

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

Current Status: 3/11/2020 - Conference Committee Report Adopted (H) Report 1: adopted by the House; Roll Call 383: yeas 90, nays 3; Rules Suspended

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HB1210

VARIOUS HEALTH MATTERS (ZENT D) Establishes penalties for intentionally interfering with an investigation and enforcement of a home health agency by the state department of health (department). Allows the department to use the immunization data registry to store and release nonimmunization personal health information. States that a responsible member of a family may release a deceased patient's medical records if the deceased patient does not have a surviving spouse or child or a personal representative of the estate. Allows mental health records to be disclosed without the consent of the patient for research purposes by rules of the Indiana archives and records administration and the oversight committee on public records. Allows health records to be disclosed by the Indiana archives and records administration to another provider or nonprofit research organization (current law is a nonprofit medical research organization) in connection with a scientific, statistical, or education project. Changes the title of a "certified food handler" to "certified food protection manager" (CFPM). Repeals the definition of "food handler". Requires a CFPM to provide certain documents to the food establishment and obtain a valid certificate every five years. Prohibits using the title "certified food protection manager" unless the person holds a certificate. Provides that a CFPM may be required to be present during all hours of operation if the department and food establishment agreed upon a variance concerning the requirements for the operation of the food establishment. Amends the establishments that are exempt from the certified food protection manager requirements. Establishes new penalties. Provides for the transition of an existing certified food handler to a certified food protection manager. Makes conforming changes.

Current Status: 3/12/2020 - Sent to Governor for Signature

State Bill Page: [HB1210](#)

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](#)

SB148

ZONING AND HOUSING MATTERS (DORIOT B) Amends a statute concerning manufactured homes (manufactured

home statute) to provide, with respect to a manufactured home located outside of a mobile home community, as follows: (1) A comprehensive plan or zoning ordinance adopted by a unit of local government may: (A) specify aesthetic standards and requirements concerning the manufactured home's permanent foundation system; and (B) require compatibility of the manufactured home's permanent foundation system with surrounding residential structures. (2) A unit of local government may not require: (A) a permanent foundation system that is incompatible with the structural design of the manufactured home; or (B) more than one permanent foundation system for a manufactured home. Specifies that the changes to the manufactured home statute do not affect a requirement applicable to property that is subject to the jurisdiction of a preservation commission. Provides that a unit of local government may not adopt or enforce certain ordinances, regulations, requirements, or other restrictions that mandate size requirements for a manufactured home that is placed in a mobile home community. Provides that, subject to certain conditions, an industrialized residential structure may be located in a mobile home community. Requires a mobile home community operator (operator) to provide all owners of mobile homes, manufactured homes, or industrialized residential structures in a mobile home community with written notice not less than 180 days before the mobile home community's closure. Provides that an operator who violates the notice requirement commits a deceptive act that is actionable by the attorney general or a consumer. Prohibits a unit of local government from regulating certain aspects of a landlord-tenant relationship with respect to privately owned real property located in the unit unless the regulation is authorized by the general assembly. Prohibits a landlord from taking certain retaliatory actions in response to a tenant's engaging in one or more enumerated protected activities. Prohibits a local unit from adopting or enforcing any ordinance or regulation concerning retaliatory acts by landlords. Makes conforming changes.

Current Status: 3/11/2020 - Conference Committee Report Adopted (H) Report 1: adopted by the House; Roll Call 379: yeas 64, nays 32; Rules Suspended

State Bill Page: [SB148](#)

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

State Bill Page: [SB340](#)

SB405

EXEMPTIONS FROM DESIGN RELEASE REQUIREMENTS (GARTEN C) Provides that the design release requirements for certain projects do not apply to certain construction that is exempted even if the construction is: (1) a part of; (2) supplemental to; or (3) an accessory of; any other construction that would otherwise require a design release.

Current Status: 3/5/2020 - Senate Concurred in House Amendments ; Roll Call 342: yeas 40, nays 0

State Bill Page: [SB405](#)