

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

*State Bill Page:* [HB1113](#)

HB1147 MUNICIPAL ELECTIONS (MORRISON A) Authorizes the legislative body of a town or of a city (if the city has a population of less than 3,500) to adopt an ordinance to move the election of all elected offices of the municipality to even-numbered years.

*Current Status:* 3/3/2020 - Signed by the President Pro Tempore

*State Bill Page:* [HB1147](#)

HB1267 WITHDRAWAL OF CANDIDATES (HOSTETTLER M) Provides that a candidate may withdraw from being a candidate not later than noon 81 days before the date of a primary election. (Under current law, a candidate wanting to withdraw must do so not later than noon 85 days before the primary election.)

*Current Status:* 3/3/2020 - Signed by the President Pro Tempore

*State Bill Page:* [HB1267](#)

HB1288 LOCAL OFFICE CAMPAIGN FINANCE REPORTS (MOSELEY C) Provides that a county election board may provide for electronic filing of campaign finance reports by local candidates and committees. Provides that if a county election board provides for electronic filing of campaign finance reports, the county election board may not require any candidate or committee to file campaign finance reports electronically.

*Current Status:* 3/11/2020 - SIGNED BY GOVERNOR

*State Bill Page:* [HB1288](#)

HB1346 JAIL OVERCROWDING (FRYE R) Repeals all provisions concerning the county jail overcrowding task force. Adds additional members to the justice reinvestment advisory council ("advisory council"), including members of the Indiana evidence based decision making initiative (which is a partnership between state and local criminal justice stakeholders). Specifies the purpose and certain duties of the advisory council, including: (1) to conduct a state level review and evaluation of jail overcrowding to identify a range of possible solutions; and (2) to develop incarceration alternatives and recidivism reduction programs at the county and community level by promoting the development of the incorporation of evidence based decision making into decisions concerning jail overcrowding. Provides that the advisory council may make a recommendation to the county sheriffs concerning strategies to address jail overcrowding and implementing evidence based practices for reducing recidivism for individuals in county jails. Requires the criminal justice institute to coordinate with state and local criminal justice agencies for the collection and

transfer of data from sheriffs concerning jail: (1) populations; and (2) statistics; for the purpose of providing jail data to the management performance hub.

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

*State Bill Page:* [HB1346](#)

- SB47 EXPUNGEMENT ISSUES (FREEMAN A) Defines "protection order records" and requires companies that provide background checks to periodically review their records and remove records relating to expunged protection orders (in the same manner as expunged convictions are removed). Permits a person to expunge protection order records in connection with the denial of an ex parte petition for a protection order. Provides that if a court reduces a Class D or Level 6 felony to a misdemeanor, the five-year waiting period for expungement begins on the date of the felony conviction and not on the date the felony was converted to a misdemeanor. Provides that, if a person whose records have been expunged seeks employment with a law enforcement agency or a probation or community corrections department, the law enforcement agency or the probation or community corrections department may: (1) inquire about the person's expunged records; and (2) refuse to employ the person. Specifies the procedure to expunge records of a collateral action entered in a different county than the county which issued the expungement order.
- Current Status:* 3/11/2020 - Conference Committee Report Adopted (H) Report 1: adopted by the House; Roll Call 386: yeas 89, nays 4; Rules Suspended
- State Bill Page:* [SB47](#)
- SB50 VARIOUS TRUST AND PROBATE ISSUES (FREEMAN A) Makes various changes to trust and probate laws concerning proof of title affidavits, small estate affidavits, execution of a trust by a third party, silent trusts, nonjudicial settlements of accounts, and legacy trusts. Makes technical corrections. (The introduced version of this bill was prepared by the probate code study commission.)
- Current Status:* 3/11/2020 - Signed by the Speaker
- State Bill Page:* [SB50](#)
- SB179 ELECTION CYBERSECURITY (WALKER G) Requires counties to enter into an agreement with the secretary of state to use a threat intelligence and enterprise security company designated by the secretary of state for specified security purposes. Provides that this requirement expires January 1, 2023. Requires an employee or agent of a circuit court clerk, a county election board, or a board of registration to meet certain proficiency standards to be qualified to access the statewide voter registration system. Requires applicants for certification of voting systems and electronic poll books to include information regarding: (1) the batteries used in the voting system or electronic poll book, and any peripherals; (2) a planned replacement schedule for the batteries, and (3) plans to test batteries; and (4) plans for emergency replacement of batteries that fail on election day or during the 30 days before election day. Provides that the number of voting systems to be examined in a public test is based on the number of voting system units scheduled by the county election board to be used in the upcoming election. Requires a single list instead of two lists for testing by counties before elections and sets forth selection requirements for testing. Provides that if a county uploads unofficial precinct election results to the statewide voter registration system before certification of the final results, the county must use a universal serial bus (USB) drive that contains anti-malware protection features or other approved data storage transfer methods. Provides that: (1) if a direct record electronic voting system contains a voter verifiable paper audit trail, the precinct election board is not required to print out the paper audit trail in preparing the certificates setting forth the number of votes cast for a candidate or on a public question in the precinct; and (2) the certificates set forth the official votes cast by the voters of the precinct. Provides that after December 31, 2020, an electronic poll book may not display whether a voter's registration record is in active or inactive status. Provides that in a recount or contest proceeding, the information set forth on the voter verifiable paper audit trail may be used as evidence for a recount commission or a court to determine the votes cast for a candidate or on a public question in the precinct. Permits the secretary of state to issue orders (rather than adopting administrative rules) to: (1) designate elections to be subject to a risk-limiting audit or procedure audits conducted after the election; and (2) to administer risk-limiting audits.
- Current Status:* 3/10/2020 - Senate Concurred in House Amendments ; Roll Call 349: yeas 50, nays 0
- State Bill Page:* [SB179](#)
- SB187 ELKHART COUNTY COURTS (DORIOT B) Provides that the board of county commissioners shall provide the circuit court clerk with an office at: (1) the county seat; or (2) in Elkhart County, any other place in the county as the board of county commissioners may provide; in a building provided for that purpose. Provides that each division of the circuit court or superior court of Elkhart County shall hold sessions at: (1) the courthouse of the county; or (2) any other place in the county as the board of county commissioners may provide.
- Current Status:* 3/11/2020 - SIGNED BY GOVERNOR
- State Bill Page:* [SB187](#)

- SB190 CONTROLLED PROJECTS (HOLDMAN T) Amends the definition of a "controlled project" to exclude projects exclusively for engineering, land and right-of-way acquisition, construction, resurfacing, maintenance, restoration, and rehabilitation of: (1) local road and street systems; (2) arterial road and street systems; and (3) any combination of local and arterial road and street systems; including bridges that are designated as being in a road and street system. 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. Provides that nothing shall prevent another political subdivision that has assessed value within the same taxing district as the political subdivision from adopting a resolution or taking a position on a local public question.  
*Current Status:* 3/10/2020 - Conference Committee Report Adopted (S) Report 1: adopted by the Senate; Roll Call 357: yeas 29, nays 19; Rules Suspended  
*State Bill Page:* [SB190](#)
- SB256 COURTS AND JUDICIAL OFFICERS (KOCH E) Provides that the interim study committee on courts and the judiciary (committee) shall review, consider, and make recommendations concerning requests for new courts, new judicial officers, and changes in jurisdiction of existing courts in each even-numbered year. Specifies the information that must be provided to the committee with such a request. Provides that in each even-numbered year the committee shall: (1) identify each county in which the number of courts or judicial officers exceeds the number used by the county for a particular year; and (2) determine the number of years in which the number of courts or judicial officers in the county has exceeded the number used by the county. Requires the office of judicial administration to post the required information on its Internet web site. Establishes the Clark circuit courts No. 5 and No. 6, beginning January 1, 2025. Provides for the election of the judges of each of these circuit courts at the November 2024 general election. Establishes the Clark superior courts No. 5 and No. 6. Requires the governor to appoint the judge of each of these superior courts. Provides that each of these superior courts converts to Clark circuit courts No. 5 and No. 6 beginning January 1, 2025. Establishes a sixth circuit court in Delaware County. Removes the requirement that Delaware circuit courts No. 4 and No. 5 each have a standard small claims and misdemeanor docket. Establishes a third superior court in Marshall County. Allows the judges of the Gibson superior court and Gibson circuit court to jointly appoint a magistrate to serve the Gibson County courts. Allows the judges of the Hamilton circuit and superior courts to jointly appoint an additional magistrate to serve the Hamilton County courts. Allows the judges of the Jennings circuit and superior courts to jointly appoint a magistrate to serve the Jennings County courts. Requires the Indiana criminal justice institute to: (1) collect data concerning rates of rearrest of defendants released with and without money bail; and (2) submit an annual report containing the information collected to the legislative council. Urges the legislative council to assign to the committee the topic of giving mutual full faith and credit to judgments and orders of a tribal court of a federally recognized Indian tribe.  
*Current Status:* 3/10/2020 - Conference Committee Report Adopted (S) Report 1: adopted by the Senate; Roll Call 362: yeas 49, nays 0; Rules Suspended  
*State Bill Page:* [SB256](#)
- SB302 INDIGENCY DETERMINATIONS (TALLIAN K) Establishes a procedure for a criminal court to use in determining if a defendant is indigent. Provides that, if a court has ordered a defendant to pay part of the cost of representation, the court shall inquire at sentencing whether the defendant has paid the required amount. Specifies that a court may prorate fines, fees, and court costs based on the person's reasonable ability to pay. (The introduced version of this bill was prepared by the interim study committee on corrections and criminal code.)  
*Current Status:* 3/4/2020 - Signed by the Speaker  
*State Bill Page:* [SB302](#)
- SB334 ELECTION MATTERS (WALKER G) Allows (current law requires) the secretary of state and election division to assist a prosecuting attorney in prosecuting certain actions and allow the use of an attorney retained by the secretary of state or election division. Requires boards of elections and registration to attend election security meetings called by the election division. Requires the election division to instruct specified election officials on best practices in answering voters' questions on how to vote, including providing instructions on straight ticket voting. Requires the inclusion of language on a ballot or voting system to tell the voter that the voter is not required to vote a straight party ticket. Changes the time frame in which a voter list maintenance program must be conducted for certain special elections and in an election year other than a year in which a general election is conducted. Removes language that required NVRA officials to obtain voter registration information from certain states. Removes authorization for NVRA officials to enter into a memorandum of understanding with the Kansas Secretary of State to compare voter registration data and voids the memorandum of understanding. Establishes the Indiana data enhancement association to be administered by the NVRA official for the administration of voter list maintenance programs and sets forth requirements. Requires a county voter registration office to determine whether an individual authorized the cancellation of any previous voter registration when the individual registered to vote in another state. Sets forth parameters for when a county voter registration office may rely on information provided by certain entities concerning voter registration from another state. Requires that a report by a county sheriff to the county voter registration office concerning individuals placed in a county correctional facility occur at least once a quarter. States that certain requirements for provisional ballots do

not apply to provisional ballots cast: (1) under a court order extending the hours that the polls were open; (2) by a voter who is not on the poll list but indicates that the voter applied to register at a voter registration agency; (3) by a voter after the voter was challenged due to proof of identification; and (4) by a voter who was challenged solely due to failure to provide additional documentation. Requires a court to take evidence to determine whether a county election board filed written notice with the secretary of state and the election division concerning a petition to extend voting hours.

*Current Status:* 3/11/2020 - Rules Suspended. Senate concurred in House amendments; Roll Call 391: yeas 39, nays 10

*State Bill Page:* [SB334](#)

SB424

ADDRESS CONFIDENTIALITY PROGRAM (ROGERS L) Allows a victim of harassment, human trafficking, intimidation, or invasion of privacy to participate in the address confidentiality program (program) of the office of the attorney general (office). (Currently the law allows only victims of domestic violence, sexual assault, or stalking to participate in the program.) Removes the requirement that a victim must have obtained a protective order to participate in the program. Requires that an applicant to the program provide a description of the applicant's plan to maintain the confidentiality of the applicant's new address. Provides, with certain exceptions, that if a program participant provides written notice to an individual, state or local government agency, business, or other legal entity: (1) the entity shall use the address designated by the office; (2) the entity may not disclose the program participant's address; and (3) if the entity is a landlord, the entity may not display the program participant's name at the protected address. Allows the office to revoke a person's participation in the program or deny an applicant's application if the person: (1) uses or intends to use the program in furtherance of a crime; (2) knowingly misrepresents in a fraudulent manner any information the program participant or applicant provides to the program; or (3) is unable or unwilling to maintain the confidentiality of the program participant's or applicant's address. Establishes the circumstances under which a program participant's address may be disclosed in a court proceeding and requires the court to issue an appropriate order to limit any further disclosure. Repeals a statute providing that a program participant who provides false information on a program application commits perjury.

*Current Status:* 3/4/2020 - Senate Concurred in House Amendments ; Roll Call 331: yeas 49, nays 0

*State Bill Page:* [SB424](#)