

- HB1014 STATE MUSEUM AND HISTORIC SITES CORPORATION (SAUNDERS T) Specifies that a memorandum of understanding between the chief executive officer of the Indiana state museum and historic sites corporation (corporation) and a nonprofit organization that supports a specific state historic site may not include certain restrictions on the fundraising activities of the nonprofit organization and certain operations of the nonprofit organization. Requires the corporation to return certain donor restricted funds to a nonprofit organization if the funds are not used for a donor's specified use in a historic site project.
Current Status: 3/11/2020 - Conference Committee Report Adopted (H) Report 1: adopted by the House; Roll Call 367: yeas 84, nays 5; Rules Suspended
State Bill Page: [HB1014](#)
- HB1099 LOW HEAD DAMS (MANNING E) Requires the natural resources commission to establish a roster of low head dams in the state that are capable of creating hazardous currents that pose safety issues. Establishes requirements concerning low head dams for the department of natural resources (department) and owners of low head dams. Provides that an owner of at least two low head dams is exempt from certain requirements if that owner has previously installed warning signs, in coordination with the department, and maintains and repairs the existing signs. Except for purposes of an inspection, maintenance, or removal, prohibits a person from accessing a low head dam. Prohibits wading, boating, swimming, or accessing the waters within 50 feet of a low head dam when warning signs are present. Provides that the state is not liable for any death or injury that occurs on or resulting from a low head dam that is not owned by the state. Provides for a penalty for violations. Requires the department to prepare a report that includes recommendations concerning the creation of a low head dam removal program and any recommendations concerning low head dam safety legislation.
Current Status: 3/10/2020 - Signed by the Speaker
State Bill Page: [HB1099](#)
- HB1108 STATE BOARD OF ACCOUNTS (LEHMAN M) Makes various changes to statutes concerning the state board of accounts (board). Adds a definition of a "responsible officer of an audited entity". Allows the audit committee to determine the amount of the bond for the state examiner, deputy examiners, and field examiners based on applicable risk considerations. Repeals a statute that addresses duties required by law on April 5, 1909. Provides that, for purposes of the risk based examination criteria, the board may perform examinations of certain audited entities more frequently than once every four years if required by a ratings agency that rates debt maintained by such an audited entity. Provides that the board may issue management letters based on professional auditing standards to certain audited entities. Provides that the state examiner, deputy examiner, or field examiner may issue subpoenas to enforce the filing of certain reports. Establishes a procedure governing the examination of certain bodies corporate and politic. Provides that the procedure applies only to a body corporate and politic whose enabling statute does not provide for an audit, examination, or other engagement by the state board of accounts or an independent public accounting firm concerning financial or compliance related matters of the body corporate and politic. Makes changes to statutes establishing the forfeiture of office for the failure to file certain reports, interference with an examiner, and the failure to adopt or use the system of accounting and reporting adopted by the board. Provides that, as an alternative to an order to forfeit office, a court may impose a civil penalty that does not exceed \$500 for each day that the public officer or responsible officer continues to violate an obligation with respect to an audit, examination, or other engagement by the board. Specifies that the individual is personally liable for a civil penalty imposed on the individual for such a violation. Provides that the board may collect the expenses from the audited entity that the board incurs in carrying out the audit, examination, or other engagement.
Current Status: 3/11/2020 - Conference Committee Report Adopted (H) Report 1: adopted by the House; Roll Call 392: yeas 92, nays 0; Rules Suspended
State Bill Page: [HB1108](#)
- HB1113 LOCAL GOVERNMENT FINANCE (LEONARD D) Changes the deadline for reporting bonds issued or leases executed after September 30. Requires budget committee review of an agreement: (1) in which the Indiana finance authority or the state is a party; and (2) that would increase revenue as a result of a sale or lease of a state asset, or a grant of a license to operate a state asset, if the increase in revenue as a result is at least \$100,000,000. Changes the defined term "assessed value growth quotient" to the term "maximum levy growth quotient" without changing the definition. Allows the department of local government finance (department) to amend certain rules to conform with statutory changes. Requires counties to provide data related to property taxation to the department. (Current law requires counties to provide the data to the department and the legislative services agency.) Amends and adds provisions regarding the assessment of a golf course. Eliminates unnecessary information from the sales disclosure form. Changes the term "industrial facility" in the statutes concerned with the assessment of industrial facilities. Prohibits township assessors and vendors who contract with county assessors or townships from assessing industrial facilities in Lake County. Provides that, for purposes of determining the assessed value of real property for an

individual who has received an over 65 deduction, a disabled veteran deduction, or an over 65 circuit breaker credit, subsequent increases in assessed value are not considered unless the increase is attributable to physical improvements to the property. Provides that a taxpayer may appeal a change in the assessed value of personal property made by a township assessor or county assessor by filing a written notice of review with the county property tax assessment board of appeals (PTABOA). Provides that a taxpayer may appeal a change in the assessed value of personal property made by a PTABOA by filing a written notice of review with the Indiana board of tax review. Removes existing language that provides that, if a PTABOA fails to change an assessed value claimed by a taxpayer on a personal property return and give notice of the change within the time prescribed, the assessor may file a petition for review of the assessment by the Indiana board. Changes the debt service obligation reporting date. Provides that a political subdivision shall submit the date, time, and place of the final adoption of the budget, tax rate, and levy through the department's computer gateway. Requires a political subdivision to indicate on its budget ordinance whether the political subdivision intends to issue debt after December 1 or file a shortfall appeal. Requires a political subdivision that makes an additional unbudgeted appropriation to submit the additional appropriation to the department within 15 days after the additional appropriation is adopted. Provides procedures for increases for the maximum permissible ad valorem property tax levies for Sullivan County, the city of Wabash, and the Wabash city school corporation. Specifies that the county treasurer's property tax comparison statement, issued annually, must include: (1) information stating how a taxpayer can obtain information regarding the taxpayer's notice of assessment or reassessment; and (2) a remittance coupon indicating payment amount due at each payment due date. Eliminates the use of the state address confidentiality form to submit a request to restrict access to a covered person's address maintained in a public property data base. Provides that, if a taxpayer is owed a refund that exceeds \$500,000 for excessive property taxes paid on real property, a county auditor may pay the property tax refund in equal installments of property tax credits for at least five and not more than 10 years, depending on the amount owed to the taxpayer. Requires the department to provide certain assessment and tax data to the legislative services agency within one business day of receipt. Eliminates the requirement that a candidate for an assessor-appraiser examination be an Indiana resident. Provides that if an adopting body under the local income tax law wishes to submit a proposed notice, ordinance, or resolution to the department for preliminary review, the adopting body shall submit the notice, ordinance, or resolution on the prescribed forms. Modifies the standard formula for the calculation of certified shares of local income tax revenue in Hamilton County after 2020 and before 2024 to calculate adjusted amounts of certified shares for the city of Carmel and the city of Fishers. Eliminates the requirement in the context of teacher collective bargaining for the department to certify the amount of an operating referendum tax levy or a school safety referendum tax levy. Provides an exception to the maximum term or repayment period for bonds issued by a school corporation for a school building construction project if a loan is made or guaranteed by a federal agency. Changes from \$1.50 to \$3 the amount of the fee that a lessor in a rental purchase agreement may impose for accepting rental payments by telephone. Transfers responsibility for reporting by political subdivisions of other post-employment benefits from the department to the state board of accounts. Provides that money in the fund of a flood control improvement district established after December 31, 2019, may be used for a flood control works project in a location outside the boundaries of the district. Expires this provision on March 1, 2022. Allows a unit of local government to establish a public safety officer survivors' health coverage cumulative fund to discharge its obligation to pay for health coverage for the survivors of a member of the 1977 police officers' and firefighters' pension and disability fund who was employed by the unit and died in the line of duty. Aligns the deadline for public libraries to adopt a budget with the general deadline to adopt a budget. Removes a provision in current law requiring the state board of accounts to approve the form of a record for stating certain unpaid costs on unsafe premises. Removes a provision in current law requiring a township to treat a transfer of money as part of the township's ad valorem property tax levy for the year. Provides that, if a township board member (in a county other than Marion County) is a member of the immediate family of the township trustee, the township board member may not participate in a vote on the adoption of the township's budget and tax levies; and if a majority of the members of the township board are so precluded from voting on the township's budget and tax levies, then the township's most recent annual appropriations are continued for the ensuing budget year. Provides that a person that has certain business relationships with another person that owes delinquent taxes, special assessments, penalties, interest, or costs attributable to a prior tax sale is prohibited from bidding on or purchasing real property at a tax sale or from bidding on, purchasing, receiving, or leasing a tract under the law governing the disposal of property by local governments. Requires the county treasurer to require each person bidding at a tax sale to sign a form affirming that the person is not bidding on or purchasing tracts or items of real property on behalf of or as an agent for a person who is prohibited from purchasing at a tax sale. Allows certain nonprofit entities that failed to comply with the e

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State Bill Page: [HB1113](#)

SB20

PLAN COMMISSIONS (GASKILL M) Allows a county agricultural extension educator (educator) serving on a county plan commission or an area plan commission who is not a resident of the county to continue to serve on the county plan commission or area plan commission until: (1) October 1, 2020; or (2) the date set forth in a county legislative body ordinance that is after October 1, 2020, and not later than October 1, 2021. Provides that an educator who is not a resident of the county shall serve the county plan commission or area plan commission in a nonvoting advisory

capacity. Provides that the county surveyor's designee must be a resident of the county to serve on the county plan commission or area plan commission. Requires a person appointed to a plan commission to fill a vacancy or to serve as an alternate member to meet the same requirements as the member the person is appointed to replace.

Current Status: 3/11/2020 - Signed by the Speaker

State Bill Page: [SB20](#)

- SB100 NONCONFORMING STRUCTURES (DORIOT B) Provides that the parcel owner shall be allowed to reconstruct, repair, or renovate the nonconforming structure if the reconstruction, repair, or renovation meets certain requirements. Specifies that the bill's provision regarding the reconstruction, repair, or renovation of a nonconforming structure does not apply to a nonconforming structure that is: (1) subject to the jurisdiction of a preservation commission; or (2) located within a flood plain.
- Current Status:* 3/5/2020 - Senate Concurred in House Amendments ; Roll Call 337: yeas 41, nays 0
- State Bill Page:* [SB100](#)
- SB229 MAINTENANCE OF REGULATED DRAINS (SPARTZ V) Provides that a permit is not required from the Indiana department of environmental management for the maintenance or reconstruction of a regulated drain in accordance with certain best management practices for purposes of the law concerning state regulated wetlands, as long as the work takes place within the current easement and the reconstruction does not substantially change the characteristics of the drain to perform the function for which it was designed and constructed.
- Current Status:* 3/11/2020 - Conference Committee Report Adopted (S) Report 1: adopted by the Senate; Roll Call 383: yeas 32, nays 17; Rules Suspended
- State Bill Page:* [SB229](#)
- SB257 AVIATION SAFETY (KOCH E) Provides that INDOT shall not issue a permit for construction or alteration of an energy facility that will result in a structure that is more than 200 feet above ground level at its site unless the applicant for the permit submits to INDOT documentation of a formal review by the Clearinghouse of the proposed construction or alteration indicating: (1) that the formal review resulted in a determination that the construction or alteration will not have an adverse impact on military operations and readiness; or (2) that: (A) the formal review resulted in a determination that the proposed project will have an adverse impact on military operations and readiness; and (B) the applicant has either resolved the adverse impact to the satisfaction of the United States Department of Defense or entered into a mitigation agreement with the United States Department of Defense to mitigate the adverse impact. Provides that a person that is a public use airport owner or operator has standing to obtain judicial review or to intervene in a proceeding for judicial review of a zoning decision that may have a negative impact on the safety of civilian or military flight operations to or from the airport.
- Current Status:* 3/5/2020 - Senate Concurred in House Amendments ; Roll Call 339: yeas 41, nays 0
- State Bill Page:* [SB257](#)
- SB340 PRIVATE PROPERTY MATTERS (SPARTZ V) Requires a conveyance, a mortgage, or an instrument of writing to be recorded to be: (1) acknowledged by the grantor; and (2) proven before certain specified individuals; in certain instances. Requires the summons accompanying a complaint for condemnation to include language regarding the defendant's right to object to the condemnation within 30 days from the date notice is served. Requires a court to award reasonable costs and attorney's fees to a defendant whose objection to a complaint for condemnation is sustained. Caps the amount of attorney's fees a court may award if an objection to a condemnation is sustained at \$25,000. Exempts a condemnation action brought by a public utility or by a pipeline company from the bill's provisions requiring a court to award a defendant in a condemnation action the defendant's reasonable costs and attorney's fees if the defendant's objections to the proceedings are sustained in the proceedings or upon appeal. Requires a municipality to provide notice by mail to affected owners, both residents and nonresidents of the municipality, of a condemnation. Permits an affected owner to file an objection that a municipality does not have the right to exercise the power of eminent domain for the use sought. Amends the time for a remonstrance hearing for a municipal condemnation and the defendant's right to judicial review of the decision made at the hearing to 30 days. (Current law requires a remonstrance hearing to be set no less than 10 days after notice and the defendant to appeal the decision within 20 days.) Provides parties the right to appeal a court's judgment in the judicial review of a municipal condemnation. Revises the statute allowing a municipality to condemn property for economic development to require a 3/4 affirmative vote of the municipality's legislative body to exercise the power of eminent domain. (Current law requires a 2/3 affirmative vote of the municipality's legislative body.) Allows a property owner to challenge a condemnation for economic development purposes by providing clear and convincing evidence that the owner's parcel is not necessary for the project.
- Current Status:* 3/10/2020 - Conference Committee Report Adopted (H) Report 1: adopted by the House; Roll Call 364: yeas 94, nays 0; Rules Suspended

SB430

RESERVOIR CONSERVANCY DISTRICTS (MERRITT J) Allows a conservancy district to be established as a "reservoir conservancy district" if: (1) the conservancy district will be established for certain purposes; (2) the boundaries will encompass part or all of a reservoir located partly within a consolidated city; and (3) at least 25% of the surface of the reservoir is owned by a utility governed by a board of directors for utilities of a consolidated city. Requires the board of directors of a reservoir conservancy district and the utility that owns the reservoir (utility owner) to enter into an operating agreement that describes all works of improvement and maintenance that the reservoir conservancy district proposes to perform. Requires that all such works be approved by the utility owner before the work begins. Provides that a reservoir conservancy district has all of the powers granted to other conservancy districts with certain exceptions, including: (1) a reservoir conservancy district does not have the power of eminent domain; and (2) the utility owner is exempt from all assessments, taxes, and fees imposed by the reservoir conservancy district. Imposes a limit on the special benefits tax levy of a reservoir conservancy district. Authorizes a reservoir conservancy district to impose and collect fees for the recreational use of watercraft on the reservoir, but provides that a one year use fee for a nonresident may not be 50% greater than the one year use fee for a resident, and that a one-day use fee may not exceed 17% of a one year use fee. Authorizes a reservoir conservancy district to establish rules concerning safety and resource conservation but provides that the rules shall not interfere with state rules or with the use of the reservoir for water supply purposes, shall not impair the commercial license of the commercial licensee of the utility owner, and shall not discourage uses of the reservoir for activities allowed under the fish and wildlife laws. Authorizes a reservoir conservancy district to: (1) install catch basins and filtration systems; (2) implement erosion control measures; (3) dredge; and (4) take other actions; with authorization from state and federal agencies. Provides that the utility owner has sole authority to control the water level and water quality of the reservoir. Provides that, except in a case of intentional or willful and wanton misconduct, the utility owner is not liable for any personal injury, death, property damage, or other loss that an individual incurs while present on or in the reservoir. Includes provisions concerning the potential civil liability of the utility owner, the state, the reservoir conservancy district, and owners of property located in a reservoir conservancy district for personal injury, death, or property damage occurring within the reservoir conservancy district.

Current Status: 3/4/2020 - Senate Concurred in House Amendments ; Roll Call 333: yeas 46, nays 3

State Bill Page: [SB430](#)

SB433

STRUCTURES IN FLOODWAYS (BASSLER E) Prohibits the director of the department of natural resources (department) from exercising the authority to remove an abode or residence from a floodway if: (1) the abode or residence was constructed before January 1, 2020; (2) the owner of the abode or residence has taken measures to elevate the lowest floor of the abode or residence to at least two feet above the one hundred year flood elevation within two years after receiving notification from the department concerning the abode or residence; and (3) the owner of the abode or residence has taken necessary measures to comply with all applicable local, state, and federal floodway regulations.

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State Bill Page: [SB433](#)