district.

*Current Status:* 4/23/2019 - Conference Committee Report Adopted (H) Report 2: adopted by the House; Roll Call 613: yeas 63, nays 30; Rules Suspended

*State Bill Page:* [SB603](#)

SB608 STATE AND LOCAL AUDIT EXAMINATIONS (BUCK J) Provides that the uniform compliance guidelines for audit examinations of state and local units conducted by the state board of accounts must include a requirement that the unit disclose any pledge, covenant, or agreement that the unit has made as security or guarantor for a private bond issue of a private company. Requires any entity that: (1) is subject to examination or audit by the state board of accounts; and (2) has made a pledge, covenant, or agreement as security or guarantor for a private bond issue of a private company; to disclose such fact in the notes of the entity's financial statements. Provides that, before a political subdivision that is subject to audit by the state board of accounts may issue or guarantee any debt obligation, the fiscal officer of the political subdivision must first prepare a debt capacity analysis report (report) and present the report to the fiscal body of the political subdivision in a public hearing. Requires the state board of accounts, with the assistance of the department of local government finance, to prescribe a standard form report that must be used by a fiscal officer in the presentation. Requires the report to include a determination of the percentage of the political subdivision's total debt obligations (including guarantees) compared to the political subdivision's prospective revenue available for debt service.

*Current Status:* 4/15/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate bills (Rule 148.1)

*State Bill Page:* [SB608](#)

SB623

PROPERTY TAX MATTERS (BUCHANAN B) Provides that a county assessor or township assessor (if any) may request the department of local government finance (department) to perform a state conducted assessment of a particular commercial building or structure used for retail purposes. Specifies the procedures for the state conducted assessment. Provides that the true tax value of commercial real property used for retail purposes that is occupied by the original owner or by a tenant for which the improvement was built shall be determined by the cost approach for the first 10 years of occupancy of the property, less normal depreciation and normal obsolescence under the rules and guidelines of the department of local government finance. Provides that a county fiscal body may adopt an ordinance to provide that the county assessor be reimbursed for legal costs (in addition to other specified costs under current law) incurred by the county assessor in defending an appeal that is uncommon and infrequent in the normal course of defending appeals.

*Current Status:* 4/15/2019 - DEAD BILL; Fails to advance by House 3rd reading deadline for Senate bills (Rule 148.1)

*State Bill Page:* [SB623](#)